



## Town of Adams Massachusetts 01220-2087

### BOARD OF SELECTMEN

TOWN HALL BUILDING  
8 PARK STREET

Wednesday, June 21, 2023, 7:00 p.m.

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

RECEIVED-POSTER  
23 JUL 20 AM 10:00  
TOWN CLERK  
ADAMS MASS.

**CALL TO ORDER:** On the above date, the Board of Selectmen held a meeting at 7:00 PM at the Adams Town Hall. Chair Christine Hoyt opened the meeting. Present: Chair Christine Hoyt, Vice-chair Howard Rosenberg, Members John Duval, and Joseph Nowak. *Member Rick Blanchard was absent.* Also present were Jay Green, Town Administrator; Attorney Edmund St. John III, Town Counsel; Bri Hantman, Recording Secretary; Bruce Shepley, Cemetery Commission; Paula Wheeler, Assessor; Bill Schrade, Adams Housing Authority; Gerry Garner, Facilities Director; Sarah Fontaine, Council on Aging Director; Eammon Coughlin, Community Development Director; Peter Gentile of NBCTC, and Tammy Daniels of iBerkshires.

*The Pledge of Allegiance was recited.*

#### **APPROVAL OF MINUTES:**

**The May 17<sup>th</sup>, 2023 Board of Selectmen meeting minutes were presented for approval.**

Vice-chair Rosenberg made a motion to accept the May 17<sup>th</sup> 2023 Board of Selectmen Meeting Minutes as presented. Member Duval seconded the motion. The motion passed unanimously.

**The May 31<sup>st</sup>, 2023 Board of Selectmen meeting minutes were presented for approval.**

Vice-chair Rosenberg made a motion to accept the May 31<sup>st</sup>, 2023 Board of Selectmen Meeting Minutes as presented. Member Duval seconded the motion. The motion passed unanimously.

**The May 31<sup>st</sup>, 2023 Board of Selectmen and Finance Committee joint workshop minutes were presented for approval.**

Vice-chair Rosenberg made a motion to accept the May 17<sup>th</sup> 2023 Board of Selectmen Workshop Minutes as presented. Member Duval seconded the motion. The motion passed unanimously.

**PUBLIC COMMENT:** Sarah Fontaine from the Adams Council on Aging spoke regarding their “Longest Day” celebration today, which is a dedication to folks who struggle with Alzheimer’s and Dementia and those who care for folks with memory loss.

**OLD BUSINESS:** *None*

**NEW BUSINESS:**

## **Ratifications**

*Sherrie Leon, Administrative Assistant to the Department of Inspectional Services/ Assessor's Office*

*Chairman Hoyt* read a memo regarding the ratification of Sherri Leon.

*Vice-chair Rosenberg* made a motion to ratify the appointment of Sherrie Leon to the position of Administrative Assistant to the department of Inspectional Services and Assessor's office at the Grade 6, step 2 rate of \$20.26/hour pending the successful completion of a background check and physical.

*Aaron Chappell, Seasonal Laborer for the Department of Public Works*

No action was taken on this item.

## **Approval of Town Wide Tag Sale and Request to Reduce Tag Sale Fee for August 12, 2023, 8:00AM- 4:00PM**

*Chairman Hoyt* stated that the board is being asked to reduce the tag-sale fee to \$1.00 for that day only. This is an annual event.

*Vice-chair Rosenberg* made a motion to waive the Tag Sale fee for August 12<sup>th</sup>. *Vice-chair Rosenberg* amended his motion to be a reduction of the tag sale fee from \$7.00 to \$1.00. The motion was seconded by Member Duval.

*Member Nowak* asked if residents were seeking out tag sale permits in the Town Administrator's office. *Member Nowak* also asked for clarification for the number of tag sales a single address is able to host per season. *Bri Hantman, Recording Secretary* stated that residents seek out the permits. Ms. Hantman also stated that on the permit it is outlined that tag sales can go for "no more than four consecutive days, twice per address per calendar year".

## **2023-2024 Community Development Fees**

*Eammon Coughlin, Community Development Director* approached the board. He spoke regarding the research that the Community Development Department has done regarding fees imposed by the Community Development Department in other communities.

After reviewing the comparisons of fees, it was noted that the Community Development Fees have not been adjusted since 2013. In that time, the cost of advertising and the cost of postage has increased significantly. The proposed fee increases will change the fees.

*Vice-Chair made a motion to increase the municipal fees associated with the Zoning Board of Appeals, Planning Board and Conservation Commission approval process and accept the recommendation of the Community Development Department as printed on the Municipal Fee Comparison Chart. The motion was seconded by Member Duval.*

Member Duval stated that this was a similar change to the fees for the Transfer Station. The people seeking these permits are paying for them. Member Duval offered his support.

*The motion passed unanimously.*

## **Review and Approve Selected New Cemetery Rules**

*Bruce Shepley* of the Cemetery Commission approached the Board. Mr. Shepley walked the board through a number of language changes to the Cemetery Department's rules and regulations including a surcharge for interments that occur past noon on Saturdays. Many of the changes are linguistic changes, particularly a shift of the word Cemetery Department to "Cemetery Division". There were additional changes to the operational times of the Cemetery Division in order to mirror the work schedule of the Department of Public Works. There will be language put into the rules and regulations regarding a surcharge that will go into effect for funerals and gatherings that go beyond 12:00pm on a Saturday.

Vice-chair Rosenberg asked about the regulation that requires orders for interments being given to the cemetery division 2 business days prior to the event. Member Rosenberg noted that this may not accommodate all religious customs.

*Vice-chair Rosenberg made a motion to approve the Cemetery Rules and Regulations including the addition of the definition of residency as “A resident is someone who resides within the boundaries of the town of Adams and can show proof of residency” and an addition to section 2.8 to include the language of “with exception to accommodate religious customs”. The motion was seconded by Member Duval.*

Member Duval asked about the capacity of the cemetery at this time. Mr. Shepley said that he does not anticipate an issue at this time.

*The motion passed unanimously.*

### **Review and Approve Adams Housing Authority PILOT, Bill Schrade**

Town Administrator Green introduced Bill Schrade and the idea of the Pilot Program. The Adams Housing Authority is a nonprofit and as such, is tax exempt, however the PILOT program, which stands for “Payment in Lieu of Taxes”. The formula to generate the PILOT payment is half of the commercial tax rate, plus \$100, multiplied by the number of bedrooms. Mr. Schrade named the properties that are currently owned by the Adams Housing Authority. Mr. Schrade noted that the Housing Authority has been paying the PILOT amount all along, however when Mr. Schrade asked the state for a signed copy, it appeared that there was never a signed copy.

Attorney St. John, Town Counsel, stated that he has reviewed the documents and that they look good. Mr. Schrade said that these documents come from the State and have not changed since 1985.

Member Nowak asked if preference is given to residents of Adams. Mr. Schrade clarified that a waiting list exists and that cannot be changed as it is a statewide program. Individuals applying for housing can select what communities they want to be put on the list for.

*Member Rosenberg made a motion to approve the Adams Housing Authority PILOT for the 689 and 705 programs. The motion was seconded by Member Duval. The motion passed unanimously.*

*Member Rosenberg made the motion to have the Town Administrator be the signatory on the agreements with the Adams Housing Authority. Member Duval seconded the motion.*

*Member Rosenberg amended the motion to include the that the Town Administrator be the signatory on behalf of the Board of Selectmen for the agreements with the Adams Housing Authority. Member Duval seconded the motion. The motion passed unanimously.*

### **Review and Approve Shared Services Agreement between Savoy and Adams Council on Aging**

Sarah Fontaine, Council on Aging Director approached the board. The Council on Aging has reviewed the agreement with the Savoy Council on Aging. The Savoy Council on aging does not have any issues with this agreement. The statistical data has been reviewed and it looks like the COA can reasonable reduce the services being offered to the residents of Savoy without negatively impacting individuals as the services were being underutilized. Ms. Fontaine stated that the decrease in compensation would not cause an shortage in the Council on Aging budget.

Changes to the IMA includes the addition of a section for “Services” and the compensation section changing from \$35,000 to \$10,000.

Member Nowak inquired about the state of the vans. Ms. Fontaine stated that they are doing well.

Ms. Fontaine indicated that 4% of individuals who go to the Adams Council on Aging for Services are residents of Savoy.

*Vice-chair Rosenberg made a motion to approve the Shared Services Agreement as presented to go into effect on July 1. The motion was seconded by Member Duval. The motion passed unanimously.*

## **Licensing Requests:**

**One Day License Request: AJ's Trailside Pub: Thursday, June 22, 2023 from 5:00pm-9:00pm outside of AJ's Trailside Pub, 12 Pleasant St, Adams**

*Chairman Hoyt* stated that this is similar to licenses that have been sought-after by other businesses. This license is being sought in order to temporarily license the outdoor area directly next to AJs in order to provide some extra seating for an event.

*A motion was made by Vice-chair Rosenberg to issue a One Day Liquor license for AJ's Trailside Pub for Thursday, June 22, 2023 from 5:00pm-9:00pm outside of AJ's Trailside Pub, 12 Pleasant St, Adams. The motion was seconded by Member Duval.*

Member Nowak asked for clarification on where the space would be. *Town Administrator Green* stated that if you were on the armory court side looking at the back of the pub, the space would be directly to the right.

*The motion passed unanimously.*

*Bri Hantman*, Recording Secretary stated that all of the documentation and payments were appropriately submitted for the next three licenses. All three are for the Berkshire Cider Project to serve alcohol at the Adams Theater.

**One-Day License Request: Berkshire Cider Project: Saturday, July 1, 2023 from 6:30pm - 10:00pm at the Adams Theater, 27 Park Street, Adams.**

*A motion was made by Member Rosenberg to approve the One Day Liquor License for the Berkshire Cider Project for Saturday, July 1, 2023 from 6:30pm - 10:00pm at the Adams Theater, 27 Park Street, Adams. The motion was seconded by Member Duval. The motion passed unanimously.*

**One-Day License Request: Berkshire Cider Project: Sunday, July 2, 2023 from 6:30pm – 10:00pm at the Adams Theater, 27 Park Street, Adams.**

*A motion was made by Member Rosenberg to approve the One Day Liquor License for the Berkshire Cider Project for Sunday, July 2, 2023 from 6:30pm - 10:00pm at the Adams Theater, 27 Park Street, Adams. The motion was seconded by Member Duval. The motion passed unanimously.*

**One-Day License Request: Berkshire Cider Project: Thursday, July 6, 2023 from 7:00pm – 10:00pm at the Adams Theater, 27 Park Street, Adams.**

*A motion was made by Member Rosenberg to approve the One Day Liquor License for the Berkshire Cider Project for Thursday, July 6, 2023 from 7:00pm - 10:00pm at the Adams Theater, 27 Park Street, Adams. The motion was seconded by Member Duval. The motion passed unanimously.*

## **Update on 115 Howland Ave Tax Taking Process**

Town Counsel, Edmund St. John last updated the Board on this process in February of this year. On March 1<sup>st</sup>, March 9<sup>th</sup>, April 4<sup>th</sup>, May 5<sup>th</sup>, May 19<sup>th</sup>, and May 26<sup>th</sup> Town Counsel reached out to various individuals at land court regarding the case ending in 1282. In early June, the land court reached out to Attorney St. John stating that the case ending in 1282 had completed the process and a determination was made. The judgement will be recorded at the registry of deeds and then the parcel becomes town property. For the cases ending in 1280 and 1281, attorney St. John is cautiously hopeful that a determination will be made for the remaining two parcels in the next 60 to 90 days.

## **Discussion concerting Open Meeting Law Complaint by Patrick Higgins**

Two complaints were made regarding the approval of minutes from March in that they were not accepted in a timely manner. Attorney St. John stated that he believes that both of these complaints are technically correct. Attorney St. John will be filing a response and copying the attorney general.

Town Administrator Green stated that a training will be mandated to staff and department heads. Attorney St. John stated that he would be interested in hosting a meeting with Town Hall staff in order to go over open meeting law and documentation requirements.

*At 8:33pm Chairman Hoyt called for a 5-minute recess. The Board came back into session at 8:38pm*

## **Annual Ratifications for one-year terms, expiring June 30, 2024:**

### A. Special Police Officers

- 1) David Dean
- 2) Scott McWhirt
- 3) Timothy C. Sorrell

*A motion was made by Vice-Chair Rosenberg to ratify the Special Police Officers David Dean, Scott McWhirt, and Timothy C. Sorrell for terms expiring June 30<sup>th</sup>, 2024. The motion was seconded by Member Duval.*

Member Nowak asked what constituted a special officer. Town Administrator Green stated that they are for a 1-year appointment and formerly full-time officers.

*The motion passed unanimously.*

### B. Inspectors

- 1) Senior Inspector of Wires - David Rhinemiller
- 2) Assistant Inspector of Wires - Chad Wagenknecht
- 3) Local Building Inspector Mark Kruzel
- 4) Plumbing and Gas Inspector- Norman Rolnick
- 5) Assistant Plumbing and Gas inspector – Michael Lahey

A motion was made by Vice-chair Rosenberg to ratify the appointment of the inspectors, Senior Inspector of Wires, David Rhinemiller; Assistant Inspector of Wires, Chad Wagenknecht; Local Building Inspector, Mark Kruzel; Plumbing and Gas Inspector, Norman Rolnick, Assistant Plumbing and Gas Inspector, Michael Lahey. The motion was seconded by Member Duval. The motion passed unanimously.

### C. Hazardous Waste Coordinator: Timothy Cota

### D. Tree Warden: Timothy Cota

A motion was made by Vice-chair Rosenberg to ratify the appointment of Timothy Cota as hazardous Waste Coordinator and Tree Warden for a one-year term. The motion was seconded by Member Duval. The motion passed unanimously.

## **Appointments for one-year terms, expiring June 30, 2024:**

### E. Constables:

- 1) Herman Bishop
- 2) Thomas A. Satko

Vice-chair Rosenberg asked what the duty of the constable is. Attorney St. John stated that they are responsible for posting the Town Meeting Warrant.

A motion was made by Vice-chair Rosenberg to ratify the appointment *of Herman Bishop and Thomas Satko for a*

*one-year appointment to expire on June 30, 2024. The motion was seconded by Member Duval. The motion passed unanimously*

F. Council on Aging Board of Directors:

- 1) Bruce Dale Shepley
- 2) Aleta Moncecchi
- 3) Benjamin Acquista
- 4) Thomas Dubis
- 5) Elizabeth Mach
- 6) Leona Meczywor
- 7) Pamela St. John
- 8) Mary E. Whitman
- 9) Barbara Ziemba

*Vice-chair Rosenberg made the motion to appoint Bruce Dale Shepley, Aleta Moncecchi, Benjamin Acquista, Thomas Dubis, Elizabeth Mach, Leona Meczywor, Pamela St. John, Mary E. Whitman, Barbara Ziemba to the one-year term. The motion was seconded by Member Duval. The motion passed unanimously.*

G. Traffic Commission:

- 1) K. Scott Kelley (Police Chief)
- 2) Timothy Cota (DPW)
- 3) Michelle Picard (Planning Board)
- 4) John F. Duval (citizen)
- 5) Gregory Onorato (citizen)

*Vice-chair Rosenberg made the motion to appoint K. Scott Kelley (Police Chief), Timothy Cota (DPW), Michelle Picard (Planning Board), John F. Duval (citizen), Gregory Onorato (citizen) for one year to the Traffic Commission. The motion was seconded by Member Nowak. The motion passed with 3 votes in favor and one abstention from Member Duval.*

H. Berkshire Regional Planning Commission:

- 1) Michelle Picard (Planning Board)
- 2) John E. Duval, alternate

*Vice-chair Rosenberg made the motion to appoint Michelle Picard and John E. Duval to the BRPC board. The motion was seconded by Member Nowak. The motion passed with 3 votes in favor and one abstention from Member Duval.*

I. Mt. Greylock Advisory Board: Timothy Herman

*Vice-chair Rosenberg made a motion to appoint Timothy Herman to the Mt. Greylock Advisory Board. The motion was second by Member Duval. The motion passed unanimously.*

J. Fence Viewers:

- a. Andrew Goyette
- b. Timothy Ziemba

*Vice-chair Rosenberg made a motion to appoint Andrew Goyette and Timothy Ziemba as Fence Viewers. The motion was second by Member Duval. The motion passed unanimously.*

K. Measurer of Wood and Bark: Bruce Shepley

*Vice-chair Rosenberg made a motion to appoint Bruce Shepley as Measurer of Wood and Bark. The motion was seconded by Member Duval. The motion passed unanimously.*

L. Trench Board:

- 1) Gerry Garner
- 2) Timothy Cota
- 3) Bob Wojcik

*Vice-chair Rosenberg made a motion to appoint Gerry Garner, Timothy Cota, and Bob Wojcik to the Trench Board. The motion was seconded by Member Duval. The motion passed unanimously.*

M. Berkshire Regional Transit Authority Advisory Board: Sarah Fontaine

Chairman Hoyt thanked Sarah Fontaine for taking on this role as no members of the board were able to fill it.

*Vice-chair Rosenberg made a motion to appoint Sarah Fontaine to the Berkshire Regional Transit Authority Advisory Board. The motion was seconded by Member Duval. The motion passed unanimously.*

N. Town Counsel: Edmund St. John, III

*Vice-chair Rosenberg made a motion to appoint Edmund St. John, III to the position of Town Counsel. The motion was seconded by Member Duval. The motion passed unanimously.*

O. American with Disabilities Coordinator: Jay R. Green

*Vice-chair Rosenberg made a motion to appoint Jay Green as the American with Disabilities Coordinator. The motion was seconded by Member Duval. The motion passed unanimously.*

P. Fair Housing Officer: Eammon Coughlin

*Vice-chair Rosenberg made a motion to appoint Eammon Coughlin as the Fair Housing Officer. The motion was seconded by Member Duval. The motion passed unanimously.*

Q. Preservation Officer: Eugene Michalenko

*Vice-chair Rosenberg made a motion to appoint Eugene Michalenko as the Preservation Officer. The motion was seconded by Member Duval. The motion passed unanimously.*

R. Right to Know Coordinator: Jay R. Green

*Vice-chair Rosenberg made a motion to appoint Jay Green as the Right to Know Coordinator. The motion was seconded by Member Duval. The motion passed unanimously.*

S. Board of Survey, Brian Eseppi

*Vice-chair Rosenberg made a motion to appoint Brian Eseppi to the Board of Survey in his capacity as engineer. The motion was seconded by Member Duval. The motion passed unanimously.*

Vice-chair Rosenberg stated that Mr. Eseppi is a phenomenal engineer.

**Appointments for two-year terms, expiring June 30, 2025:**

A. Northern Berkshire Solid Waste Management District Commissioners:

- 1) Edward Driscoll
- 2) John Pitroff, alternate

*Vice-chair Rosenberg made a motion to appoint Edward Driscoll as the commissioner of the Northern Berkshire Solid Waste Management District and John Pitroff as the Alternate, for a two year term expiring June 30<sup>th</sup>, 2025. The motion was seconded by Member Duval. The motion passed unanimously.*

B. Historical Commission:

- 1) Susan A. Denault
- 2) Eugene F. Michalenko

*Vice-chair Rosenberg made a motion to appoint to the Historical Commission for a two-year term, expiring June 30<sup>th</sup>, 2025, Susan A Denault and Eugene F. Michalenko. The motion was seconded by Member Duval. The motion passed unanimously.*

Chairman Hoyt thanked Jody Fijal for her years of service but she asked not to be reappointed this year. This leaves a vacancy that needs to be filled. If you are interested please contact Bri in the Town Administrator's office. Member Nowak thanked Jody for her over 30 years of service.

#### **Appointments for three-year terms, expiring June 30, 2026:**

A. Registrar of Voters: Timothy F. Rowley

*Vice-chair Rosenberg made a motion to appoint Timothy F. Rowley as the Registrar of Votes for a three-year term expiring June 30, 2026. The motion was seconded by Member Duval. The motion passed unanimously.*

B. Agricultural Commission: Loren Steins

*Vice-chair Rosenberg made a motion to appoint Loren Steins to the Agricultural Commission. The motion was seconded by Member Nowak. The motion passed unanimously.*

C. Zoning Board of Appeals:

- 1) David B. Rhinemiller
- 2) Thomas Whalen, alternate

*Vice-chair Rosenberg made a motion to appoint David Rhinemiller to the Zoning Board of Appeals and Thomas Whalen as the alternate for a three-year term expiring June 30, 2026. The motion was seconded by Member Duval. The motion passed unanimously.*

D. Conservation Commission:

- 1) Jeffrey D. Randall
- 2) James J. Fassell

*Vice-chair Rosenberg made a motion to appoint Jeffrey D. Randall and James J. Fassell to the Conservation Commission for a three-year term expiring June 30, 2026. The motion was seconded by Member Duval. The motion passed unanimously.*

#### **SUBCOMMITTEE AND LIAISON REPORTS:**

*Member Duval: None*

*Vice-chair Rosenberg: None*

*Member Nowak: None*

*Chairman Hoyt: None*

## ANNOUNCEMENTS AND GOOD OF THE ORDER

### Announcement of Adams Street Fair, June 24, 2023

Chairman Hoyt stated that the Adams Street Fair will be on June 24th. Joe Martin, Chairman of the Adams Street Fair has requested that members of the Board of Selectmen be present for the kickoff parade and gather at 12:00pm

### Announcement of Summer Concert Series and Movies Under the Stars

*Chairman Hoyt:* The list of movies for Movies Under the Stars and Concerts in the Park is available on the Town Website as well as the Adams Event Committee Facebook Page.

Coffee in the Court is tomorrow morning beginning at 7:30am. Please join folks in Armory Court for that event.

The next regularly scheduled meeting will be Wednesday, July 19<sup>th</sup>. This will be a 6pm start. There will not be a regular meeting on July 5<sup>th</sup>. Please inform Bri Hantman of your availability for July 19<sup>th</sup> and July 12<sup>th</sup>.

*Member Duval:* A resident of the Town of Adams turned 100 years old. Happy Birthday Daisey Dyka.

*Member Nowak* inquired how many season employees the Town has. Town Administrator Green stated that currently, the Town has two seasonal employees. *Member Nowak* stated that while the Town could offer lower than minimum wage, but that wouldn't be appropriate. *Member Nowak* noted that the third bicycle tire outside of the theater has a light that is out. *Member Nowak* stated that there is some vegetation covering a sign for the bike path on Lime Street. *Member Nowak* also noted that there is a lot of vegetation around the base of the Hoosac Valley Coal and Grain building. *Member Nowak* would also like to see someone cover the hole in roof. *Town Administrator Green* stated that numerous engineers and contractors have looked at it and deemed it to be unsafe. Lastly, *Member Nowak* stated that there are events coming up at the Adams Theater on July 1<sup>st</sup> and 2<sup>nd</sup> that are fundraisers for humanitarian efforts in Ukraine.

## ADJOURNMENT

Member Duval made a motion to adjourn. The motion was seconded Vice-chair Rosenberg. The meeting adjourned at 9:13pm.

### List of Materials Referenced:

- May 17, 2023 Meeting Minutes
- May 31, 2023 Meeting Minutes
- May 31, 2023 Workshop Minutes
- Ratification Memo, Sherrie Leon
- Community Development Department Fee Schedule
- Cemetery Commission Rules and Regulations
- Savoy Shared Services Agreement, Adams Council on Aging
- Memo: Appointment of Special Officers
- Memo: Senior Inspector of Wires
- Memo: Assistant Inspector of Wires
- Memo: Local Building Inspector
- Memo: Plumbing and Gas Inspector
- Memo: Assistant Plumbing and Gas Inspector
- Memo: Constable Appointments
- Memo: COA Advisory Board Appointments
- Memo: Requests for Ratification of Traffic Safety Committee
- Memo: Board/ Commission Appointments, Community Development
- Memo: Board of Survey Appointment

Respectfully Submitted by Bri Hantman, Recording Secretary.

*Joseph Nowak*

Joseph Nowak, Member

Richard Blanchard, Member

Howard Rosenberg, Vice Chairman

John Duval, Member

*Christine Hoyt*

Christine Hoyt, Chairman