

*Town of Adams Massachusetts 01220-2087*

**BOARD OF SELECTMEN**

**TOWN HALL BUILDING  
8 PARK STREET**

**Wednesday, December 15, 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 Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Also present were Town Administrator Green, Town Counsel St. John III, Town Clerk Meczywor, Community Development Director Coughlin, Kerry Raheb of Indica, LLC, Police Chief Kelley, Administrative Assistant Dunlap, Brian Rhodes from iBerkshires, and Peter Gentile from NBCTC.

*The Pledge of Allegiance was recited.*

**APPROVAL OF MINUTES:** The minutes for the *December 1, 2021* Meeting were submitted for approval. *Motion made by Member Blanchard to waive reading and approve the minutes for the December 1, 2021 Meeting as submitted, second by Vice Chair Hoyt. Abstention by Chairman Duval. Voted in favor: Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed.*

**PUBLIC COMMENT:** *Haley Meczywor*, of the Events Committee reported that the house decorating contest was a success, with 27 participants. Winners were announced as 3<sup>rd</sup> place, receiving a \$25 Gift Card to Adams Hometown Market was 17 Bob's Hill. The 2<sup>nd</sup> place winner, receiving a \$50 Gift Card to Adams Hometown Market was 3 East Walnut Street. The 1<sup>st</sup> place winner of a \$75 Gift Card to Adams Hometown Market was 97 North Summer Street. Winners will be notified after the meeting and pictures will be represented on the Town website. She announced that Northern Berkshire Community Coalition (NBCC) is doing a Scavenger Hunt on Saturday. There will snowmen in storefronts, and participants will get their card filled with stamps after finding them and come back to Town Hall at 10:00 a.m. to win a prize.

**OLD BUSINESS**

**Motel Renewal Application:** *Mount Royal Inn, 99 Howland Avenue, Adams, MA. Motion made by Member Blanchard to approve the Motel License renewal application for Mount Royal Inn at 99 Howland Avenue, second by Vice Chair Hoyt. Town Counsel St. John III advised he attended the Board of Health meeting where Syed Bokhari was in attendance, and the Board of Health agreed that all requirements were in order. Fire Chief Pansecchi advised the Motel had passed inspection. Vice Chair Hoyt expressed she was very disappointed in the lack of response of the establishment during the renewal process and hoped they will do better next year. Vote: unanimous. Motion passed.*



## NEW BUSINESS

*At 7:09 p.m. Chairman Duval stepped down from the table and from all discussion for employment reasons.*

**Presentation by Indica, LLC:** *Kerry Raheb*, 127 Columbia Street, Adams. *Vice Chair Hoyt* temporarily ran the meeting. *Kerry Raheb* advised he is the sole owner of 127 Columbia Street. *Town Administrator Green* informed the Board that when the Community Development Department works with marijuana sales inquiries that have a location and business plan in mind, and they are already working with the Cannabis Control Commission (CCC), the applicant must go through a process before going forward. *Mr. Raheb* advised he secured a lease at 127 Columbia Street with parking and the ability to mitigate traffic. He noted the location has a dedicated lot, is handicap accessible, and has an additional parking lot available if necessary. He reviewed the potential product categories and explained that clientele must be 21 years old and have valid government-issued identification to enter the building. Hours were proposed to be from 10:00 a.m. to 8:00 p.m., and the facility will offer ecommerce services to allow for people to order ahead. There will be a private consultation area to make sure the customer is comfortable with the product and purchase. Cash and debit cards will be accepted. *Metrc Marijuana Enforcement* will be utilized for tracking reporting and compliance with government agencies to regulate cannabis. He noted that additional information is available on [www.masscannabiscontrol.com](http://www.masscannabiscontrol.com). *Flowhub* will be utilized for the Identification Verification System, and the software will scan IDs for validity to ensure the person is shopping legally. The software allows the facility to upload documents and verify age, as well as to manage the queue and flag problematic customers. The system proposed will be able to import packages, resolve discrepancies, and report daily sales. The *Dutchie* software program will handle online ordering, and is dynamic, user-friendly and informative. Customers ordering online will get a text or email upon ordering and also when to come pick it up. *Greenway Payments* will be utilized for point of sale, which allows the business to accept debit cards. They are based in the United States and their convenience charge is the lowest in the industry so the savings are passed along to the customer. This software integrates with *Flowhub* to reduce discrepancies and the risk of human error. An ATM will also be offered. The *Positive Impact Plan* proposal was reviewed and showed aggressive goals for the first three years, specifically \$15,000 the first year, \$20,000 the second year, and \$25,000 the third year to be provided to the Police Department, Fire and Rescue Services and Community Development. He proposed a desire to make an additional donation to the Town of Adams on top of these amounts. The facility will put on two job fairs per year and hire within the area whenever possible. Additionally, a beautification program for painting and landscaping along Columbia Street with the approval of the Town would be provided. A community outreach meeting will be scheduled on a future date as the next step as required by the CCC. It would then go to the planning phase before being ready to open. Community Outreach Meeting requirements were briefly outlined. *Member Blanchard* inquired about the elimination of fake identifications and it was clarified that *Flowhub* would eliminate them and verify identifications from any state. Upon request, *Mr. Kerry* gave his background investment banking, and noted this is his first store but he knows a lot about being compliant as a consumer. He noted he has been aggressive in his plan and plans to have three locations in Massachusetts, three in Maine and three in Vermont. *Member Nowak* inquired about banking challenges with marijuana still being illegal through the federal government and it was clarified that payment would go through Greenway, in the United States. The facility will not provide medical marijuana, just recreational as medical marijuana is a stronger product. It was noted that it is easier and more convenient to shop for recreational marijuana. The location is situated on a bus route, and there is a local course to train people to work in these facilities.

Mr. Raheb noted if the facility opens the intent is to partner with the Town. He was thanked for his informative presentation. Member Rosenberg noted that there is a huge mental health issue in epidemic proportions of depression and anxiety that marijuana is being used to self-medicate, and he requested some of the funds to be used, and open, intelligent discussions to be had to address the issues as marijuana itself is not the problem. Community Development Director Coughlin will be working on the Host Community Agreement (HCA), and will do research on donations permissible by law beyond the amount outlined by the state with Town Administrator Green and Town Counsel St. John III. Security around the facility and upon entering the building was briefly reviewed. It was noted that safety and security concerns are regulated by the Cannabis Control Commission and Police Chief Kelley. No other discussion took place on this topic.

*At 7:33 pm Chairman Duval returned to the table.*

**Appointment of Council on Aging Board of Directors Member:** *Elizabeth Mach. Chairman Duval read aloud a letter from Council on Director Fontaine recommending the appointment of Elizabeth Mach. Town Administrator Green advised Ms. Mach was unable to attend this evening. Motion made by Vice Chair Hoyt to ratify the appointment of Liz Mach to the position of Member of the Council on Aging Board of Directors, second by Member Blanchard. Vote: unanimous. Motion passed.*

**All Alcohol Licensed Club, Change of Officers Application:** *Adams Lodge 1335 BPO Elks, 63 Center Street, Adams. Vice Chair Hoyt advised she had Town Counsel St. John III review the documents and everything is in order. Town Counsel St. John III advised that the certification was very thorough, and the election of officers was filed as a change of officers with the Secretary of the Commonwealth. He noted the job was done completely and thoroughly. Chairman Duval read off the names of the new officers presented in the application. Motion made by Member Blanchard to approve the Change of Officers application for Adams Lodge #1335 BPO Elks, second by Vice Chair Hoyt. Vote: unanimous. Motion passed.*

**Common Victualer License Renewal:** *Ambnik, LLC dba Val's Variety, 5 Columbia Street, Adams, MA. Vice Chair Hoyt advised this license renewal had been inadvertently left off the December 1, 2021 meeting agenda. Motion made by Vice Chair Hoyt to approve the Common Victual License for Val's Variety, second by Member Blanchard. Vote: Unanimous. Motion passed.*

**Sunday Entertainment License:** *Adams American Legion #160, 160 Forest Park Avenue, Adams, MA. Vice Chair Hoyt explained this application was stapled to another application, and missed on the December 1, 2021 agenda. Motion made by Vice Chair Hoyt to approve the Sunday Entertainment License for The American Legion Post #160 for after 1:00 p.m., second by Member Blanchard. Vote: unanimous. Motion passed.*

## **DEPARTMENT REPORTS**

**Town Administrator:** *Town Administrator Green reported that tax collections are at 48.5%, which is only a percent and a half behind where it is supposed to be. He thanked the tax payers for prompt payment to keep the Town operating. He advised that in the media it was announced that the Commonwealth of Massachusetts is distributing Covid-19 test kits, which will arrive at the Council on Aging later this week, and may be available a variety of different locations and school districts. Some other locations may be receiving their own. He announced that Mr. Oleskiewicz, who purchased the Miss Adams Diner, intends to begin operating this week, and possibly tomorrow with a "soft" opening. He recommended people stop by, wish him well, and patronize the business.*

He reported that on Sunday, December 19<sup>th</sup> at 6:00 p.m. an escort of Santa will take place around Adams, behind Hoosac Valley Elementary School and through town. The route will be posted on the web page, and all public safety agencies participate. *Vice Chair Hoyt* asked for a workshop on the topic of quarterly tax billing and whether it is an option. *Town Administrator Green* noted that the biggest issue rests with the cost of postage and billing. He explained one other community has worked through these issues and may come in to meet with the Tax Collector and Finance Director to review the additional administrative burden. It is currently billed twice a year, and this option would spread it out quarterly. It will hopefully be before the Board of Selectmen within the 2022 calendar year.

**Town Counsel:** *Town Counsel St. John III* advised since his last report, he provided the Board of Health with recommended revisions to the proposed Emergency Order, he provided the Chair of the Board of Selectmen an opinion concerning the means in which the Town's Charter and Special Act legislation may be amended. He wrote a legal memorandum in the Foster vs. Board of Health case supporting the Town's request to dismiss the case. He reviewed and responded to a question from the Assessor concerning the need for an executive session. He reviewed the Elks' application for a Change of Officers and advised the Licensing Sub-Committee that it was appropriate for approval and transmission to the ABCC. He attended today's Board of Health meeting, and wished everyone a happy holiday season.

**SUBCOMMITTEE AND LIAISON REPORTS:** *Member Nowak* reported that he attended the Parks Commission meeting, and they are having difficulty getting a quorum. He advised there is an opening on the Parks Commission and he hopes someone would like to be on the Parks Commission. Those interested are requested to contact the Town Administrator's Office to apply. He noted that the Town is short on playing fields in the community and research will need to be done to find a place for a field. The meeting discussion was on scheduling and when groups can use the fields. He noted there were three things to report regarding the Mohawk Trail Woodland Partnership, of which he is the representative from the Town of Adams and he also serves on the Executive Committee. He noted there was an online meeting with 70 participants which was very informative. They hope to present more to the public. There was an Executive Committee Zoom meeting and they are trying to contact state government to find ways for funding. The Senator from Franklin, Hamden and Worcester Counties discussed the pilot program and how there should be a better formula for reimbursement. He explained he attended a meeting and Williams College students were commissioned to do a project. *Vice Chair Hoyt* announced that ProAdams invited her to participate in their last meeting and to provide update from the Town. She noted they were very happy to participate with the Greylock Glen, to write support letters for grants, and were excited to hear that the gathering space grant is still in play. She advised they will invite Community Development to their upcoming meeting. She advised she attended her first Metropolitan Planning Organization meeting as an Alternate, and it was a quick meeting. *Member Rosenberg* reported that the Covid numbers dropped from 63 to 58 in Adams, and 22% of them were vaccinated. *Town Administrator Green* reported that the Vaccination Van was at the Council on Aging parking lot.

**ANNOUNCEMENTS AND GOOD OF THE ORDER:** *Vice Chair Hoyt* thanked Adams Community Bank and additional volunteers that scheduled and put together the Tree Lighting event. *Chairman Duval* thanked the employees of the Town of Adams and Town Hall for decorating the building, and also Adams Community Bank for the holiday train display in the first floor of Town Hall. *Member Blanchard* wished everyone Happy Holidays. *Member Nowak* praised businesses that decorated the downtown, including Dr. Bush and Meraki Salon on Park and Summer Streets.



He thanked Adams Hometown Market for what they have done for the community including supplying gifts, and pointed out they have been a great partner since they have been in Adams. He inquired how things stand with the Charter Committee and it was explained that a list of names had been submitted to the Town Administrator and he is getting people to commit to the schedule. It was explained this will move forward in January to start the process. *Member Nowak* congratulated Darlene Rodowicz for her new position as President and CEO of Berkshire Health Systems. He wished all a Merry Christmas, Happy Holidays, and advised everyone to stay safe. *Chairman Duval* advised he spent many years with Ms. Rodowicz, and praised her. He wished all a Merry Christmas and Happy New Year.

## EXECUTIVE SESSIONS

**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;**

- 8 Weber Street, Adams, 15-17 Elm Street, Adams and 69 Park Street

**#3.) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;**

- Local #204, State Council #93, AFSCME, AFL-CIO (Department of Public Works Unit)

**At 8:02 p.m. Motion made by Member Blanchard to go into Executive Session for Reason #6 as read aloud for 8 Weber Street, 15-17 Elm Street and 69 Park Street, and for #3 as read aloud for Local #204, State Council #93, AFSCME, AFL-CIO (Department of Public Works Unit), second by Member Hoyt. And Roll Call Vote: Chairman Duval, Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed.**

*At 8:26 p.m. the Executive Session for Reason #6 ended.*

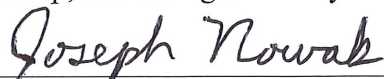
*At 8:26 p.m. the Executive Session for Reason #3 commenced.*

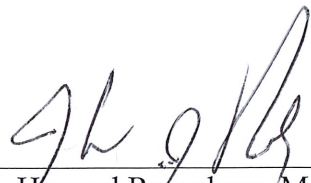
**At 9:03 p.m. Motion made by Member Blanchard to come out of Executive Session, second by Member Hoyt. Roll Call Vote: Chairman Duval, Members Blanchard, Nowak and Rosenberg. Motion passed.**

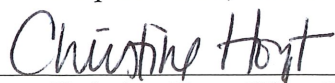
**ADJOURNMENT: Motion made by Member Blanchard to adjourn, second by Vice Chair Hoyt. Vote: unanimous. Motion passed. The meeting adjourned at 9:03 p.m.**

*Respectfully Submitted,*

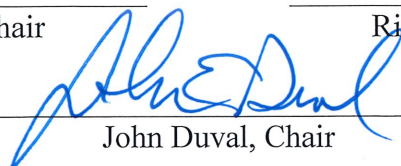
Deborah J. Dunlap, Recording Secretary

  
Joseph Nowak, Member

  
Howard Rosenberg, Member

  
Christine Hoyt, Vice Chair

  
Richard Blanchard, Member

  
John Duval, Chair