



## ***Town of Adams Massachusetts 01220-2087***

### **BOARD OF SELECTMEN**

TOWN HALL BUILDING  
8 PARK STREET

**Wednesday, August 3, 2022, 7:00 p.m.**

**TOWN HALL, 8 PARK STREET, ADAMS, MA 01220  
1<sup>st</sup> Floor, Board of Selectmen Meeting Room**

**CALL TO ORDER:** On the above date, the Board of Selectmen held a meeting at 7:00 PM at the Adams Town Hall. Chair John Duval opened the meeting. Present: Chair John Duval, Vice Chair Christine Hoyt, and Members Joseph Nowak, Richard Blanchard, and Howard Rosenberg. *Town Counsel Edmund St. John was absent.* Also present were Brianna Hantman, Recording Secretary; Gerry Garner, Building Inspector; Scott Kelley, Police Chief of the Adams Police Department; Brian Rhodes, iBerkshires; officers from the Adams Police Department; Lisa Mendel, Michelle Biros, Fran Biros, Nadine Lesage, Michael Steuer, and Rachel Tomkowicz, Residents of the Town.

*The Pledge of Allegiance was recited.*

**APPROVAL OF MINUTES:** The minutes for the June 29, 2022 Meeting were submitted for approval. *Vice-chair Hoyt moves to approve minutes from June 29, 2022 as presented. Motion is seconded by member Blanchard.*

Discussion: *Member Nowak* noted that one page one, Lisa Mendel's name was spelled incorrectly. Additionally, a piece of property was referred to as a "convenience store" whereas it should have been worded as "adjacent apartment". Also on page one, Police Chief Kelley was referred to as "sheriff" which is not the appropriate title and should be updated accordingly. Lastly, at the bottom of page one, member Nowak's comment should read that he was asking if the property owner had applied for participation into the Housing Rehab Program through CDBG.

*Motion to amend the original motion to include member Nowak's comments is made by Vice-chair Hoyt. Motion is seconded by member Blanchard. No further discussion. Member Rosenberg abstains. Motion passes with 4 votes.*

*Original motion passes with 4 votes as member Rosenberg abstains.*

The Minutes for the July 20, 2022 Meeting were submitted for approval. *Vice-chair Hoyt moves to approve minutes from July 20, 2022 as presented. Motion is seconded by member Blanchard.*

Discussion: Member Nowak found a clerical mistake one page two where the word "plates" was missing a letter. *Motion to amend the original motion to include member Nowak's comments is made by Vice-chair Hoyt. Motion is seconded by member Blanchard. No further discussion. Motion passes unanimously.*

**Original Motion passes unanimously.**

## **PUBLIC COMMENT**

*Haley Meczywor*, Town Clerk presented on behalf of the Events Planning Committee. Concerts: “Sky Full of Dippers”, tonight from 6:30 until 8:30 at the Adams Visitors Center. Next week on the 9<sup>th</sup> is “Hot Shot Hillbillies”, August 16<sup>th</sup> is “Happy Together”, and August 23 is “Mr. Doubtfire”.

Movie updates: August 5<sup>th</sup> there will be a showing of *Encanto*. August 19<sup>th</sup> will be *Clifford the Big Red Dog*. Seating opens around 7:30. Movie starts at dusk.

Town-wide tag sale is August 13<sup>th</sup>. Maps can be picked up at Town Hall. Map was also posted on Facebook. Additionally, Community Round Table group, which is made up of a variety of groups in Adams. Collaborative effort has helped a new brochure be published “Living in Adams” (all about living in our community). This guide will be a great resource for real estate agents to give new home owners. There are also some available at the Visitors Center. Additionally, the guides will be mailed to new homeowners.

## **OLD BUSINESS:**

**Update on property concerns at the corner of Hoosac Street and Summer Street:** *Chief Kelley* had a unit go and run the tags of the vehicles on the property. There were 2 unregistered vehicles under a tarp. Ms. Biros was advised by sergeant that she needed to register at least one vehicle to be in compliance with the Town’s by-laws, which only allows for 1 unregistered vehicle on your property. *Lisa Mendel* stated that she was present when the K9 officer arrived at the property and ran the plates of the vehicles. There are now three unregistered vehicles on the property, two that are covered by tarps, and one that is not.

*Michelle Biros* stated that it is her understanding that under the by-laws, the vehicles that are covered and unregistered are considered out of public view because they are covered by the tarp. *Fran Biros* also had the understanding that the cars being covered by a tarp was considered sufficient. He cited multiple occasions in the past where this had been an issue and had been told that a car cover or tarp would make the vehicle “out of view” and therefore in compliance with bylaw 125-17.

*Jay Green*, Town Administrator, gave his interpretation of the law, while not speaking for town council. The intent of the law is for the unregistered vehicle or vehicles to be placed in a barn, shed, car port, garage, etc. By covering the vehicle, the vehicle is still in view.

*Chairman Duval* asked for clarification on how many unregistered vehicles are currently on the property. Property owners clarified that there are two registered vehicles, and three unregistered vehicles, but one is presently being dealt with, which will leave an additional two vehicles.

*Gerry Garner*, Building Inspector stated that in his experience, the cars being covered by tarps would not constitute them being out of public view.

*Jay Green*, Town Administrator stated that the mechanical handling of this situation would be for the Zoning Officer (Gerry Garner) to issue the Biros family a citation at which point they would have 14 days to comply. If the Biros family would like to appeal, they can do so in the district court. Mr. Garner will notify Attorney St. John of the actions he is taking in case the Biros family decides to begin the appeal process.

**Designation of the number of Police Officers for Town Polling Location(s), Town Clerk Haley Meczywor and Chief Kelley, APD:** *Haley Meczywor*, Town Clerk is back before the Select board regarding police officers at the polling location. The law reads, “*The Select board, board of selectmen, town council, city council, of each city or town, in consultation with its election officers*

*shall detail a sufficient number of officers or constables for each building that contains a polling place for one or more precincts.” Haley Meczywor requests that the Board of Selectmen designate that there be one officer at the polling location and leave the discretion up to the Police Chief to fill that duty based on the availability of officers. In the past there has been one officer present at polling locations.*

*Chief Kelley* stated that he has been in Adams for two elections at this point and will continue to detail the polling locations as he has always done. Chief Kelley dictates that this is a special assignment that is done on a volunteer basis. This is the only time of the year that Chief Kelley dictates that someone volunteers their time.

*Haley Meczywor* will work with the Chief to decide if there needs to be a separate officer working traffic detail at the Memorial Building, but a traffic detail will not necessarily be a volunteer shift as the officer would be standing outside all day.

*Vice-chair Hoyt moves to designate the police chief the authority to assign the minimum of 1 police officer at the Chief’s discretion and according to scheduling and availability in each election in fiscal year 2023 in accordance with chapter 92 of the act of 2022.*

*Member Nowak moves to take the matter of Designation of the number of Police Officers for Town Polling Location(s) off the table as it had previously been tabled. Member Blanchard seconds. No further discussion. Motion passes unanimously.*

*Vice-chair Hoyt moves to designate the police chief the authority to assign the minimum of 1 police officer at the Chief’s discretion and according to scheduling and availability in each election in fiscal year 2023 in accordance with chapter 92 of the act of 2022. Member Blanchard seconds the motion.*

Discussion: *Vice-chair Hoyt* noted that this motion only applies to elections in fiscal 2023. As such, this process would need to be repeated next year. It may be worth considering making it a part of the appointment process next year.

*No further discussion. Motion passes unanimously.*

## **NEW BUSINESS:**

**One-Day Liquor License Application; Mike Steuer, Fall Run, September 17th, 2022, 8:00am-9:00pm at Bowe Field:** *Michael Steuer of the Fall Run Corp.* shared some of the results of the 2021 Fall Run. The event was largely a success. Last year, the Adams Police Department was presents and helped to keep everyone safe. A change this year is that the run will take place on Saturday, rather than a Sunday, and this change is happening after 36 years. Profits last year were retuned to posts 160, 125, 155, and 138. 100% of the profits went back to those American Legion posts which made the group very proud. This year, the Fall Run is designated as a 501c (3) which the group is very proud of.

*Question from Vice-chair Hoyt,* What is the actual time of the event?

*Michael Steuer:* Opening ceremonies at 10:00am. Kickstands up at 1pm for the ride to begin and riders would return at 3pm. Alcohol service will begin at 3pm after riders return. The bands will play until 6:00pm and the fields will be cleared between 6:15 and 6:30pm. There will be no alcohol served prior to the ride. Alcohol service would be roughly 3pm-6pm. Everyone who is serving would be TIPS Certified. The vendor’s truck will show up the night before, but not serve. Police detail will be present and there is zero tolerance of folks drinking prior to the ride. Mike’s mission is to watch every single bike leave and every single bike return safely. Has flags on the back of some

riders to make sure that people know where to go. In the past, some rides did peel off which caused some small confusion. The flags will be staggered through the group so that folks know who to follow.

***Vice-chair Hoyt makes the motion to approve the one-day liquor license for the Adams Fall Run Corporation for Saturday, September 17<sup>th</sup> from 2pm-6pm to be held at Bowe field. Member Blanchard seconds the motion. No further discussion, motion passes unanimously.***

**One-Day Liquor License Application; Fr. Paul Norman, St. John Paul II Parish, Polish Festival, September 11<sup>th</sup>, 2022, Polanka Grounds:** Rachel Tomkowicz spoke about the event which will start at noon. Band will start at 1pm and end at 5pm. Polish and American food will be served and baked goods will be sold. Vice-chair Hoyt noted that Town Council has reviewed the materials and everything is order.

***Vice-chair Hoyt moves to approve the one-day liquor license application for St. John Paul II Parish for September 11<sup>th</sup> from 12-5pm to be held on the Polanka grounds on Mill Street. Member Blanchard seconds the motion. No further discussion. Motion passes unanimously.***

### **Approval of State Primary Election Warrant**

**Haley Meczywor, Town Clerk:** The election warrant does need to be signed if the board approves and it needs to be posted 7 days before the election. All races will be on the ballot for September 6<sup>th</sup>. There are two ballots this year (Democrat and Republican). Races include Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer, Auditor, Representative in Congress, Counselor, Senator in General Court, Representative in General Court, District Attorney, and Sheriff. All of those races will be on the ballot for September 6<sup>th</sup>.

***Vice-chair Hoyt makes the motion to approve the State Primary Election Warrant for September 6<sup>th</sup> 2022, as presented by Town Clerk, Haley Meczywor. No further discussion. Motion passes unanimously.***

**Haley Meczywor, Town Clerk:** A lot of people have received their vote by mail applications and the Clerk's office has already sent out over 600 ballots. Community member should be receiving those in the mail in the next few days or so. There are early voting hours available at town hall for in-person voting. This will start on Saturday, August 27<sup>th</sup> from 9am-5pm and then the following week you will be able to vote at Town Hall during regular business hours. Polls will be open from 7am-8pm at the Adams Memorial Building on September 6<sup>th</sup>.

### **Update on Greylock Glen Outdoor Center Construction Project, Town Administrator Jay Green:**

Contractor is at work and has been at work for several weeks. Utility lines are continuing to be hooked up. Concrete work has begun. Every week we hold a construction team meeting, project manager, town staff. There are periodic closures of trails, particularly the gravel trails.

**Water Work:** Grant from the department of commerce. Engineering team is getting ready to bid that project out. Working on a memo of understanding with the water district that needs to be put in place first, followed by a DEP permit for drinking water. Engineers will file for a consecutive water permit. Attorney is working on RFPs for the café operator as well as the camp ground. We are hopeful that both of those will be issued by the end of August. We are on track for an opening in fall of 2023. We are also hoping to have a ceremonial groundbreaking for people to attend. More information on that to come.

#### **Ratification of Code Enforcement Officer, Sarah Lesure**

Vice-chair Hoyt read the ratification letter to for Sarah Lesure to the Board of Selectmen.

*Jay Green, Town Administrator:* This is a critical position for the town. We did not receive a tremendous number of applications. She is looking for an additional challenge but wants to stay in municipal government. Sarah also worked for Berkshire Gas and has experience working in the field with similar subject matter. Sarah has a positive outlook and understands the distinction between the public safety component with the impact that code enforcement has on businesses.

*Member Nowak* spoke with *Gerry Garner, Building Inspector*, about the position because it's a specialized position and has repercussions in the community. *Member Nowak* felt confident after his discussion with Gerry.

***Vice-chair Hoyt makes the motion to ratify the appointment of Sarah Lesure as the Code Enforcement Officer in the Department of Inspection Services at a Grade 9/ Step 3 level of pay of \$26.15 an hour. Seconded by member Blanchard. Motion passes unanimously.***

#### **Ratification of Seasonal DPW Employee, David Shade**

**Jay Green, Town Administrator:** Regularly there are only 5 seasonal employees, however due to the current temporary vacancy, we decided to bring one more. This will not affect the overall bottom line.

Question from *Vice-chair Hoyt*, what is the rate of pay for a seasonal laborer? *Jay Green* noted that it is roughly \$14.92 an hour, but a motion could be made to approve Mr. Shade at a rate of pay consistent with the standard rate of pay for seasonal laborers.

***Vice-chair Hoyt makes the motion to ratify the appointment of David Shade as a seasonal laborer consistent with the rate of pay of other seasonal laborers. Seconded by member Blanchard.***

Discussion: *Member Nowak* asked if David Shade is from Adams. It is unknown where Mr. Shade resides.

***With no further discussion, motion passes unanimously.***

#### **SUB-COMMITTEE AND LIAISON REPORTS:**

***Member Rosenberg:*** Attended the Board of Health meeting. Tick born illnesses are up. Be aware. Chickens are good for eating ticks.

***Vice-chair Hoyt::*** We received the approval from the ABCC for the Adams Tavern and Inn. Board members should stay after to sign the paperwork for that license. Also, the ABCC has set up two training sessions. Contact *Bri Hantman, Administrative Assistant* for that information. The training is free. Secondly, Vice-chair Hoyt represented Adams at the Massachusetts Selectmen's Association's New Selectmen Training that went over collaborative work, Open Meeting Law, and what to expect once you get elected.

***Member Blanchard:*** None at this time

***Member Nowak:*** Sent an email on August 1<sup>st</sup> at 8:52am to everyone on the board, regarding the removal of the Town Administrator's Report and the Town Council Report. Nobody responded to this email. Town Administrator and Town Council are paid employees and they should have to give an update on what is happening.

*Vice-chair Hoyt* noted that none of the other Selectmen could respond to that email as it would have been considered delegation and would have put them in violation of the Massachusetts Open Meeting Law. The change to the agenda was made in May and was done so by *Chairman Duval* so

that update items are transparent and clearly listed on the agenda. Items are no longer buried under a category of "Town Administrator's Report" which served as a catchall.

Member Nowak responded that he feels that he is well-prepared for meetings. He noted *that Vice-chair Hoyt* is often in the Town Administrator's office sitting with the Administrative Assistant.

*Chairman Duval* noted that he is happy to see *Vice-chair Hoyt* volunteering her time to help with licensing and helping with the transition of roles in the Town Administrator's office.

#### **ANNOUNCEMENTS AND GOOD OF THE ORDER:**

**Member Nowak:** The solar panels at the landfill are filled with weeds. Who is responsible for maintaining those? *Jay Green* noted that the company comes annually. *Bri Hantman, Administrative Assistant* will check in on the process and see where they are with their permits to come in and treat the weeds. Additionally, National Night Out seemed to go well. New businesses are popping up and looking good. Lastly, the parcel at the Greylock Glen has some interesting trees, but the parcel should be mowed.

**Chairman Duval:** There are great things happening. It's nice to see. Route 8 will be completed this fall. There are plenty of projects that are being completed and we are making great headway. A lot of things are happening but it takes time.

**Member Blanchard:** None

**Vice-chair Hoyt:** Coffee in the Court tomorrow from 7:30-9:00am. Please feel free to join if your schedule allows.

**Member Rosenberg:** Seconds what Haley was saying about the community groups putting out the pamphlet for new home owners. It is great for morale in town as well as transparency. Kudos to the community group for making it very inclusive.

**Member Nowak:** Asked if the board was going to move into Announcements and Good of the Order? *Chairman Duval* clarified that the board is already in that section of the agenda. *Member Nowak* added one additional announcement - Local individual, Matt Koperniak was called up to the AAA league and played two good games. Great to see a local young person do well.

#### **ADJOURNMENT:**

**Motion made by Member Blanchard to adjourn, second by Vice-chair Hoyt. Vote: unanimous.**  
**Motion passed. Meeting adjourned at 8:29 p.m.**

Respectfully Submitted by Brianna Hantman,  
Recording Secretary

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Joseph Nowak, Member

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Richard Blanchard, Member

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Christine Hoyt, Vice Chairman

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Howard Rosenberg, Member

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John Duval, Chairman