



BOARD OF SELECTMEN

TOWN HALL BUILDING
8 PARK STREET

Wednesday, May 4, 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 Town Administrator Green. From the Board of Selectmen were Members Duval, Hoyt, Nowak, Blanchard and Rosenberg. Also present were Town Administrator Green, Administrative Assistant Dunlap, Yina Moore from Adams Theater, LLC, Police Chief Kelley and Officers Banks, Wandrei, Cunningham, Baker, and Sorrell, Finance Committee Chair Cushenette, Finance Director Wojcik, Town Clerk Meczywor, Wayne Piaggi, Berkshire Scenic Museum Representative Glen Diehl, Community Development Special Projects Coordinator Cesan, Brian Rhodes from iBerkshires, and Peter Gentile from NBCTC.

The Pledge of Allegiance was recited.

REORGANIZATION OF THE BOARD: *Town Administrator Green called for nominations for Board Chair. Motion made by Member Hoyt to nominate Member Duval to continue as Chair, second by Member Blanchard. Abstention by Member Duval. Voted in favor were Members Blanchard, Hoyt, and Rosenberg. Voted in opposition was Member Nowak. Motion passed.*

Chairman Duval assumed the gavel and took over the meeting. He requested nominations for Vice Chair. Motion made by Member Blanchard to nominate Member Hoyt to the position of Vice Chair, second by Member Rosenberg. Abstention by Member Hoyt. Voted in favor were Chairman Duval, Members Blanchard and Rosenberg. Voted in opposition was Member Nowak. Motion passed.

APPROVAL OF MINUTES: The minutes for the April 20, 2022 Meeting, April 21, 2022 Workshop, and April 28, 2022 Meeting were submitted for approval. *Motion made by Vice Chair Hoyt to waive reading and approved the minutes for the April 20, 2022 meeting as submitted, second by Member Blanchard. Abstention by Chairman Duval. Voted in favor were Vice Chair Hoyt, Members Blanchard, Nowak and Rosenberg. Motion passed. Motion made by Vice Chair Hoyt to waive reading and approve the minutes for the April 21, 2022 meeting as submitted, second by Member Rosenberg. Abstention by Chairman Duval and Member Blanchard. Voted in favor were Vice Chair Hoyt, Members Nowak and Rosenberg. Motion passed. Motion made by Vice Chair Hoyt to waive reading and approve the minutes for the April 28, 2022 meeting as submitted, second by Member Blanchard. Abstention by Member Rosenberg. Voted in favor were Chairman Duval, Vice Chair Hoyt, Members Blanchard and Nowak. Motion passed.*

PUBLIC COMMENT: *Wayne Piaggi, 22 Temple Street. Mr. Piaggi reported that the Roundabout is not in good condition, and he was going to fix it, and fix the signs but was told it was not a good idea. He noted that the DPW is busy, but he felt that was not good enough and the Town needs to be better about its representation of the entrance into town. He advised the Board his annual litter cleanup is starting soon. He stated there was another group of people in town that had volunteered to do litter cleanup, but they disbanded. He said he thought about mowing and planting flowers at the Roundabout, and he would like the Town to have someone take the lead in managing volunteers to do this. He explained that the Roundabout*

signs have been hit by Tractor Trailer Units. *Town Administrator Green* advised he will take a look at it. *Mr. Piaggi* advised that the inside of the Roundabout has damage from a Tractor Trailer Unit having gone through it. He stated the Roundabout was built and designed per state guidelines for 53-foot trailers. He noted that he has seen other Roundabouts with big signs on them that say if a Tractor Trailer Unit touches the inside of the sign it is a \$1,000 fine. He suggested the Town take advantage of that by creating an ordinance and fining people. He said the Roundabout gets hit once a month. *Town Administrator Green* advised this is not as easy as it sounds and will require legal research, the Traffic Commission to review it, and it is not clear if this is possible here in the Commonwealth. He pointed out this is a great topic for the Traffic Commission to research and come back to the Board of Selectmen before it would need to go to Town Meeting with to create a Bylaw. *Mr. Piaggi* suggested the Town put a couple of large rocks from Specialty Minerals on the edges of the Roundabout. He said he hoped someone would come forward to lead a volunteer group and suggested the Town put flowers on the sides of the roads coming into town. *Chairman Duval* requested that the volunteers work with the Town Administrator on this and update the Board at a meeting. *Member Nowak* concurred about the litter in town and reviewed the design of the roundabout. It was clarified that the Tractor Trailer Units are driving through the grass. Discussion took place about volunteers providing services, the timing of projects and risk.

OLD BUSINESS

All Alcoholic Beverages License Application: *Adams Theater LLC, 27 Park Street, Adams, MA 01220.* *Vice Chair Hoyt* reported that the Board voted to table the application until Ms. Moore's attorney could speak with Town Counsel. *Town Counsel St. John III* indicated the amended application satisfies the citizenship requirement and documents to be added to the application show the Corporations' business summary supports the LLC. ***Motion to take the All Alcoholic Beverages License Application off the table made by Member Blanchard, second by Member Rosenberg. Vote: unanimous. Motion passed. Motion made by Vice Chair Hoyt to approve the All Alcoholic Beverages License Application for Adams theater, LLC at 27 Park Street, Adams, second by Member Blanchard. Motion passed.***

NEW BUSINESS

Ratification of Patrolman Position: *Michael Banks.* *Chairman Duval* read the letter from Town Administrator Green recommending the ratification of Michael Banks for the position of Police Officer for the Adams Police Department. *Police Chief Kelley* introduced Mr. Banks and expressed how impressed he was with the interview. He advised he hoped to get him into the academy in September. He explained he would like to get him on the desk, issuing tags, and doing other activities prior to the academy. It was noted that the closest academy is the one officers are sent to and training lasts 21 weeks. This position and academy training are in the budget for this year. It was explained there are sufficient funds to put this officer on the payroll in Fiscal Year 2022. He advised that there will be one additional position to fill before being fully staffed. ***Motion made by Vice Chair Hoyt to ratify Michael Banks to the position of Police Officer for the Adams Police Department at the Step 1 Patrolman rate of \$23.19 per hour, second by Member Blanchard. Vote: unanimous. Motion passed.***

Common Victualer License Application: *Firehouse Café & Bistro, 64 Park Street, Adams, MA.* ***Motion made by Vice Chair Hoyt to approve the Common Victualer application for the Firehouse Café & Bistro operating at 64 Park Street Adams, second by Member Blanchard. Vote: unanimous. Motion passed.***

Facility Use Requests:

Adams Visitors Center and Grounds: *Adams Events Committee, July 8, 2022, July 22, 2022, August 5, 2022 and August 19, 2022 from 6:00 p.m. to 10:30 p.m. for Movie Nights.* *Haley Meczywor of the Adams Events Committee* announced there will be free movies for the summer and will move to Visitors Center from Town Hall. Move inside for rainy days. ***Motion made by Member Blanchard to approve the facility***

use request for the Adams Visitors Center by the Adams Events Committee for July 8, 2022, July 22, 2022, August 5, 2022 and August 19, 2022 from 6:00 p.m. to 10:30 p.m. for Movie Nights, second by Member Rosenberg. Vote: unanimous. Motion passed.

Adams Visitors Center and Grounds: Adams Events Committee, July 12, 2022, July 19, 2022, July 26, 2022, August 2, 2022, August 9, 2022, August 16, 2022 and August 23, 2022 from 5:30 p.m. to 8:30 p.m. for Summer Concerts. Motion made by Member Blanchard to approve the Facilities Use Request for Adams Events Committee for July 12, 2022, July 19, 2022, July 26, 2022, August 2, 2022, August 9, 2022, August 16, 2022 and August 23, 2022 from 5:30 p.m. to 8:30 p.m. for Summer Concerts, second by Vice Chair Hoyt. Vote: unanimous. Motion passed.

Adams Visitors Center: Glen Diehl, Berkshire Scenic Railway Museum, May 14, 2022 from 12:00 p.m. to 3:00 p.m. for New York Central System Historical Society lunch. Mr. Diehl explained that this is for part of the annual convention over in Albany, which will bring in between 90 and 130 people, probably by bus, to ride the Berkshire Scenic Railway equipment. Coaches that were used last summer will be in operation. He outlined that this will be a group of people who are interested in the history of railroad, the preservation of equipment and the history of the industrial era. He noted that Angelina's will be catering the lunch. Berkshire Scenic Railway Museum is the host and will take care of all cleanup at the Visitors Center after the day is over. The occupancy limit of the building was in question, and it was explained that outside of the building is available and some people will be riding trains while some have lunch. A request was made to Mr. Diehl to get a more accurate number of individuals that will attend. Town Administrator Green will get the building occupancy number from the Building Commissioner and provide it to Mr. Diehl advising the event is not to exceed occupancy level. Motion made by Vice Chair Hoyt to approve use of the Adams Visitors Center and grounds for Berkshire Scenic Railway Museum on May 14, 2022 from 12:00 p.m. to 3:00 p.m. for the New York Central System Society Lunch, not to exceed legal capacity of space and planning in coordination with the Town Administrator's Office, second by Member Blanchard. It was clarified that Berkshire Scenic Railway Museum has a lease to use the train station already. Vote: unanimous, motion passed. Mr. Diehl reported that last year the train carried just short of 9,000 passengers, and so far this year 1,500 passengers, and if the trend continues the Train could have as many as 12,000 passengers.

Greylock Glen: Edward Saharczewski, Road Runners Club of America, June 19, 2022 from 7:00 a.m. to 6:00 p.m. for Registration and Trail Races. Town Administrator Green advised that staff is recommending this request be tabled due to construction sequencing to be sure there will be no interference. Motion made by Member Blanchard to table the Facility Use Request for the Greylock Glen by Edward Saharczewski of the Road Runners Club of America for June 19, 2022 from 7:00 a.m. to 6:00 p.m., second by Vice Chair Hoyt. Vote: unanimous. Motion passed.

Close Town Meeting Warrant: It was reported that no Citizens Petitions were received, and the next meeting a review of the warrant for Town Meeting will take place. *Motion made by Member Blanchard to close the Town Meeting Warrant, second by Vice Chair Hoyt. Vote: unanimous. Motion passed.*

At 7:41 p.m. Vice Chair Hoyt stepped away from the meeting and returned at 7:45 p.m.

Finalize and Approve DEP State Clean Water Revolving Fund Borrowing for Wastewater Treatment Plant Upgrade/Improvement Project: *Town Administrator Green reviewed that Town Meeting last year authorized borrowing of money to undertake necessary improvements to the Wastewater Treatment Plant. An estimate was provided at Town Meeting. Now at point where the project went out to bid and it came back at \$6.5M, and the Town needs to determine how much to borrow using state revolving fund. Loan forgiveness numbers and proposed debt service schedule have just been provided to the Town. He also explained that Donna Cesan is present as the project manager, and this is one of the Town's special projects. Chairman Duval stated that the amount approved at Town Meeting was an estimate and now that the project*

has been bid, the anticipated costs have increased. *Town Administrator Green* outlined the results of bidding, stating only one bid was received with a base bid at \$6.5M, more than \$1M over the estimate. *Chris Bone arrived at 7:45 p.m. via Zoom. Chris Bone of Tighe & Bond, Inc.* was introduced. He explained that the Town advertised for bids about 8 weeks ago; bidding process has 2 steps and first step was to receive bids from sub-contractors, and following sub-bids, bids were received from general contractors with sub-bids in total general bid price. There was limited interest and involvement in the process; multiple sub-bidders and only one general contractor bid the project. The bid was received from W.M. Schultz Construction, Inc. of Ballston Spa, New York. Because the project will be SRF-funded, the SRF Program will allow a 5% contingency to be included and funded, which is \$325,220. In addition, Tighe & Bond has an agreement with Town for construction administration, including part-time, on site observation for the project in the amount of \$597,000, for a total construction package of almost \$7.5M. *Town Administrator Green* stated the Town has the option of funding the construction oversight cost through ARPA funds, or the oversight services could be rolled into the borrowing freeing up the Town's limited ARPA funds. He noted that DEP and SRF has now approved 17.4% loan forgiveness. In reviewing the handout, *Town Administrator Green* noted that the loan forgiveness shown on the handout has been calculated on the original project estimate of \$5 million. *Ms. Cesan* underlined this point and noted that more than \$1 million will be forgiven should the Board approve SRF borrowing for the total construction package. *Town Administrator Green* outlined parameters with the use for ARPA funds and how this had broadened from what Town staff originally understood. *Chris Bone* explained that they will need to comply with MBE/WBE requirements should the Town elect to fold in their construction supervision fee into the SRF borrowing, amounting to \$40K more or less. There was discussion on how it may be more advantageous for the Town to use SRF money for the entire construction project. *Member Rosenberg* asked if, with inflation, a 5% contingency is realistic – that he is hearing cost overruns of 20 – 30%. *Chris Bone* responded that the SRF will only provide a 5% contingency and will not grant anything more; the Town will have to come up with funding to address cost overruns beyond this on its own. The cost overruns are really going to be limited to unforeseen conditions, and they will look carefully at items not in original design or additional things Town elects to put into the contract, like pump breaks, etc. He stated that routinely Tighe & Bond would push back on simple escalation changes; noting that it is an uncertain world out there now and contractors finding *force majeure* and things out of their control. Typically, now not guaranteeing pricing until product is delivered. Can no longer hold pricing throughout a project. He provided the example of the war in Ukraine is limiting source of piping materials. There are other examples of risk out there. *Member Rosenberg* asked if a risk assessment could be performed focused on the volatility of raw materials in the supply chain. *Mr. Bone* stated that most materials suppliers are continuing to hold pricing generally, but it will likely continue to be a rough road in the construction industry in 2022. He added that historically, a 5% contingency would be more than adequate and, on a project of this size, this contingency represents a significant amount of money for typical change orders. In today's current situation, there needs to be creative ways to use materials, often through substitutions, and you need to work closely with contractors to control the price while ensuring a quality project. *Member Rosenberg* believed there is still a real possibility of more than 5% in cost overruns to put the treatment plant on line. *Mr. Bone* responded that placing material orders quickly to lock down the price will be important, also there has to be flexibility in the current construction market and there has to be extensive collaboration with the Contractor to cross the finish line. *Member Rosenberg* asked if there were any lessons we can learn on supply chain issues. *Mr. Bone* responded that he is more concerned about the delivery schedule of materials, noting that what used to take 10 weeks can now be 25 weeks or longer. To address this, he said we need to recognize deliveries will take longer to get to the job site so prioritizing the ordering of materials to much earlier in the schedule will be critical. He did add that one bottleneck will not throw off the whole budget. *Chairman Duval* asked if Tighe & Bond will be working with the Town on a weekly and, in some cases, daily basis overseeing this project. *Mr. Bone* confirmed this would be the case. *Member Rosenberg* stated he understood that the Wastewater Treatment Plant was in dire need of improvements, but given lead time and

supply issues, what is the risk of not undertaking the upgrades? *Mr. Bone* responded that there is considerable risk – he explained that should the 20-year-old clarifier fail and using 50-year old clarifier which could fail, may have to make quick decisions to fix things. He stated that if there is something you are relying on today that fails in a couple months and replacement cannot come in for months, risk may be inevitable. Repairs being undertaken more comprehensively versus continuing to band-aid things but at some point, you will need to take more aggressive steps. *Member Nowak* asked if Tighe & Bond had ever worked with the sole bidder? *Mr. Bone* stated that yes, they are a reputable contractor and the firm has worked with them in the past. He explained they called references on them. They are a good contractor but it is still unfortunate there was only one bidder. He added that Schultz Construction has been tracking the Town's project and has been interested in this project for a long time. They are well capable of undertaking the work and they have a good reputation in the industry. He personally has worked with them years ago in NYS and others in the firm have worked with them more recently. *Chairman Duval* stated that the project needs to be done; loan forgiveness will be hopefully for the higher amount. In response to a question, *Town Administrator Green* stated that the duration of the bond would be 20 years at a 2% interest rate; the estimated amount the Town would pay annually is about \$380,000. He noted this is likely a safe number because the loan forgiveness was only configured for \$5M. He added that these numbers were provided earlier today from the Clean Water Trust and they were preliminary in nature. In response to a question, *Town Administrator Green* reviewed the steps in the SRF process. In response to a question by *Chairman Duval*, he stated that payment of the bond will come from a combination of the Town's general fund and user charges. The current payments for the plant's 2005 project will come to an end in 2025. He stated that there may be some opportunity to request the Trust allow payments to begin a year later than outlined. There was discussion on the amount of payments for existing bond and the expectation of approximately \$85K more per year the Town will need to pay. *Member Nowak* asked what the Town's rating was when we obtained our current bond? *Town Administrator Green* stated he did not know, but that it does not really matter because SRF does not go through the normal bonding process. Currently at AA-, best is A+ or AA+. *Member Nowak* asked what financial situation was the Town in then versus now? *Town Administrator Green* stated he did not know. *Member Blanchard* asked if the bond is offered at a fixed rate and *Town Administrator Green* stated yes, noting the SRF offers financing that is most attractive for a municipality. He stated further that it is very competitive and the Town had to begin working towards today well over a year ago for a place on the approved list. He added that we feel lucky to be funded, and there will not be a better borrowing rate anywhere else. He stated further that Town staff believe bids would only come in higher if the Town was to rebid the project, so we do not have a lot of options. He posed the question of what would happen if the existing clarifier and aeration basins were out of service? We need to build redundancy in the system. He stated we are in a tough spot; he reminded the Board he is not a fan of borrowing, and it is unfortunate we cannot do as much as we would like for this amount of money. *Chairman Duval* stated that if we do not do this now, we will have to do even more down the road. *Town Administrator Green* also reminded the Board that even with the recommended upgrades and improvements, the Town may not meet upcoming requirements for the plant; if the Town is faced with removing higher levels of phosphorous, we could potentially be looking at \$15M to \$20M to achieve compliance. This work to be funded under the SRF essentially completes the project we started back in 2005. The improvements undertaken in 2005 were essentially a partial project. *Chairman Duval* summarized that if there was general consensus about the project going forward, they still needed to determine if the construction oversight fee would be wrapped up in the borrowing, noting that to include the service fee, the number the Town would borrow would rise to about \$7.4 million in a 20-year bond at 2%; without the service fee the Town would borrow about \$6.8 million. ***Motion made by Vice Chair Hoyt to approve total borrowing with the construction service fee in the estimated amount of \$7,426,620.00 second by Member Blanchard. Vote: unanimous. Motion passed.***

Adopt ARPA Standard Allowance Revenue Replacement Provision to Fund General Government Services: *Finance Director Wojcik* advised that unlike the *Cares Act* this is managed by the United States Treasury. The provision was issued by the United States Treasury in January for communities to adopt the provision for revenue loss as result of the health pandemic for general government services, roads and building maintenance. The Town of Adams did not choose that because it was not cost effective for the Town. The Town instead decided to focus the money on the Wastewater Treatment Plant, the Greylock Glen water tank and water system engineering services. It was explained that in January, though funds were initially disbursed in July and August, they changed guidance to allow a one-time standard allowance revenue replacement provision. It was reported that the Town received \$2.3 Million. It was explained that now the Town has the option to adopt the ARPA standard allowance revenue replacement provision in order to open up the option to use funds for general government services. It was noted there is a currently uncommitted balance of \$713,000 and a brief review was done of what the Board has already endorsed. It was explained that there were recommendations from staff where this money is to be spent, which include roads, building improvements and other needed capital projects. If not adopted, the Town would go back to more restrictive provisions. It was advised that staff recommends this adoption that streamlines reporting requirements and documentations. *Finance Director Wojcik* reviewed the amounts already committed to signed contracts and projects, and she advised that \$713,944 has not been planned for and is a remaining balance to work with. She advised the Town does not have the \$2.3 Million in the bank yet, and it is four different disbursements of funds. The first were received in July and August, and the second round of allocations for one year, in the amount of \$777,000 is expected in July and in August. She noted the Town has until December 31, 2024 to spend the funds, which must be expended fully by December 31, 2026. She outlined reporting requirements and advised this revenue provision streamlines reporting requirements significantly. *Chairman Duval* inquired about the status of the library boiler. It was explained that there were significant boiler and piping issues with the HVAC, which is steam and the boiler is not going to last until next winter. It was noted that the preference is to convert to gas and this would require the project to be engineered. As a team the decision was made to replace what was there as the most expedient process. The Library Trustees voted to provide \$25,000 in funds and quotes have been received to replace the boiler with materials lead time to be able to have a boiler in place by September. It was noted this is a placeholder of \$100,000 and it may not cost that much. The boiler is estimated at \$40,000 to \$50,000 and materials at \$40,000 for installation, plus some money for piping. It was explained that Director Jayko is working with the gas company to convert the building to gas. The Registry of Deeds boiler failure ROD has a \$115,000 balance for funding needed to replace it, and insurance covered some of the costs. The Registry of Deeds is working with the State Representative to find funds for the building. The Wastewater Treatment plant needs an internet modem as the current line is obsolete and don't receive good internet service. It is the customer responsibility to replace the line. The downside of not adopting this was more paperwork and limited use of the funds. ***Motion made by Vice Chair Hoyt to adopt the ARPA Standard Allowance Revenue Replacement Provision to Fund General Government Services ARPA for a one-time standard allowance of a \$10 Million loss, second by Member Rosenberg. Vote: unanimous. Motion passed.***

Review and Approve ARPA Allocations. *Town Administrator Green* explained the design improvement of the Wastewater Treatment Plant, the Greylock Glen water tank and water system engineering, the boiler failures, the cable internet modem, and the request for the Board Members to vote to move ahead on this spending plan using ARPA funds. He noted that staff is looking at ways to work on road projects. He advised of the \$180,000 received for the winter road fund by the Governor's office, and pointed out being in the middle of constructing the Greylock Glen Outdoor Center in the most volatile of economic trends. He advised the only way to move forward with these projects is with ARPA, which would be a smart, strategic move. He advised that if another funding source becomes more attractive it will be used. *Member Rosenberg* inquired about the \$800,00 for the Greylock Glen construction oversight of the water system for entire Greylock Glen. It was noted as supervising the building of the water infrastructure, permitting,

applications to MassDEP for the consecutive water system, an intermunicipal agreement with the Water District, and other items. It was pointed out that the Town doesn't anticipate using all of the funds but they will be helpful for contingency and the projects are conservative estimates. It was explained that it is a volatile construction market with a lot of elements of the project that were never incorporated in the building, such as a security system for the building, a building management system, signage within the building, furnishings, and other items. Town staff is working with the architects to get a better handle on those. It was explained that there are two separate projects; the physical construction of the building and the potable water system. The water system work will feed the rest of the development, and not just the Outdoor Center. ***Motion made by Vice Chair Hoyt to approve the ARPA allocations as presented in the ARPA project list, second by Member Rosenberg.*** Member Rosenberg advised he will have a meeting with Finance Director Wojcik on a capital management approach to look at preventative maintenance to deploy capital in most effective way so the Town is not in a position of catastrophic failure. ***Vote: unanimous. Motion passed.***

DEPARTMENT REPORTS

Town Administrator: *Town Administrator Green* advised there was newspaper coverage indicating a lawsuit was filed against the Fire District on how it bills services. He noted there has been good dialogue about it to determine Massachusetts General Law and to assist the Fire District to come into compliance with state law. He reported that on behalf of the Town Tax Collector / Treasurer there will be a public auction taking place on Tuesday, May 17, 2022 for Town-owned properties. He noted that some will have open houses, and other will not, and some are lots. He advised that Sullivan Auctioneers is the contact and information on this event is available at Town Hall. *Member Nowak* advised that money went through the House of Representatives for state highways being taken care of by towns, and inquired if it has passed the Senate. It was noted that it has been on the books for two years and the Town Administrator has been in touch with MassDOT and they will not support the program. It was explained that the Town received \$181,000 in winter recovery assistance program from the government. *Member Nowak* inquired about the Greylock Glen Construction Oversight meeting and its attendance. He asked to be taken off Greylock Glen sub-committee. A discussion took place regarding the meeting and the sub-committee.

Town Counsel: *Town Counsel St. John III* advised since his last report he attended a meeting with the Community Development Director, he reviewed and corresponded with several parties concerning corrections to the Adams Theater license application, and he assisted in a response to a Public Records request. He spoke with the Chair of the Finance Committee regarding ethics issues, attended and argued at a hearing before the Superior Court concerning a Board of Health issue and attended the April 27, 2022 Board of Health hearing. He reported he attended and defended the Board of Health at a five-hour arbitration hearing yesterday and attended a meeting today with the Fire District and Town staff. *Member Rosenberg* asked what the issue was for the Board of Health arbitration, and it was clarified this is the case of Catherine Foster versus the Board of Health remanded from Superior Court to the arbitrator for a hearing to start anew regarding the findings the Code Enforcement Officer made regarding her property.

SUBCOMMITTEE AND LIAISON REPORTS: *Member Rosenberg* inquired whether two more positions filled the Board of Health vacancies, and it was explained that one person was elected and there is one vacant position. An inquiry was made on how vacancies are filled for the Board of Health and it was explained that if a write-in on the ballot was successful it would be filled with that mechanism. If it is not filled that way, the Board of Selectmen and the current two members of the Board of Health vote to appoint someone to the position. It was explained that the vacancy has to be advertised for two weeks, or proper practice according to statute to receive applications.

ANNOUNCEMENTS AND GOOD OF THE ORDER: *Member Nowak* thanked the people of Adams for having confidence in him and voting him in. He noted he does and will continue to do what is in the best

interest of each individual. He reported seeing a lot of young individuals voting, and some for the first time. He requested everyone keep people of Ukraine in their prayers, and pointed out that war doesn't solve any problems. He inquired why the Adams election results were not in Berkshire Eagle but Cheshire's were. It was explained this was a decision by the Berkshire Eagle, and it was recommended that anyone that wanted to get the results of the election could reach out to the Town Clerk. *Vice Chair Hoyt* thanked the Town Clerk and election workers who spent their day on Monday at the polls. She thanked the Council on Aging Director Fontaine, who spent a portion of the day on Monday welcoming people into Memorial Building and giving tours. *Member Rosenberg* echoed compliments for the volunteers on election day, and noted his appreciation. *Town Administrator Green* pointed out that changing polling locations is not easy, and acknowledged Building Commissioner Garner, Custodians Wilson and Keele, who spent a lot of time getting the building ready and managing logistics. He pointed out that many staff are doing work not in their job descriptions and thanked Town staff for their efforts to get elections over there.

ADJOURNMENT: *At 8:56 p.m. Motion made by Member Blanchard to adjourn, second by Member Rosenberg. Vote: unanimous. Motion passed. The meeting adjourned at 8:56 p.m.*

Respectfully Submitted,

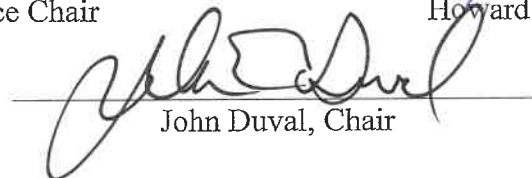
Deborah J. Dunlap, Recording Secretary


Joseph Nowak, Member


Richard Blanchard, Member


Christine Hoyt, Vice Chair


Howard Rosenberg, Member


John Duval, Chair