



Town of Adams Massachusetts 01220-2087

BOARD OF SELECTMEN

**TOWN HALL BUILDING
8 PARK STREET**

Wednesday, May 12, 2021, 6:00 p.m.

Meeting Minutes

CALL TO ORDER: On the above date the Board of Selectmen held a workshop in the Board of Selectmen and Sun Rooms and on Zoom. The meeting was called to order at 6:00 p.m. by Board of Selectmen Chairman Duval. Present were Vice Chairman Hoyt, Members Nowak and Rosenberg, Town Administrator Green, Finance Director Wojcik, Community Development Special Programs Coordinator Cesan, State Representative John Barrett III, Jack Guerino of iBerkshires, Larry Parnass of Berkshire Eagle and Administrative Assistant Dunlap. Attending via telephone were Lieutenant Governor Polito, the Governor's Western Massachusetts Director Jose Delgado, Chris Bone, Dan Root and Miles Moffatt from Tighe & Bond, Nat Karns from the Zoning Board, DPW Director Tober, Shawn T. Pierce from Executive Office of Energy and Environmental Affairs, Kathleen Wall, and Board of Selectmen Member Nowak. *Member Blanchard was absent.*

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. No in-person attendance of members of the public will be permitted, but 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 is available upon request.

PUBLIC CALL-IN:

Join Zoom Meeting:

<https://zoom.us/j/97230406240?pwd=aTBDb2cwZURoblVSZHVna2laK1E3dz09>

Meeting ID: 972 3040 6240; *Passcode:* 357371

One tap mobile: +19294362866,,97230406240#,,,*357371# US (New York)

Dial In: 1 (929) 436-2866; *Meeting ID:* 972 3040 6240; *Passcode:* 357371

Consensus is reached by Board to move Announcements and Good of the Order up on the agenda.

ANNOUNCEMENTS AND GOOD OF THE ORDER: *Town Administrator Green* announced that he received a telephone call from Governor Baker who informed him that the Baker-Polito Administration is funding the Greylock Glen Outdoor Center, a 60-year dream of development. *Lieutenant Governor Polito* noted that State Representative Barrett III has worked hard with the Town, has been influential, and she acknowledged the hard work of Town Administrator Green, and the Adams Board of Selectmen as well. She noted the Governor's Western Massachusetts Director, Jose Delgado, and Shawn Pierce from Department of Conservation & Recreation are both happy to see this come to fruition. She thanked everyone on behalf of the Governor for the incredible work done. She thanked the public officials and departments affected by Covid-19 and thanked them for partnering to help people get vaccinated and access resources. She noted Adams being a leader in Berkshire County for making sure people in the county could access vaccines. She recalled that when campaigning with Representative Barrett in 2014 he talked about the Greylock Glen and continued to be a leader and advocate for this project. She noted that Adams was a good steward of an amazing natural asset and has done a lot with trails and amenities to welcome people.

Work needs to be done to make it an attraction for people to see. She pointed out that if there was ever an example for why the state should fund a project, it was this project last year. Connecting with nature to escape the challenges of Covid-19 was a support to a lot of people, and it convinced the Governor and her that it was the right thing to do. She advised that \$6.5 Million would be provided to fund the whole project and make this dream come true, and it is important to the community, the region and the Commonwealth that many people come to enjoy it in the future. She announced that the Governor hopes to come in June personally and ground break in August in person to demonstrate the full commitment to get this done. She emphasized the Greylock Glen is an asset to both the community and the economy, and she is behind the effort all the way. *State Representative Barrett III* advised the announcement was very special, and as the Governor's fingerprints were on Mass MoCA they will also be on the Greylock Glen. He expressed he was pleased that the funding came through when it counted. He acknowledged that not everyone in Boston was in favor of this project but the Baker-Polito Administration heard what the Greylock Glen has to offer and how important it is to this economy through outdoor recreation. He noted that the area will see growth in jobs and broadband will grow and improve here thanks to Lt. Governor Polito and Governor Baker. *Community Development Special Projects Coordinator Cesan* advised she worked on this project for many years during her 20-year service in collaboration with many state and regional agencies. She expressed that the Baker-Polito Administration has embraced the vision of the property and that she was personally deeply appreciative since the team has worked hard for it. She stated she was extremely grateful to State Representative Barrett III also for being a champion of the project. *Chairman Duval* thanked Lieutenant Governor Polito and Governor Baker and expressed excitement for the community. He noted that the first article on the project in the local newspaper was dated April 23, 1971 and it has been almost 50 years that the community has waited for this moment. *State Representative Barrett III* pointed out that there are several people that worked on the project that are no longer with us today, and praised the work of Community Development Special Projects Manager Cesan. He advised the next eight weeks will be tough to make sure the groundbreaking comes in August and noted the importance to come back in just over a year to make sure to open the project. *Chairman Duval* thanked State Representative Barrett III, and recalled that when he was running for his State Representative position he pointed out that his top priority was the Greylock Glen, and it could not have been done without him.

At 6:26 p.m. a brief recess took place. The meeting recommenced at 6:29 p.m.

NEW BUSINESS:

Review WWTP CIP and Enterprise Fund Projects with Tighe & Bond: *Town Administrator Green* reviewed that there was a workshop in February where enterprise fund mechanics were discussed. Tighe & Bond reported back to the Town that they had identified \$5.5 Million in improvements that the Wastewater Treatment Plant needed, which led to discussion to talk about enterprise fund. He noted that Community Development Special Projects Coordinator Cesan will be the project manager. It was explained that consensus was needed from the Board to move ahead with accessing funds with the state revolving fund as the main funding source for the Wastewater Treatment Plant. *Miles Moffatt and Chris Bone of Tighe & Bond* reviewed the grant opportunities for the Wastewater Treatment Plant upgrades and provided information on the low interest loan of which at least 9.9% of \$5.5 Million is being forgiven. *Community Development Special Projects Coordinator Cesan* advised that Tighe & Bond has been working with her and have done a really good job positioning the Town to take advantage of the best funding sources and to get grant funding for the asset management plans for wastewater and also stormwater. Mr. Moffatt advised of two different programs, one governed by MassDEP and other under the Asset Management Program under MassDEP. It was explained that Tighe & Bond started working with the Town for an asset management grant and the intended use plan was finalized for the clean water SRF grant. The Town was awarded a \$60,000 grant to include \$28,000 in-kind services, and a \$12,000 cash match. He noted that for \$12,000 the Town is getting a \$100,000 project. He explained that the focus was on stormwater, supporting

MS4 requirements and replicated efforts on the Wastewater Treatment facility, prioritizing improvements. He pointed out there is a defensible risk case for capital planning, and reviewed possible risk factors. He gave a brief overview of tasks to be performed and the project kickoff. Asset data was listed, including sewer, stormwater and the Geographic Information System (GIS) and how long a life cycle those assets are expected to have. It was noted that adjustments will be needed with the cannabis process. Tablets and field work will be replacing paper forms with new technology to help staff better manage and give data updates. The schedule was reviewed, as was submitted in August with letters of recommendation and other paperwork to get assurance of local funds. June is the target and there will be a more comprehensive kickoff in October and it will conclude in the latter part of summer 2022 with proactive replacement of wastewater and sewer mains being prioritized and planned forward. It was explained that the information provides a roadmap on how to spend funding obtained through the revolving fund. It was noted that the process was very competitive and Adams was Ranked #1 in the group. It was pointed out that interest rates will be going up and locking in rates now is advised. A summary was given of the costs and schedule. It was explained that having both stormwater and sewer combined in one study bumped up the ranking of the Town. It was noted that there had to be ten staff members talk about how they would participate in the plan, use the GIS and fill out signed testimonials to get ten points. It was pointed out that asset management isn't a report but an operating philosophy being constantly updated with all data captured in real time and lives in this town database permanently. Concern was expressed about the technology of the aging plant becoming obsolete. It was pointed out that the key elements of the plant are the aeration basins and clarifier which are the heart of the project. It was noted that the plant is oversized for what it needs to be for size of Adams today as it was built when there was a mill presence. This allows the Town to comply with stringent regulations for phosphorus, and if there is a lower phosphorus limit it is not believed it could be met with the system currently in place. It was noted that it could mean in the future the Town might have to build a tertiary ancillary filtration system to manage that. It was pointed out that no discussions have taken place about any regulations to require Adams to have a lower phosphorus limit yet, and the money would not be wasted. It was explained that Pittsfield is putting in a tertiary system and the cost is frightening, but Pittsfield has up to fifteen times the flow of Adams. *Chris Bone* quoted that a tertiary system for Adams would approach \$10 Million. The source of phosphorus was briefly explained as naturally occurring in different products like cleaners, and there might be low levels of phosphorus in the drinking water for corrosion control, but the vast majority is just inherent in wastewater. It was pointed out that there is not a viable option to get phosphorus levels down. It was explained that the identical presentation was given in late July of 2020 and the first half of the year was spent doing the assessment for improvements and needs, and to develop the report with the recommendations. It was proposed to have a capital upgrade plan. A brief review was made to inform that the Board authorized the application submission in August, and were awarded SRF funding for the project. It was noted that it is now time for the next step to act on that funding. It was explained that in 2006 a project addressed equipment in half the facility, which was a financial decision about what could be done then. It was pointed out that equipment maintained through the Town's program over the last 50 years is well past its useful life. The equipment to be upgraded or replaced was listed, and potential safety improvements were listed. Critical dates on the schedule were noted as being the June 30, 2021 bond bill and the submission of the loan application to MassDEP by October 15, 2021. It was explained that the design, plans and specifications need to be submitted by that deadline, and the design needs to be started as soon as possible. It was noted that the Town could go out to bid April 2022 or so and submission of the authorization to award to MassDEP in May, to be awarded in June of 2022. Payments would start in the summer of 2023 and continue from there but as soon as the contractor is under contract the Town is required to pay them. Two levels of costs were reviewed as costs that are not reimbursable under the SRF program and those that are. Construction costs are all SRF reimbursable and estimates are included in the loan application. Brief discussion took place about when the loan forgiveness would be applied, and when the state would decide. It was believed to be up front and 9.9% comes off of the first two payments. Miles will look into it to get firm details, which will be reported out at an information session to

be scheduled. Part of the report is estimating costs on efficiencies. There were no major efficiencies to be gained, but the plant will see small ones here and there. Use of materials to resist corrosion and add to the life of the plant was discussed. Ventilation is part of the issue and other areas have needs to be met in the very detailed design. A library of standards of specifications are researched and the life cycle costs are taken into consideration. Comparisons on key features will be shared in the future with the Board and Town Administrator. The revolving fund was noted as being at the heart of the process. Mold in the basement room on the walls was discussed. An inquiry was made about how long the bond be for and it was not clear but the last one was for twenty years. A ten percent contingency is built into the plan and drops down to 5 percent once you there is a bid price. An inquiry was made whether there is a way to use existing the solar field or add panels to this to reduce the cost to operate the plant. It was noted that it is not built in to the plan and it is hard to justify making it work for a project like this. The footprint of the plant was discussed and it was noted that there is more infrastructure underground. A review of current debt was made and concern was expressed about how the Town will pay for it. What the Town will owe in Fiscal years 2023, and 2024 will be provided and Miles will get numbers for the first couple years of overlap. It was noted that design funds are needed for Tighe & Bond to get the design going. The best approaches for funding that amount up front were discussed. A Town Meeting Warrant article would be required to approve the funding mechanism like an enterprise fund or revolving fund. Discussion took place regarding whether a determination needed to be made on what the rate structure will be for the Warrant Article. It was noted that Adams is not structured to fund enterprise costs the way other communities are structured, and is not fiscally structured correctly. It was pointed out that when MassDEP and other agencies look at Adams they give us suggestions the Town is unable to use because of it. Strategy for a successful approach at Town Meeting was considered in order to advance this project on several fronts. It was pointed out there is a need to certify either an enterprise fund or a special revenue account that water and sewer would get rated. It was explained that it is important to make sure funds are not just getting washed into the general fund as it must be separated as a special revenue fund, or enterprise fund. It was noted that the only debt expires in three years. It was explained that the Town traded off redundancy over the years and let the plant fall into disrepair while half the plant hasn't been used. Three different options were considered. The first was to stay the way it is with the general fund. The other options were usage based and non-usage based. For all three alternatives expenses are exactly the same, the entire Capital Improvement Plan (CIP) is funded and nothing is left out. It was noted that timing needs to be carefully handled and under the existing property tax, the Town would have to tune up timing. A ten-year snapshot was done with budgeted future expenses. The Capital Improvement Plan was reviewed and operations given an overview including infiltration, inflow and sub pump stations. It was noted that it would potentially change the variable that causes individual sewer costs to go up and down. A review was done of residential and non-residential users to reflect customer cost causation, flow and strength as it affects the bill. It was pointed out that billing is currently being done by valuation. An evaluation was done on the different options to change the rate structure. Currently sewer fees go in to the General Fund as the billing unit is through assessed values, and this has the lowest equity between customer classes. Usage classes were looked at and assessed for equity based on usage. The concept of the Enterprise Fund was explained and it was noted that it reduces the chance of hitting the General Fund. Metrics were given on the industry standard for affordability and three alternatives were compared to evaluate impact over time. The average home value was assessed at \$149,000 for the comparison. The seven-year period showed the current structure amount at \$3,700 and \$4,800 for usage-based billing. Outliers were looked at it. Industrial customers were pointed out as paying much higher amounts because of the split tax rate. A household burden indicator looks at the percent of population living below the index of the poverty level, and data was entered into the rubric to consider. It was explained that by FY30 fees would still be considered to be moderate to low burden because the poverty prevalence indicator is at 28%, which is in the lowest category for household economic burden. It was pointed out that the data for Adams from the census showed that sewer prices are artificially low. Sewer costs are much less than water because there is less infrastructure. It was explained that restructuring the billing system would

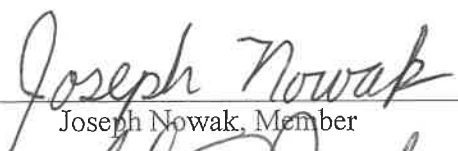
bring Adams from 9th to 33rd for the tax rate in the state. The next steps would be to talk to the Fire District, purchase a billing system, use MUNIS, and finalize a customer database. Because it was assessed through valuation, there is no list of customers so the burden is to find out who is on sewer, determine timing for the transition and do public outreach. It would need to go to Town Meeting. *Vice Chairman Hoyt* requested additional data for non-profits that don't pay taxes, and also for septic users that would go to zero use if they can be identified. Additionally, those with PILOT agreements were requested to be identified. It was explained that non-profit organizations are already in the chart and identified by land use codes, such as churches and schools. It was pointed out that non-profit organizations don't pay anything but are a large contributor of storm water. Unintentional subsidizing was noted as a possible outcome if the data is not carefully assessed and it was explained that for one to pay more or less the others have to compensate. It was explained that the strategy was to have this discussion at a Special Town Meeting in the fall. The age of the plant was expressed as a concern and it was noted that concrete structures last forever if sealed properly but the plant will need some architectural structures at some point.

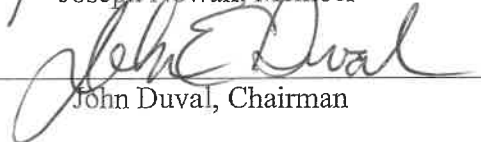
Review Town Meeting Warrant Article to seek Home Rule Petition to increase number of on-premise liquor licenses: *Town Administrator Green* reviewed the potential opportunity at the Greylock Glen Outdoor Center which may cause a resurgence of the downtown area and noted the demand may outstrip the supply of the area. He explained that licenses are tools to attract and retain business in the downtown and Adams doesn't want to be in the position of not having them. It was noted that the Board had supported the request on Sept 6, 2017 as a tool for economic development. *Vice Chairman Hoyt* advised she spoke with the State Representative a couple weeks ago and he spoke in support of going to Town Meeting. *Town Administrator Green* advised that eight is the number of licenses being asked for but it doesn't mean the state will issue them all. The only concern is that the state may have reservations about the saturation level of the area, but the importance of alcohol sales for economic development during Covid was evident.

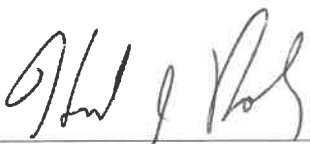
ANNOUNCEMENTS AND GOOD OF THE ORDER: *No announcements or comments were made.*

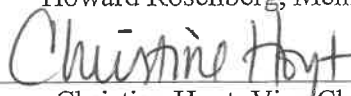
ADJOURNMENT: *Motion made by Vice Chairman Hoyt to adjourn the meeting, second by Member Rosenberg. Roll Call Vote in favor were Chairman Duval, Vice Chairman Hoyt, Members Nowak and Rosenberg. Motion passed. Meeting adjourned at 8:25 p.m.*

Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary


Joseph Nowak, Member


John Duval, Chairman


Howard Rosenberg, Member


Christine Hoyt, Vice Chair