



*Town of Adams Massachusetts 01220-2087*

**BOARD OF SELECTMEN**

**TOWN HALL BUILDING  
8 PARK STREET**

**Wednesday, March 2, 2022, 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, Members Blanchard, Nowak and Rosenberg. *Vice Chair Hoyt was absent.* Also present were Town Administrator Green, Town Counsel St. John III, Administrative Assistant Dunlap, Isaiah Moore from Community Development, Brian Rhodes from iBerkshires, Griffin Willette from Adams Forest Wardens, Joe Martin of the Adams Street Fair, Daniel Jin from the Berkshire Eagle and Peter Gentile from NBCTC. Two others.

*The Pledge of Allegiance was recited.*

**APPROVAL OF MINUTES:** The minutes for the *February 9, 2022 and February 16, 2022 meetings* were submitted for approval. *Motion made by Member Nowak to waive reading and approve the minutes for the February 9, 2022 Meeting as submitted, second by Member Duval. Abstention by Members Blanchard and Rosenberg. Voted in favor were Chairman Duval and Member Nowak. Motion passed. Motion made by Member Blanchard to waive reading and approve the minutes for the February 16, 2022 Meeting as submitted, second by Member Rosenberg. Vote: unanimous. Motion passed.*

**PUBLIC COMMENT:** *No public came forth with comments at this meeting.*

**NEW BUSINESS**

**Adoption of Farmland of Local Importance Designation:** *Community Development Director Coughlin* reviewed that in mid-January a workshop took place to meet with Al Averill and since then he has been working with him to see what the designation and impact means to the town, and try to move this forward. He noted at a federal and state level there are soil designations relative to crop distinction but there is nothing in place at a local level. The intent is to identify soil types specific to Adams that are not designated at the state or federal level. This could help farmers through the state Agricultural Preservation Restriction (APR) program. Once a parcel of land has over 50% it could help unlock preservation funds for the land. Over 1,000 acres are already preserved through APR as prime farmland. More land is unprotected but there is no permanent protection through deed restrictions. More study and analysis are needed to see what the designation would be if the Board were to adopt it. He noted that preservation of farmland is important and valuable for many reasons, while balancing it out with keeping land on the tax rolls and tax losses from the designation. Adopting the designation does not change the supply of available land, but could affect farmland for having a permanent restriction on the area and decrease the taxable area, which could be an unintended consequence. Some land is not permanently protected but under Chapter 61, which reduces tax revenue for that property.



**Review and Adopt Revised Cannabis Business Host Community Agreement:** *Member Blanchard* advised that the Licensing Sub-committee reviewed this document and felt it should come before the full board. *Town Administrator Green* advised that the Board of Selectmen had reviewed the Host Community Agreement (HCA) that goes along with cannabis operations in town, and most local communities have a nearly identical template. A proposed change was recommended by Community Development, which is being brought before the Board. *Chairman Duval* abstained from any discussion or vote on this topic for employment reasons. *Community Development Director Coughlin* noted there has been a tremendous amount of interest over the last few months, prompting a revisit of the HCA agreement, which outlines the community impact fee payment and responsibilities. The only change came from input received from Member Rosenberg addressing a need for additional mental health support and giving businesses the option to donate \$5,000 toward this purpose, but the amount has not changed. Member Rosenberg reported that the Board of Health indicated they would like to give input on how the funds are spent. The wording change was read aloud. ***Motion made by Member Blanchard approve the updated version of the Host Community Agreement as amended, second by Member Rosenberg. Abstention by Member Duval. Voted in favor were Members Nowak, Blanchard and Rosenberg. Motion passed.***

**Cannabis Bylaw Revision to Clarify Delivery Operations vs. Retail.** It was reviewed that the Town is updating and modernizing the Marijuana Bylaw, and the Board of Selectmen asked the Planning Board to update it. Pinch points in the existing bylaw were identified, and input from the Board of Selectmen was requested to go forward. *Community Development Director Coughlin* informed the Board Members that the Cannabis Control Commission (CCC) approved two new marijuana business models related to marijuana delivery, delivery and courier, which is a go-between to bring to the consumer similar to “DoorDash”. He noted that the Town’s bylaw specifically prohibits the second type of business, and also makes no distinction between delivery and other types of businesses. He explained that he would like to work with the Planning Board on this and to look at under what zoning it can be allowed. *Member Nowak* expressed concern about going against the CCC regulations, and read aloud some CCC parameters for three different delivery types. Clarification was made that the Town is bringing the Town Bylaw to the CCC standards. *Member Rosenberg* inquired if there would be any additional requirements by the police or other areas. It was explained that the CCC has incredibly stringent requirements in its standards of security in the vehicles so it is not believed to impact crime. It was noted that this is essentially a zoning change which goes through the Planning Board first then it will come back to the Board of Selectmen with the amended bylaw language for review and approval. *Community Development Director Coughlin* will define delivery from retail establishments, add wording to allow the specific courier business which is not currently allowed, and then will identify what venues this is appropriate for. *Town Counsel St. John III* advised the Planning Board makes the recommendations but the Board of Selectmen has the authority over what goes on the Town Meeting Warrant. Discussion took place on the process and the difference between the CCC and Town bylaws. ***Motion made by Member Blanchard to request Community Development to work on potential bylaw changes to be brought before the Planning Board, second by Member Rosenberg. Abstention by Chairman Duval. Voted in favor were Members Nowak, Blanchard and Rosenberg. Motion passed.***

**Appointment of Parks Commission Member:** *Aimee Sinopoli.* *Chairman Duval* read aloud the letter from Member Schutz from Parks Commission recommending the appointment of Aimee Sinopoli to the Commission. ***Motion made by Member Nowak to appoint Aimee Sinopoli until the May, 2022 election with member to a permanent position upon election, second by Member Blanchard. Vote: unanimous. Motion passed.***



### **Facility Use Requests:**

**Adams Visitors Center and Grounds:** *Walk to End Alzheimer's, October 1, 2022 from 6:00 a.m. to 1:00 p.m. Motion made by Member Nowak to approve the use of the Visitors Center and Grounds by the Walk to End Alzheimer's on October 1, 2022 from 6:00 a.m. to 1:00 p.m., second by Member Blanchard. Vote: unanimous. Motion passed.*

**Depot and Hoosac Streets and Visitors Center Grounds:** *Joe Martin, Adams Street Fair, 8:00 a.m. to 8:00 p.m. on July 24, 2022. Joe Martin and Griffin Willette reviewed the plan for the Adams Street Fair. They explained that the proceeds will go to the Police Department, Forest Wardens, Fire Department and Ambulance. There are ten people on the Adams Street Fair Committee, and this year the fair will be bigger. The Fair is asking for half of Hoosac Street, from Waverly Parking Lot to the monument and have already met with the Chief of Police, were told what streets could be included, and he approved it. Entertainment will include a main stage for bands, a kids' area with a magician and juggler, and clowns, along with food vendors. Forest Wardens Chief Willette advised they are putting together a parade with all of Berkshire County first responders and will ask communities to bring one apparatus to do a quick "drive-by" parade down Valley Street, by Chee's to the fair area and park vehicles for the community to look at. Member Rosenberg expressed concern about a vendor with products that had expletives and inappropriate products. Joe Martin advised discovered it after it was up last year and the vendor was asked to take it down. On the vendor contract this year it is noted that booths will be checked, no profanity is allowed and inappropriate content will be taken down or the vendor will be asked to leave. He told that vendor that type of product cannot come if he comes back. Town Administrator Green reviewed the past complaints and noted that it is an endorsed public event by Town. Joe Martin advised he and the committee will be walking around and checking tents when they are setting up to make sure everything is acceptable as this is a family event and done for the first responders. Chairman Duval read a statement from Vice Chair Hoyt, regarding her concern about the inappropriate material displayed by the vendor. Town Counsel St. John III advised the Town cannot restrict speech but suggested the Board review the contract. Member Nowak requested Mr. Martin return to the Board once the Police Chief has approved the parade route. Motion made by Member Blanchard to approve the use of the Visitors Center and Grounds as well as Hoosac Street up to Waverly by the Adams Street Fair on July 24, 2022 from 8:00 a.m. to 8:00 p.m., second by Member Rosenberg. Vote: unanimous. Motion passed.*

**Greylock Glen:** *Arthur Edward Roireau, October 15, 2022 from 9:00 a.m. to 3:00 p.m. for a wedding ceremony. Motion made by Member Nowak to approve the use of the Greylock Glen Gazebo area on October 15, 2022 from 9:00 a.m. to 3:00 p.m., with carpooling to limited parking, second by Member Blanchard. Vote: unanimous. Motion passed.*

### **Requests to Place Temporary Signs on Town Property:**

**Center Street and McKinley Statue Islands:** *Joe Martin, Adams Street Fair from June 15, 2022 to July 24, 2022. Motion made by Member Blanchard to approve the temporary sign placement on McKinley Circle, at Columbia Street on June 15, 2022 to July 24, 2022, second by Member Rosenberg. Vote: unanimous. Motion passed. Motion rescinded by Member Blanchard and seconded by Member Rosenberg. Motion made by Member Blanchard to approve the temporary sign placement on McKinley Circle, at Center Street on June 15, 2022 to July 24, 2022, second by Member Rosenberg. Vote: unanimous. Motion passed.*

**McKinley Statue Island and Adams Visitors Center at Depot Street:** *Alzheimer's Association, September 15, 2022 to October 10, 2022. Motion made by Member Nowak to approve the temporary sign placement on McKinley Statue Island and Adams Visitors Center property at Depot Street by the Walk to End Alzheimer's from September 15, 2022 to October 1, 2022, second by Member Blanchard. Vote: unanimous. Motion passed.*

**Sunday Entertainment License Applications:**

*Joe Martin, Adams Street Fair, 1:00 p.m. to 8:00 p.m., July 24, 2022. Joe Martin advised there will be two bands for the main stage, plus a magician and juggler for the kids. Motion made by Member Blanchard to approve the Sunday Entertainment License on July 24, 2022 from 1:00 p.m. on, second by Member Rosenberg. Vote: unanimous. Motion passed.*

*Adams Agricultural Fair, 371 Old Columbia Street, Adams, Sundays after 1:00 p.m. Motion made by Member Blanchard to table the Sunday Entertainment License application for the Adams Agricultural Fair, second by Member Rosenberg. Vote: unanimous. Motion passed.*

**Weekly Public Entertainment License Application:** *Adams Agricultural Fair, 371 Old Columbia Street, Adams for Monday through Saturday until the end of the calendar year. Motion made by Member Rosenberg to table the weekly entertainment license application for the Adams Agricultural Fair, second by Member Blanchard. Vote: unanimous. Motion passed.*

**One Day Wine & Malt License Applications:**

*Bounti-Fare Restaurant, Adams Visitors' Center, March 26, 2022 from 12:00 p.m. to 5:00 p.m. for Thunderfest. Motion made by Member Blanchard to approve the One Day Wine & Malt license on March 26<sup>th</sup> from 12:00 p.m. to 5:00 p.m. for Thunderfest at the Visitors Center, second by Member Nowak. Abstention by Member Rosenberg. Voted in favor: Chairman Duval, Member Nowak and Member Blanchard. Motion passed.*

*Balderdash Cellars, Adams Visitors' Center, March 26, 2022 from 12:00 p.m. to 5:00 p.m. for Thunderfest. Motion made by Member Blanchard to approve the One Day Wine & Malt license on March 26<sup>th</sup> from 12:00 p.m. to 5:00 p.m. for Thunderfest at the Visitors Center contingent upon receipt of insurance coverage of the Town of Adams, second by Member Nowak. Abstention by Member Rosenberg. Voted in favor: Chairman Duval, Member Nowak and Member Blanchard. Motion passed.*

**Town Building Face Mask Update.** Per order of the Board of Selectmen face mask requirement signs had been put up in Town buildings. *Town Administrator Green* advised there has been good compliance and this was a prophylactic measure taken in June. The measure remained in place during the surge to protect staff, and based on the rapid decline of Covid-19 cases in Adams and regionally, he would guide the Board to approve masking guidance in accordance with CDC guidelines with masks to be voluntary. He noted that Town buildings have been consistently open even during the surge because of good compliance and thanked staff for their compliance and patience; particularly the Library. *Chairman Duval* noted community residents have asked and he would recommend the Board Motion to identify a date to take action, specifically to begin tomorrow. It was noted that the Board of Health had not given their input, but had debated a masking mandate several times with a strong recommendation. This is an administrative function of the Board of Selectmen. *Motion made by Member Nowak to rescind face mask guidelines for Town buildings following the guidance of the CDC per the direction of the Town Administrator, in deference to the Board of Health., second by Member Blanchard. Vote: unanimous. Motion passed.*



## DEPARTMENT REPORTS

**Town Administrator:** *Town Administrator Green* reported he is working this week with department heads and putting together the budget, and he is putting together a Capital Plan. He advised the Town received a police cruiser. The old Unit 44 will be renumbered and the shield symbol has been restored to the cruisers. He thanked Chief Kelley and officer Stant for ordering the car. *Member Nowak* noted health insurance will be going up 8% and it was explained this will affect the Town and retirement budgets significantly. It was pointed out that if spouses can obtain insurance elsewhere they will be requested to do so as there will likely be an approximate \$900 increase for the family plan. Department requests, fuel, gas and other items are being looked at based on the tumultuous economy and it will be a difficult budget. *Member Nowak* inquired about compensation plans from the Retirement Board and it was recommended for the Retirement Board Chairman to present the information to the Board of Selectmen. *Chairman Duval* inquired about bracket issues for the historical signs and it was explained that the historical signs received damage from wind and one was vandalized at the Visitors Center area. Thanks to McCann and their machine skills department, heavier metal brackets have been made and will be installed in the spring. *Member Rosenberg* reported a sharp decline in Covid-19 cases and the Board of Health will likely be taking away masking recommendations in the future.

**Town Counsel:** *Town Counsel St. John III* advised that he reviewed and approved a letter from the Town Administrator and Building Commissioner to the current owner of the PNA concerning Code regulations for updates to the building. He submitted a motion to permit him to file the decision of the Appellate Tax Board in the *Pompi v. Board of Assessors* appeal. He advised he contacted the Hampden County Bar Association and opposing counsel to select a court mandated arbitrator from their list of arbitrators in regards to the *Foster v. Board of Health* case. He reviewed the entertainment and One Day Liquor License applications for consideration this evening. He reviewed the proposed Host Community Agreement template and commented on it, and he attended today's Board of Health meeting.

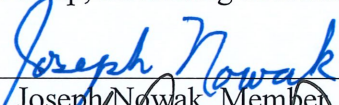
**SUBCOMMITTEE AND LIAISON REPORTS:** *Member Rosenberg* reported attending the Board of Health meeting and due to a decline in Covid-19 cases and they will rescind mask recommendations.

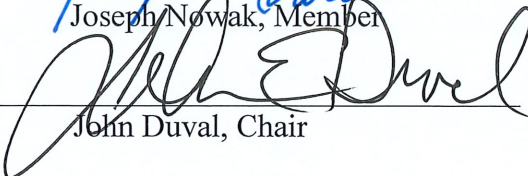
**ANNOUNCEMENTS AND GOOD OF THE ORDER:** *Member Nowak* expressed deep concern about what is happening in the Ukraine and noted his opinion that President Putin needs to be stopped. He expressed how heartbreaking this is and he prays every day there is a resolution and it doesn't escalate any further. *Member Blanchard* inquired about the status of the repair of the light at Center Street. It was noted that the model will be going to a mast-mounted system and the Town is working with MassDOT to figure out how to pay for it. *Chairman Duval* advised Board Members if they have agenda items for an upcoming workshop to contact the Town Administrator's Office.

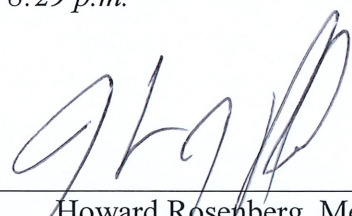
**ADJOURNMENT:** *Motion made by Member Blanchard to adjourn, second by Member Rosenberg. Vote: unanimous. Motion passed. The meeting adjourned at 8:29 p.m.*

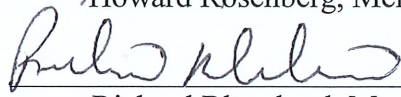
*Respectfully Submitted,*

Deborah J. Dunlap, Recording Secretary

  
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Joseph Nowak, Member

  
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John Duval, Chair

  
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Howard Rosenberg, Member

  
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Richard Blanchard, Member