



## *Town of Adams Massachusetts 01220-2087*

### **BOARD OF SELECTMEN**

TOWN HALL BUILDING  
8 PARK STREET  
ADAMS, MASS.

**Wednesday, September 20, 2023, 6:00 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 6:00 PM at the Adams Town Hall. Vice-Chair Rosenberg opened the meeting. Present: Vice-chairman Howard Rosenberg and Members John Duval and Joe Nowak were present. *Member Rick Blanchard and Attorney Edmund St. John III were absent.* Also present were Jay Green, Town Administrator; Bri Hantman, Recording Secretary; Haley Meczywor, Town Clerk; Paula Wheeler, Town Assessor; Bernie Lynch of Community Paradigm Associates; and residents of the Town of Adams.

*The Pledge of Allegiance was recited.*

*Chairman Christine Hoyt arrived at 6:04pm.*

### **APPROVAL OF MINUTES:**

**The August 16<sup>th</sup>, 2023 Meeting Minutes were submitted for approval.**

*Member Duval made a motion to approve and waive the reading of the August 16<sup>th</sup> meeting minutes. The motion was seconded by Member Nowak. The motion passed unanimously.*

**The September 6<sup>th</sup>, 2023 Meeting Minutes were submitted for approval.**

*Member Nowak made a motion to accept the September 6<sup>th</sup>, 2023 Meeting Minutes as presented. Vice-chair Rosenberg seconded the motion.*

Member Nowak asked for a spelling error to be corrected on page four.

*The motion passed unanimously.*

**PUBLIC COMMENT:** *None*

### **NEW BUSINESS:**

**Request from Traffic Commission to amend *Traffic Regulation Article VI Parking, Section 202-41, Parking Prohibited on Certain Streets, Parking Prohibited on High Street, South Side from Elm Street to 1 High Street.***

Chief Kelley of the Adams Police Department approached the Board. Chief Kelley, as chairman of the traffic commission has received parking complaints for High Street. Chief Kelley observed that parking on both sides of the street cause significant congestion that constitutes a traffic concern, especially during the winter when a snow plow needs to get through.

*Member Duval* asked the Chief of Police when the last Traffic Commission Meeting was. Chief stated that it was in the recent past but gave no specific date.

*Member Duval* also inquired about the next required steps regarding the establishment of a no-parking zone. Town Administrator Green clarified that it is one of the duties and authorities of the Board of Selectmen.

*Member Nowak* asked about the best process to get concerns to the traffic commission.

*Vice-chair Rosenberg* stated that it would be beneficial to have input from the individuals living in that neighborhood and to do outreach, prior to bring this matter to the Board of Selectmen.

*Chairman Hoyt* stated that in 2014 she brought forward a petition to the traffic commission. While not required, it was recommended that the residents of the neighborhood sign the petition. This helped create a stronger case for the traffic commission and indicated to the commission that the neighbors were aware.

***Member Duval made the motion that the Board of Selectmen send this matter back to the Traffic Commission for the next meeting after tomorrow and recommend that they notify the neighbors that this issue is being taken up at a meeting. After that point, the traffic commission can present their finding to the Board of Selectmen for a final vote. Member Nowak seconded the motion. The motion passed unanimously.***

*Vice-chair Rosenberg* turned the meeting over to *Chairman Hoyt* at 6:16pm.

### **Introduction and Discussion in Reference to New Police K9 and Appointed Handler**

Chief Kelley gave some background as to the K9 unit in Adams. There is a program called the Throw Away Dog project that takes dogs from shelters that are going to euthanize them. Bear was donated to another police department but it didn't work out with the officer that was Bear's handler in Tennessee. Officer Strizzi and Sergeant Crane drove to Tennessee to pick up Bear. Bear has completed his initial training and is in the process of completing rest of his trainings. Officer Adam is trained on finding guns. Bear is being trained as a narcotics dog.

Member Nowak asked about how it works when multiple dogs are working on a search. Sergeant Crane stated that there is no guarantee that a dog will be able to pick up a scent, so Bear essentially doubles the chances of the Police Department being able to find someone or something that they are searching for.

Town Administrator Green stated that having these dogs in town with costs covered is great because it allows for increased opportunities of officer training and specialization. This certainly helps with officer retention. The Adams Police Department is currently the only fully-staffed department in the county.

The town of Webster donated the kennel for the second K9 vehicle.

### **General Government Review Committee Report Review, *Bernie Lynch***

***This process began in January of 2020.*** Mr. Lynch introduced the members of the General Government Review Committee and thanked them for all of the great work that they did. Bernie thanked chairman Donald Sommer for his work. He also thanked members Leah Thompson and Virginia Duval for their work as Clerk and Recording Secretary.

Bernie discussed the Conceptual Issues that were evaluated including Accountability; Communication; Adaptability for Future Opportunities and Challenges; Efficiency and cost effectiveness; management of human resources; succession planning for human resources; leadership of organizational culture; understanding of structure and processes by stakeholders; confidence and trust, and continual improvement and performance.

Mr. Lynch presented the Board of Selectmen with the Project Outline as it was presented in July 2022. The outline includes 5 phases

- Organizational Scan

- Review Findings with the Government Study Committee
- Consider Restructuring Options with Government Study Committee
- Report with Government Study Committee to Board of Selectmen with Recommendations for any Charter Changes
- Town Meeting Consideration of Recommendations

Phase one involved an Organizational Scan, reviewing the documents (charter, general bylaws, division of local services fiscal evaluation and management review, Audit management letter). Phase one also included initial interviews with the Board of Selectmen, the Town Moderator, the Finance Committee Chair and Vice Chair and Select Department Heads. A lot of phase one included identifying potential areas of study.

Phase two included report to the Board of Selectmen to update them on Progress and the identified areas of study including divided topics.

The areas of study included Representative Town meeting; Other legislative issues; Executive functions; Board and commissions and modes of appointment introduction; modes of appointment; Town Administrator Responsibility and Authority; Financial management and personnel function, and other issues.

Regarding representative Town Meeting, the identified issues were to retain or move to open town meeting. The size of the representative town meeting. The addition of a fall town meeting session, and the formalized Pre-Town Meeting. The recommendations of the committee were that the Town of Adams Retain the representative town meeting with 150 members and a current quorum of 85 individuals, that the town consider an established date for a Fall session with the opportunity to cancel if they deem it to be unnecessary, and that this community consider a Pre-Town Meeting as operational practice.

Regarding executive functions, the issues that were identified were Selectmen focus on strategic vision census ministerial matters and goal monitoring; adequacy of Board policies to guide operations by the administrative team; the presence of hurdles to efficiency of execution by the Town Administrator (TA); Presence of hurdles to coordination of operations by the TA; presence of hurdles to operational adaptability by the TA; the presence of hurdles to compliance by the TA; and are the selectmen and TA as the executive branch able to be fully accountable for municipal operations.

The findings regarding the executive functions were,

- Other legislative issues address included the size and membership of the Finance Committee. The Town of Adams had 15 people on the finance committee which was quite large. The Town Meeting Members have already voted to reduce that size. Additionally, they Committee discussed the Term of the Moderator and to Modify the Voter Referendum Process. Need for greater visioning, policy-making, and goal setting by Selectmen
- Less ministerial responsibilities by Selectmen and greater authority for TA to operate day-to-day operations for greater efficiency, accountability and timeliness
- Need for clearer lines of authority and coordination relative to key administrative positions of Town government
- Clearer lines of responsibility for staff via appointment authority and reporting
- Fragmentation of responsibility leads to less accountability and goal realization
- Administrative and technical responsibilities of key positions are potentially jeopardized by inappropriate mode of selection

These were finds that were made, not recommendations.

Regarding board and Commissions as well as mode of selection, the issues that were raised were, do we need all of the multi-member bodies that currently exist? The quick answer is, yes. Many of them are statutory. The one board that is currently questionable is the redevelopment authority.

Regarding the mode of selection of Boards and Commissions, the criteria for why a position should be elected, not appointed?

- There is significant policy-making
- There are few ministerial responsibilities related to state statutes
- The effectiveness not dependent upon training or expertise
- Easily and widely understood role and tasks
- Evaluation of performance easily conducted by public
- Helpful as a check or balance in Town Government
- Not critical for cooperation with other officials to the efficient and effective functioning government
- High level of competition with highly qualified candidates

*Vice-chair Rosenberg* asked for an example of Checks and Balances. Mr. Lynch stated that the recommendation of having an appointed Assessor with an elected board of assessor is once such example.

Based upon these criteria, the GGRC made the following recommendations;

- Cemetery Commission move to appointed
- Parks Commission move to appointed with three-year terms
- Board of Health a hybrid of elected and appointed
- Library Trustees remain elected
- Assessors
  - Principal Assessor be appointed
  - Three-member Board of Assessors remain elected
- Town Clerk remain elected
- Housing Authority remain elected
- Redevelopment Authority remain in place and elected pending further study

As of 2023, 88% of the cities and towns in the Commonwealth of Massachusetts have an appointed Treasurer/Collector. There are about 40 out of the 261 are elected. Of those 40 towns who have an elected Treasurer/Collector

The change to an appointed Treasurer was also recommended by the Division of Local Services, in addition to the GGRC.

Regarding the Town Administrator Authority and Responsibility

- Appointment responsibility for all department heads including Police Chief and DPW Director consistent with current Special Act process, including Treasurer-Collector and Principal Assessor
- Appointment responsibility for all staff below department head
- Enhance personnel authority to provide for termination as needed and without ten-day notice requirements
- Responsibility for all collective bargaining.

Allowing the TA the appointing authority, especially for the lower-level or seasonal appointments, allows for a more clear chain of command and allows for the Town to on-board employees more quickly, especially in this challenging job market.

Regarding Financial Management and Personnel Function, the identified issues are that Administrative personnel practices be adaptable to changing needs and Financial policies and forecasting. The recommendations of the committee were that there is no change needed in personnel systems, that there be Special Act language put in place regarding multi-year forecasting and multi-year capital planning.

The last section was “Other Issues”. The recommendations from the GGRC in this area included,

Recommendations, Eliminate residency requirement for Town Administrator. Most communities have eliminated their requirements. It is very difficult to get someone to apply for a job if they are required to relocate. You want to make sure that the TA is involved, engaged, and available, but that does not necessarily translate to being a resident of the Town that they are employed by.

- Monitor municipal trends related to increased civility. The recommendation is to wait, watch, and see what comes out as best practice regarding that.
- Special Act language relative to the prioritization of Community Engagement
- Special Act language formalizing a process for strategic planning.
- The conversion of Special Act and other local governing documents to be gender neutral.

In summary, the Town of Adams was ahead of its time back in the 80s and the Town has a good foundational document to work with, but there are certainly some changes that can be made. *Chairman Hoyt* opened up the floor to the board for discussion.

*Member Duval* inquired about the ability for the Board of Selectmen to make recommendations to the Town Meeting Body, rather than establishing a new charter.

The Town of Adams chose to establish special acts through home rule petition. The board essentially has three options; to petition to repeal the special acts, to request to amend the special acts, or to present petition a completely new charter.

*Vice-chair Rosenberg* expressed his support of the recommendation that allows the Town Administrator to preform the ministerial function and allow the Board of Selectmen to focus on the directional and strategic planning issues. This change will allow the board to plan and be thoughtful, to be proactive rather than reactionary.

*Member Duval* discussed the fact that the Board is responsible for setting policy. The TA is responsible for the day-to-day functions of the town, in keeping with that policy. *Member Duval* stated that currently the policy in the Town of Adams is a bit scattered. He asked if there is an organization that will help draft policy.

Mr. Lynch stated that there are numerous list-serves that have policies in place that can be used and duplicated for individual towns. *Chairman Hoyt* stated that is a Massachusetts Selectmen’s Association Handbook that has policies. Each member received a copy of the handbook in 2021. The MSA is launching a new handbook in 2024 that suggests how boards move through practices.

*Member Nowak* stated that he did not have enough time to digest this report. He asked how he was supposed to make any informed decision at this time. Mr. Lynch stated that there is no action requested about this.

*Member Nowak* stated that he can say conclusively that each recommendation that will accepted affirmatively when these recommendations are put on an agenda. *Member Duval* called for a point of order in that each member will vote for themselves. *Member Nowak* stated that he didn’t think it was appropriate that the Assessor and Treasurer have their jobs be in jeopardy once their positions become appointed. Town Administrator Green clarified that Mass General Law prohibits towns from removing folks upon switching to appointed. It was further stated that Board takes no exception with the work of the elected officials in this Town. This is not about removing individuals. It is about succession planning, recruitment, retention, and the overall health of the Town as those offices require specific skills and trainings.

*Member Nowak* stated that he believes it is impossible to do long-term visioning because of the world that we live in now.

*Chairman Hoyt* called a 5-minute recess at 7:59pm.

## **Licensing**

Chairman Hoyt stated that all three of the licenses below are for the same event, Ramblefest.

### **Facility Use Request, Adams Visitor Center for Ramblefest, Sunday, October 8th from 12pm-5pm, ProAdams**

*Vice-chair Rosenberg* made the motion to approve facility use request for the Adams Visitor Center for Ramblefest, Sunday, October 8th from 12pm-5pm. The motion was seconded by Member Duval. The motion passed unanimously.

### **Public Entertainment License, Visitor Center Parking lot for Ramblefest, Sunday, October 8th from 12pm-5pm, ProAdams**

*Vice-chair Rosenberg* made the motion to approve One Day Public Entertainment License request for the Adams Visitor Center for Ramblefest, Sunday, October 8th from 12pm-5pm. The motion was seconded by Member Duval. The motion passed unanimously.

### **One Day Liquor License, to serve at the Adams Visitor Center Parking Lot for Ramblefest, Sunday, October 8th from 12pm-5pm, Bounti-Fare**

*Vice-chair Rosenberg* made the motion to approve One-Day Liquor License request for the Bounti-fare to serve at the Adams Visitor Center Parking lot during Ramblefest, Sunday, October 8<sup>th</sup> from 12pm-5pm. The motion was seconded by Member Duval. The motion passed unanimously.

## **SUBCOMMITTEE AND LIAISON REPORTS:**

*Member Duval:* He is now the Chairman of the Berkshire Regional Planning Commission (BRPC) Board as well as the alternate member for Adams.

*Vice-chair Rosenberg:* None

*Member Nowak:* Attended the historical commission meeting. There are concerns amongst the commission members regarding the state of the Quaker Meeting House. They are hoping that they can have another design study done.

*Chairman Hoyt:* The BRPC is having their annual meeting on October 5<sup>th</sup>.

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

### **Ribbon Cutting Ceremony at The Trail, 10 Pleasant Street, on Thursday, September 28<sup>th</sup> at 3pm.**

This is the business that was formerly known as the Topia Inn. The public is welcome to attend. Please let Bri Hantman know if you would like to attend.

Steepleview Realty will be moving into a new space at 83 Park Street. There will be a ribbon cutting ceremony at 4:30pm on Wednesday, October 4<sup>th</sup>.

*Member Duval* asked who he should refer Traffic Commission questions to? Town Administrator Green stated that he can send those requests to Melissa Schaffrick at the Adams Police Department.

*Member Nowak* stated that he believes the bleachers should be on the other side of the field at Renfrew. *Member Nowak* stated that is an undercut wall on East Hoosac Street. *Member Nowak* believes that this wall is deteriorating and needs to be addressed. *Member Nowak* is concerned about tree branches hanging on signs on Center Street. *Member Nowak* stated that he believes the School District paid for electrical installation at their new district office space on Park Street. He does not feel that that was appropriate. Town Administrator Green clarified that this may have been a part of their commercial lease. It is Town Administrator's understanding that while the school district paid for electrical installation, they did not pay for HVAC installation. Town Administrator Green stated that he has no control over how the School District spends their budget and encouraged Member Nowak to reach out to the School Committee or Superintendent directly.

*Chairman Hoyt* stated that our next meeting is October 4<sup>th</sup> at 6pm. The following meeting will be October 18<sup>th</sup>. One of those will be the tax classification hearing. We are hoping to be able to hold a workshop

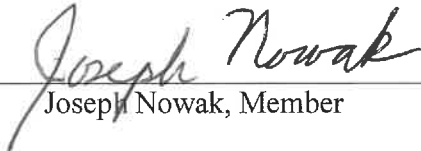
#### **ADJOURNMENT**

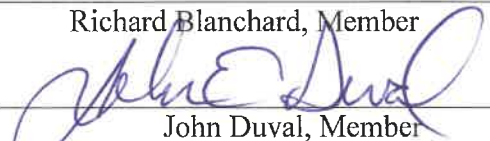
A motion to adjourn was made by Member Duval. The motion was seconded by Vice-chair Rosenberg. The meeting was adjourned at 8:20 pm.

#### **List of Materials Referenced:**


- **August 16, 2023 Meeting Minutes**
- **September 6<sup>th</sup>, 2023 Meeting Minutes**
- **Traffic Commission No Parking Request Memo**
- **General Government Review Committee Report**
- **General Government Review Committee PowerPoint Presentation**

Respectfully Submitted by Bri Hantman, Recording Secretary.

  
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Joseph Nowak, Member

Richard Blanchard, Member  
  
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John Duval, Member

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Howard Rosenberg, Vice Chairman

  
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Christine Hoyt, Chairman