

Town of Adams Massachusetts 01220-2087

BOARD OF SELECTMEN

TOWN HALL BUILDING
8 PARK STREET

Wednesday, October 6, 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. 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 Clerk Meczywor, Town Clerk Administrative Assistant Lesure, Council on Aging Director Girgenti, Art McConnell of the Lions Club, George LeMaitre, Administrative Assistant Dunlap, and Jack Guerino from iBerkshires. Via Zoom was Town Counsel St. John III, Attorney Akers and Raj Patel representing Mahant Oasis Liquors Inc, Karen Stark and Saskia Rifkin of Hover Productions, LLC.

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES: The minutes for the *September 13, 2021 and September 15, 2021* meetings were submitted for approval. ***Motion made by Vice Chair Hoyt to waive reading and approve the minutes for the September 13, 2021 meeting as submitted, second by Member Rosenberg. Roll Call Vote: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak, Rosenberg. Motion passed. Motion made by Member Nowak to waive reading and approve the minutes for the September 15, 2021 meeting as submitted, second by Member Rosenberg. Roll Call Vote in Favor: Chairman Duval, Members Nowak and Rosenberg. Abstention by Vice Chair Hoyt and Member Blanchard. Motion passed.***

PUBLIC COMMENT: *Library Director Jayko* announced that she and the Library Board of Trustees voted to remove overdue fines from most items in the library. She explained the benefits to going fine free and a copy of fine free policy is at the Circulation Desk at the Library. She announced that the Friends of the Adams free Library are having a book sale. The Library Newsletter is available and copies can be picked up at the Tax Collector's office. *Council on Aging Director Girgenti* announced that on November 1st she will begin a new position as Director of Sugar Hill Assisted Living. *Town Administrator Green, Town Counsel St. John III and Board Members* praised her work, especially through the pandemic, and after eleven years of her leadership wished her well in her new position. *Council on Aging Director Girgenti* advised she plans to have an active role in the Friends committee and will do fundraising.

OLD BUSINESS

Resubmission of Application for Transfer of All Alcohol License, MAZVAR, Inc. dba Oasis Liquor Store, to Mahant Oasis Liquors, Inc. dba Oasis Liquor Store. *Town Counsel St. John III* explained that the Alcoholic Beverages Control Commission (ABCC) denied the transfer of license application, and the applicant provided additional documents. The incomplete portions were noted as the financial portion, which needed documents to support cash; collateral, and how the pledge was to be made; a document authorizing Mr. Patel to sign the pledge; and the purchase and sale agreement.

Motion made by Vice Chair Hoyt to approve the resubmission of the Application for Transfer of All Alcohol License from MAZVAR, Inc. dba Oasis Liquor Store, to Mahant Oasis Liquors, Inc. dba Oasis Liquor Store with the additional documents, second by Member Blanchard. Roll Call Vote in Favor: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak, and Rosenberg. Motion passed. Motion by Vice Chair Hoyt to approve Pledge of Collateral of License and Transfer of Inventory from MAZVAR, Inc. dba Oasis Liquor Store, to Mahant Oasis Liquors, Inc. dba Oasis Liquor Store second by Member Blanchard. Roll Call Vote in Favor: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak, and Rosenberg. Motion passed.

Housing Authority Tenant Board Appointment: *Adele Hale. Chairman Duval read the letter from the Housing Authority Board of Commissioners, Linda Cernik. Town Counsel St. John III has reviewed the steps that were taken to get the term filled and a further reappointment to extend her term for an additional two years. The three-year term can go forward and runs May 2021 to May 2024. Motion made by Vice Chair Hoyt to approve the appointment of Adele Hale to the position of Housing Authority Tenant Board of Commissioners for the term May 2021 to May 2024, second by Member Rosenberg. Roll Call Vote in favor: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed.*

NEW BUSINESS

Ratification of Library Aide / Cataloguer: *Roy Rudolph. Chairman Duval read aloud the letter from Town Administrator Green requesting the ratification of Mr. Rudolph. Five candidates were interviewed. Motion made by Vice Chair Hoyt to ratify the appointment of Roy Rudolph to the position of Library Aide / Cataloguer for the Adams Free Library at the Grade 4, Step 4 rate of \$17.10 per hour, second by Member Rosenberg. Roll Call Vote in favor: Chairman Duval, Vice Chair Hoyt, Member Blanchard, Member Nowak, Member Rosenberg. Motion passed.*

Ratification of Council on Aging Van Driver: *John Bianchi. Chairman Duval read aloud the letter from Town Administrator Green requesting ratification of Mr. Bianchi. The difficulty in retaining Council on Aging Van Drivers was noted, and Mr. Bianchi is certified as a driver in Cheshire. Motion made by Vice Chair Hoyt to ratify the appointment of John Bianchi to the position of Per Diem Council on Aging Van Driver at the Grade 5, Step 1 rate of \$17.26 per hour, second by Member Rosenberg. Roll Call Vote in favor: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed.*

Vacancy for Cultural Council of the Northern Berkshires, Adams Representative: *George LeMaitre. Chairman Duval read aloud the letter from Arthur DeBow of the Cultural Council of the Northern Berkshires (CCNB) in support of George LeMaitre as an Adams Representative to CCNB. George LeMaitre gave his background in community work in shaping the arts. It was confirmed that this is a three-year term by the Town Clerk. Motion made by Member Nowak to approve the appointment of George LeMaitre as an Adams Representative to the Cultural Council of the Northern Berkshires for a three-year term, effective October 6, 2021, second by Vice Chair Hoyt. Roll Call Vote in favor: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed.*

One Day Wine & Malt License: *Christian Hanson, Balderdash Cellars, October 10, 2021, 12:00 p.m. to 5:00 p.m. Motion made by Vice Chair Hoyt to approve the One Day Wine & Malt License for Christian Hanson of Balderdash Cellars on October 10, 2021 from 12:00 p.m. to 5:00 p.m. for Ramblefest, second by Member Blanchard. Roll Call Vote in favor: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed.*

Facility Use Request, Greylock Glen: *BART School for Community Building and Lunch, October 7, 2021. Town Administrator Green* advised there were no concerns from town staff. ***Motion made by Vice Chair Hoyt to approve the use of the Greylock Glen for BART School for Community Building and Lunch on October 7, 2021 from 11:30 a.m. to 2:45 p.m., second by Member Rosenberg. Roll Call Vote in favor: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed.***

Facility Use Request, Various Town streets and property: *Hover Productions, October 7, 2021. Town Administrator Green* gave the Board background about the work of the production firm. He advised the request is routine, requiring only simple road closures. 25 Spring Street will be used and is owned by the Town via tax title. There is no concern with interior space or safety. *Karen Stark* advised there are approximately five different locations in Adams for the request and preparations are being made to begin Friday outside T&A Tool at dusk, which will not require shutting down the street. The Police Chief is getting a police detail in place and there will be intermittent traffic flow on one side of the street. The DPW is providing barrels for safety. She reviewed the plan for the use, and advised of a planned wet down and fog. She noted the plan to shut off the lights on the street and spot lights going into other businesses. She advised of flyers going out to neighbors to let them know and the DPW will post no parking signs to get cars off the street. She noted the same is being done on Spring Street, and parking will be at WOJO's and Oasis. She noted the agreement reached to park the crew off street in a lot near Dean Street. Dates and times of use were confirmed. Mr. Crowden is fine art photographer with galleries internationally, in New York City, and does shows at Mass MoCA. ***Motion made by Vice Chair Hoyt to approve the use of Town streets facilities, Summer and Spring streets and properties on October 7, 8, 9, 10, 13, 16 2021 from 8:00 a.m. to 10:00 p.m. for video production in coordination with Town staff including the Police Department, Fire Department, DPW and Forest Wardens, second by Member Rosenberg. Roll Call Vote in favor: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed.***

Facility Use Request, Adams Visitors Center: *Berkshire District Attorney's Office, October 26, 2021 5:30 p.m. to 8:30 p.m. for a "Town Hall" event. Motion made by Vice Chair Hoyt to approve the use of the Adams Visitors Center by Berkshire District Attorney's Office for a Town Hall event on October 26, 2021 5:30 to 8:30 pm for a 6:30 p.m. start, second by Member Rosenberg. Roll Call Vote in favor: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed.*

Facility Use Request, Adams Visitors Center: *Lions Club Halloween Parade, October 31, 2021. Art McConnell* of the Lions Club reviewed the route and noted it will go into the theater before going to the Visitors Center by way of the Ashuwillticook Trail. The Police will assist street crossing. The parade starts at 4:00 p.m. Mr. McConnell and Ms. Moore were thanked for their contribution. ***Motion made by Vice Chair Hoyt to approve the use of the Adams Visitors Center and Town streets in coordination with the Police Department for the Lions Club Halloween Parade on October 31, 2021 from 2:00 p.m. to 6:00 p.m., second by Member Rosenberg. Roll Call Vote in favor: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed.***

Set Halloween Hours and Review Community Events. It was noted that in the past Trick or Treat hours were 5:30 p.m. to 7:30 p.m. ***Motion made by Vice Chair Hoyt to approve Halloween Trick or Treat hours from 5:30 p.m. to 7:30 p.m. on Sunday, October 31, 2021, second by Member Rosenberg. Roll Call Vote in favor: Chairman Duval, Vice Chair Hoyt, Members Rosenberg, Nowak and Rosenberg. Motion passed*** Thursday, October 28, 2021 is a community pumpkin carving night for all ages with free cider and donuts from 5:30 p.m. to 7:30 p.m. at the Visitors Center.

Friday, October 29, 2021 the pumpkins will be displayed along the Ashuwillticook Rail Trail on a “Pumpkin Walk” with cider and donuts from 7:00 p.m. to 8:00 p.m. BCAC is donating pumpkins and carving kits will be available. Board Members expressed support of anything that builds community. It was clarified for the Halloween the road will be shut down and at the parade a cruiser will be up front. The Hoosac Valley Band has been invited.

Review and Approval of 2020 Re-Precincting Plan. It was explained that the census results were received and the number of individuals in the community has reduced. It was noted that Berkshire Regional Planning Commission (BRPC) provided their estimate of population reduction in the next 10 years and it was not as much as was feared. Five precincts in town would have to be adjusted. *Town Clerk Meczywor* reported that the 2020 federal census shows 8,166 residents, which is a decrease from 10 years ago which showed 8,485. She explained that in order to make precincts as equal as possible the state recommends a minor change from Precinct 3 to Precinct 2. She reviewed a map and where it was split on Meadow Street. Meadow Street will be included in Precinct 2 and a portion of East Road will change to Precinct 2. The impact to Town Meeting Membership was explained and those in the changed area that want to stay on will have to run in May 2022. The change won’t take effect until December 31st, and Members will stay on until the next election. The impact was only to Precinct boundaries. Those whose precinct will be changed will be notified. The demographics of the census changes were outlined and there were 211 more deaths than births. Changes due to the pandemic were noted. She noted the census numbers are pretty accurate. ***Motion made by Vice Chairman Hoyt to accept the 2020 Re-Precincting Plan as presented by the Town Clerk, second by Member Rosenberg. Roll Call Vote in favor: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed.***

DEPARTMENT REPORTS

Town Administrator: *Town Administrator Green* advised that the Board will hire a developer for the Adams Memorial School building. The East Street parcel is being worked on by Community Development. He noted he represented Adams in North Adams on a float with the Regional Emergency Planning Committee, which helped with Covid-19 planning. He thanked those from Adams that attended. *Member Nowak* inquired about the Davis Street Culvert Project, and Community Development will issue a *Notice to Proceed*. There should be some progress by the end of the calendar year. *Member Nowak* inquired about funding resources for the Jordan Street culvert, and it was explained that a MEMA/FEMA grant was identified and is still being reviewed.

Town Counsel: *Town Counsel St. John III* reported that he assisted the Board of Health regarding the proposed demolition of the 8 Valley Street property. He assisted the Board of Health in research of the local and state tobacco regulations to determine whether a mobile tobacco retailer was permissible. He assisted Community Development in obtaining documents needed for the RFP for the Outdoor Recreation Center at the Greylock Glen. He received and responded to a request from the Assessor regarding a mistake in the assessment of a parcel of land. He received and responded to a question from a Town staff member regarding appeals of parking citations. He provided advice to the Board of Health regarding the “mask advisory”. He provided advice to the Board of Health and Town staff regarding the appointment of a health agent. He researched and advised the Chairman of the Board of Selectmen regarding the process of approving the “re-precincting” of Adams. He attended and participated in the Board of Health meeting on September 29, 2021. He reviewed the license application of Mahant Oasis Liquor Inc. and offered suggestions to allow the application to proceed forward for Board approval.

SUBCOMMITTEE AND LIAISON REPORTS: *Member Nowak* reported there was an Executive Committee meeting for the Mohawk Trail Woodland Partnership, and sometime in late November or December they will try to have a Zoom meeting on oak tree resiliency. *Vice Chair Hoyt* reported that the Personnel and Licensing sub-committees are putting together meetings in next couple weeks.

ANNOUNCEMENTS AND GOOD OF THE ORDER: *Member Nowak* advised he was able to stop by the Greylock Glen property when it was being looked at and was very pleased with number of people at the meeting. He noted it was a good array of different trades and contractors. He expressed surprise to see that the Commonwealth has close to \$400 Billion in tax collections and noted that since supplemental bills will be going in the Town should stay abreast of it. *Vice Chair Hoyt* thanked Town staff for their work with the Alzheimer's Association for their annual walk in Adams. She advised she attended BRPC and Selectmen's Association meeting via Zoom. She announced that the next "Coffee in the Court" will be in the theater on October 21st at 7:30 a.m. *Member Nowak* congratulated Chairman Duval for being Chair of the Executive Board of BRPC. *Chairman Duval* explained that the Berkshire Regional Planning Commission (BRPC) is made up of a member of the planning commission for every one of 32 communities. The Adams representative is Mike Mach as the voting delegate and Chairman Duval is the Alternate Representative. He noted that the Executive Committee sets policy and makes decisions for BRPC. He explained that the Metropolitan Planning Organization (MPO) also oversees state and federal funding for highways and bridges and advised that Adams has been very fortunate in those areas. He noted Vice Chairman Hoyt is the Alternate Delegate. He advised that Tom Matuszco from BRPC will come for an informational workshop.

EXECUTIVE SESSION

#6.) *To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;*

- **Adams Memorial School Project**

At 8:39 Motion made by Vice Chair Hoyt to go into Executive Session for Reason #6 as read aloud, second by Member Blanchard. Roll Call Vote: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed.

At 9:08 Motion made by Vice Chair Hoyt to exit Executive Session, second by Member Rosenberg. Roll Call Vote: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed.

At 9:09 p.m. Town Administrator Green left the meeting, and returned at 9:10 p.m.

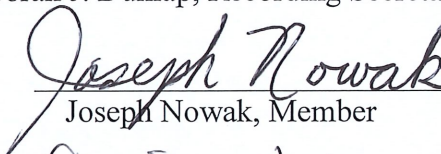
VOTE ON ADAMS MEMORIAL SCHOOL PROJECT BID AWARD: *Chairman Duval* advised there were three developers interested in memorial school and a sub-committee of Chairman Duval, Member Blanchard, Town Administrator Green and Community Development Special Projects Coordinator Cesan reviewed them. All parties were interviewed and the candidates were reduced to two interested in creating housing. Wayland North and Mike Mackin were interviewed again and proposals were reviewed by the Board of Selectmen. It was explained that both parties are interested in developing the building and wish to begin after the vote is taken once the agreement is negotiated. He gave brief background of the building before its closure, and noted that the Town had a vision to make it a viable recreation center for the community. He explained that with the school population continuing to drop the Town may lose the Hoosac Valley Elementary School, former C.T. Plunkett School, within eight to ten years, and this would retain a gymnasium for the public.

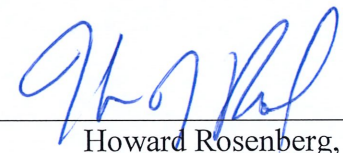
Input had been received to either tear it down or bring in big manufacturing companies but neither came to fruition. He reviewed that the Town voted recently on 40R, which may be used in this project to include market rate housing. This will bring people to the community and support those that are getting jobs locally. He explained that colleges are looking for brand new housing, and there is a lot of older housing stock in the area so the Town is working hard to bring new housing to the area. The three applicants were thanked for their interest in Adams and the Memorial School Project. *Vice Chair Hoyt* She stated that after reviewing the proposals at the workshop last week, she will be voting for Wayland North of Providence RI. *Member Rosenberg* advised that new housing and development is a critical part of moving forward. He noted that based on the presentations, especially Wayland North having done complex projects, with their sophistication and knowledge he favored them in this project. *Member Nowak* advised he would put his vote toward Wayland North as well and hoped that when this project moves forward it will be an incentive for others to work on their projects. *Member Blanchard* advised he was extremely happy with the interest that came in on the project and noted how long it has taken to get the Memorial School building to where it is now. He advised he supports Wayland North, and liked the proposal. *Chairman Duval* advised that one of the positive aspects of the proposal by Wayland North is that they would own the classroom wing, cafeteria area and the old teacher's lounge above the gym, leaving the Town ownership of the gym, Principal's office, auditorium, and the old wing. He thanked Mike Mackin for his interest, as it was a close decision since both parties are viable to do the renovations there. He noted that the Town of Adams plans to use the gymnasium for voting, for public tournaments and sports, and the Council on Aging will be moving into the building by the end of the year. He noted an ongoing process for upgrades there and emphasized the Town is looking at revenues to maintain and improve that area for the elderly using the facility. He provided his consensus with the other Board Members on their vote for Wayland North. ***Motion made by Vice Chair Hoyt to award the Adams Memorial School Project Bid to Developer Wayland North of Providence, RI, second by Member Blanchard.*** *Chairman Duval* noted that the Town Administrator and Town Counsel will work out an agreement with them, produce a sale agreement and come back to the Board of Selectmen for a final vote on the contract itself. As the Council on Aging moving into the Memorial School space the Town will have to think about what to do with the Visitors Center building. The Board of Selectmen and Town Administrator will look at it. ***Roll Call Vote: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg.*** ***Motion passed.***

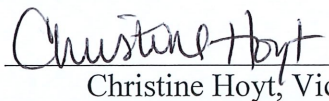
ADJOURNMENT: Motion made by Member Blanchard to adjourn, second by Vice Chair Hoyt.
Roll Call Vote: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg.
Motion passed. Meeting adjourned at 9:26 p.m.

Respectfully Submitted,

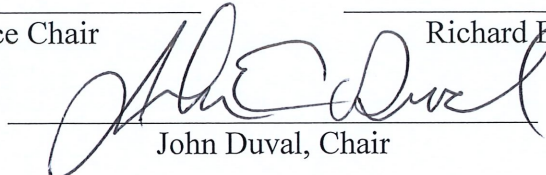
Deborah J. Dunlap, Recording Secretary


Joseph Nowak, Member


Howard Rosenberg, Member


Christine Hoyt, Vice Chair


Richard Blanchard, Member


John Duval, Chair