

Town of Adams Massachusetts 01220-2087

BOARD OF SELECTMEN

TOWN HALL BUILDING
8 PARK STREET
ADAMS MASS.

Wednesday, June 2, 2021, 7:00 p.m.

**BOARD OF SELECTMEN
MEETING MINUTES**

CALL TO ORDER: On the above date the Board of Selectmen held a meeting at the Town Hall Board of Selectmen Room and via Zoom. The meeting was called to order at 7:00 p.m. by Chairman Duval. Present from the Board of Selectmen were Chairman Duval, Vice Chairman Hoyt, Members Blanchard, Nowak and Rosenberg. Also present were Town Administrator Green, Town Counsel St. John III, Forest Warden Kleiner, Parks and Conservation Commission Chairman Fassell, Parks Commission Member Jake Schutz, Administrative Assistant Dunlap, NBCTC, Jack Guerino from iBerkshires, Joyce Brewer, Scott Tolmach, Kayla Farry, Stephen Melito, Kyle Richardson, Mark Blaisdell, Haley Meczywor, Michelle DeRose, DPW, NBCTC, Natasha Bordeaux of Conservation Commission.

Chairman Duval advised that "pursuant to Governor Baker's March 12, 2020 *Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18*, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Town of Adams Board of Selectmen is being conducted via remote participation. In-person attendance of members of the public will be permitted, and every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A recording of this meeting can be made available upon request.

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES: The meeting minutes for the *May 12, 2021 Meeting*, were presented for approval. *Motion made by Member Hoyt to waive reading and approve the meeting minutes for May 12, 2021, as presented, second by Member Rosenberg. Vote: Chairman Duval, Vice Chair Hoyt, Members Nowak and Rosenberg. Abstention by Member Blanchard. Motion passed.*

PUBLIC COMMENT:

Join Zoom Meeting:

<https://zoom.us/j/97900925895?pwd=MjRMZDZlZS3NEVEE0U3M4eGZyR2VtUT09>

Meeting ID: 979 0092 5895; Passcode: 054319

One tap mobile: +13017158592,,97900925895#,,, *054319# US (Washington DC)
+13126266799,,97900925895#,,, *054319# US (Chicago)

Dial In: 1 (929) 436-2866; Meeting ID: 979 0092 5895; Passcode: 054319

Haley Meczywor advised that the former members of the Events Committee got together events to include four concerts and four movies this summer. Requests to use the Visitors Center lawn for concerts and the Town Hall lawn for movies, as well as the Town Wide Tag Sale will be forthcoming.

OLD BUSINESS

Review and Appointment of Board of Health Applicant: *Joyce Brewer.* Chairman Duval reviewed that due to a technical Zoom issue at the last meeting this appointment by the Board of Selectmen needed to be done again and this will be on the Board of Health agenda as well. ***Motion made by Member Blanchard to appoint Joyce Brewer to the position of Board of Health Member which expires with the election in May 2022, second by Vice Chairman Hoyt. Vote: unanimous. Motion passed.***

NEW BUSINESS

Review and Appointment of Parks Commission Applicants: *Paul Nowicki, Scott Tolmach, and Kayla Farry.* It was explained that two members are currently on the Parks Commission, but as they do not have a quorum they cannot meet. The Board of Selectmen advertised for these vacant positions and will make decisions with the current Parks Commission Members' input. It was pointed out that there are three applicants, one of which was from Paul Nowicki, who was not in attendance but Scott Tolmach and Kayla Farry were present via Zoom. *Kayla Farry* reviewed her background and explained her interest in serving to the Board Members. *Scott Tolmach* advised he just relocated to this area and can do some things for the town. He also gave his background and qualifications to the Board. The current Parks Commission Members were asked for their input. *James Schutz* and *Jim Fassell* advised that they were excited to have them all as Members of the Parks Commission. *Vice Chairman Hoyt* clarified that the appointments run through the Town Election of May, 2022 and if the new Members want to continue they will have to run for that seat. It was noted that there are two positions for three-year terms and one position for a two-year term available. It was pointed out that the Parks Commission is a five-member board with no alternates. ***Motion made by Vice Chairman Hoyt to appoint Kayla Farry to Parks Commission, with the term expiring with the Town Election of May, 2022, second by Member Blanchard. Vote: unanimous. Motion passed. Motion made by Vice Chairman Hoyt to appoint Scott Tolmach to the Parks Commission, with the term expiring with the Town Election of May 2022, second by Member Blanchard. Vote: unanimous. Motion passed. Motion made by Vice Chairman Hoyt to appoint Paul Nowicki to the Parks Commission with the term expiring with the Town Election of May, 2022, second by Member Blanchard. Vote: unanimous. Motion passed.***

Review and Appointment of Conservation Commission Applicant: *Stephen Melito.* *Stephen Melito* advised he saw the article in iBerkshires and that he is passionate about Conservation. He gave his background and qualifications to the Board for consideration. *Conservation Commission Chair Fassell* expressed excitement to see the application, and noted that having his perspective will be good. *Member Nowak* outlined why being on the Conservation Commission is so important. He explained that under Massachusetts General Law decisions are made concerning wetland regulations and other things affecting the environment, so sound decisions need to be made. It was confirmed that the Conservation Commission is comprised of seven members, and is currently down by four members so each meeting must have everyone present. ***Motion made by Member Blanchard to appoint Steve Melito to the Conservation Commission with the term expiring with the Town Election in May, 2022, second by Vice Chairman Hoyt. Vote: unanimous. Motion passed.*** Those recently stepping down from the Conservation Commission Tammie Shafer, Brian Bishop, Tom Robinson, were thanked for their service to the Town.

Appointment of Adams Housing Authority Tenant Board Member: *Adele Hale.* Chairman Duval reviewed the letter provided from Adams Housing Authority Executive Director, Patricia Volpi requesting appointment of Adele Hale to the Tenant Board Member position with her term expiring in 2025. *Town Counsel St. John III* advised the appointment would need to be until the May, 2022 election. *Town Clerk Meczywor* pointed out that recently new legislation had passed on Tenant Board Members. A request was made to hold off on this appointment for two weeks to get more information on it because it is believed with the new legislation the Board may be able to appoint her until May of 2025. *Town Clerk Meczywor* and *Town Counsel St. John III* will review the information together. ***Motion made by Member Nowak to table this appointment, second by Vice Chairman Hoyt. Vote: unanimous. Motion passed.***

Review and Appointment of Board or Commission Applicant: *Kyle Richardson.* Chairman Duval reviewed the application and noted Mr. Richardson's willingness to serve where he is needed. Kyle Richardson advised he saw an article in the Berkshire Eagle and he is willing to come in to meet Town Administrator Green and to serve. Town Administrator Green invited Mr. Richardson to meet with him to review the Boards and their vacancies. *Motion made by Member Blanchard to table Mr. Richardson's application until the next meeting, second by Member Rosenberg. Vote: unanimous. Motion passed.*

Special Municipal Employee Designation: Special Consultant to Community Development, *Janette Kessler.* Chairman Duval read the letter provided from Donna Cesan regarding this request. *Motion made by Vice Chairman Hoyt to designate the position of Special Consultant to Community Development as a Special Municipal Employee under Massachusetts General Law Chapter 268A, second by Member Blanchard. Vote: unanimous. Motion passed.* It was clarified that this position is paid through Community Development funds, and will focus on the Greylock Glen. *Motion made by Vice Chairman Hoyt to appoint Janette Kessler as a Special Project Consultant to the Community Development Department, second by Member Blanchard. Vote: unanimous. Motion passed.*

Reserve Fund Transfer Request: *Forest Warden Department, ATV & Trailer Replacement, \$17,000.* Chairman Duval read the letter from Town Administrator Green requesting the Reserve Fund Transfer. He reviewed cost estimates, and Ronnie's Cycle provided a quote of \$16,447.88. Town Administrator Green thanked Chief Kleiner and the Forest Wardens for doing research to determine the best equipment. *Member Nowak* asked for the status of the Reserve Fund and it was outlined that there is \$135,000 left. It was pointed out that the remaining balance at the end of the year goes into the Stabilization Fund, which will leave \$710,000 at that time. A brief review was made of the workshop discussion on this last Wednesday and the process of a Reserve Fund Transfer request was reviewed. It was noted that if approved by the Board, the Finance Committee will meet to recommend to approve or disapprove the amount of the Reserve Fund Transfer request. A request was made for time to be made for the Board of Selectmen and the Finance Committee to view the vehicle being replaced. It was clarified that Chief Kleiner received three quotes to fulfill procurement laws. Bidding doesn't have to take place until \$50,000. *Motion made by Member Blanchard to approve the Reserve Fund Transfer for an ATV and trailer replacement in the amount of \$17,000, second by Vice Chairman Hoyt. Vote: unanimous. Motion passed.*

DEPARTMENT REPORTS

Town Administrator: *Town Administrator Green* advised that Dr. Rhoads of the Board of Health reported there are no open Covid-19 cases in Adams at this time. He noted it has been over a year since this has been the case. He advised of "soft" openings of Town buildings and on the recommendation of the Board of Health the Town is asking visitors to wear a mask for now. Signage has been put up on buildings and if the numbers stay low the Town will release that request. He noted that Juneteenth is recognized by the Commonwealth as a new holiday. June 18th will be honored, and June 17th Town Hall will be closed. *Member Nowak* inquired about how the extension of the Ashuwillticook Rail Trail is going. It was noted that it is on Transportation Improvement Plan (TIP) and our responsibility is up to Hodges Cross Road. It was noted that it will be cost sharing with North Adams and has not advanced recently. Most of the property acquisition issues have been worked out but National Grid has concerns about how path will work around their property around Zylonite area. *Member Nowak* noted he read that Great Barrington and Stockbridge got approved to get the tracks fixed on the scenic railway and inquired of they will continue scenic rides on the trains there. It was explained that as of this time there are no known plans for Berkshire Scenic Railway to operate there. Rail bikes in this area were requested for discussion as well. A representative can come and give an update.

Town Counsel: *Town Counsel St. John III* reported he spoke with the court regarding the rescheduling of the Dupee dog hearing to June 11th and notified all witnesses of the hearing date. He noted that today he was informed by the Clerk of Courts that the Trial Court's Administrative Office out of Boston was unable to assign a judge for June 11th and will attempt to assign a judge for Tuesday, June 29th at 9:00 a.m. As soon as that is confirmed, he will notify the Board and all witnesses. He reported he researched liens on a property that is subject to code enforcement action and provided his findings to the Code Enforcement Officer. He filed a motion for an injunction with the Housing Court concerning another code enforcement matter. He responded to a question concerning an Open Meeting Law issue due to incorrect Zoom login information and he reviewed and responded to a Public Records Act request.

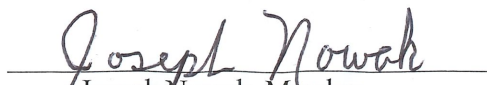
SUBCOMMITTEE AND LIAISON REPORTS: *Member Nowak* advised that next Tuesday the Mohawk Trail Woodlands Partnership (MTWP) committee is having their annual meeting with all the membership communities. *Vice Chairman Hoyt* reported that the Licensing Sub-Committee is looking to meet next Wednesday at 8:30 a.m. *Member Rosenberg* advised he is waiting for the reorganization of sub-committee and liaison assignments to see where to serve. *Chairman Duval* advised that regarding the Ashuwillticook Bike Trail Extension, the Transportation Improvement Plan (TIP) was for 2025. He advised he will continue to work with the Metropolitan Planning Organization (MPO), MassDOT District One and Community Development Special Projects Coordinator Cesan to get that moved when possible. He explained the main focus of MPO to identify federal and state funds for highway, road, and bicycle activities and determine which roads to be done and in which order. He noted requests come from all communities in membership with Berkshire Regional Planning Commission (BRPC) and BRPC and MPO make the recommendation of prioritization. He explained that some move forward right away and some come forward in a year or two depending on funding. He pointed out the goal is to connect Vermont to Connecticut with the bike trail. He advised of emails the state distributed regarding land in Adams and would like the Board to get an education on this as there is a tax implication with a donation of land to the state. *Town Administrator Green* advised that the figures come through on the Cherry Sheets. He noted the Governor's budget comes out in January, and then goes through the House Joint Committee. He pointed out that it would be a good project for new Town Assessor Paula Wheeler for presentation.

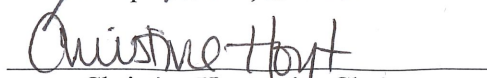
ANNOUNCEMENTS AND GOOD OF THE ORDER: *Member Nowak* noted the good news on Covid and stated it was good to see Adams in the grey category. He encouraged those unvaccinated to become vaccinated. He expressed how good it was to see interest of lay citizens to serve on boards and thanked everyone who showed interest. *Vice Chairman Hoyt* thanked the American Legion for putting together the ceremony for Memorial Day. She thanked the committee who put together the Fallen Heroes Banners. *Member Rosenberg* thanked Town Clerk Meczywor and the Events Committee for reconvening.

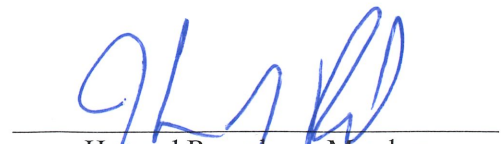
ADJOURNMENT: *Motion made by Member Blanchard to adjourn, second by Member Rosenberg. Vote: Unanimous. Motion passed. Meeting adjourned at 8:16 p.m.*

Respectfully Submitted,

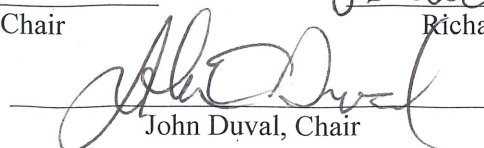
Deborah J. Dunlap, Recording Secretary


Joseph Nowak, Member


Christine Hoyt, Vice Chair


Howard Rosenberg, Member


Richard Blanchard, Member


John Duval, Chair