

# **TOWN OF ADAMS SELECTMEN'S MEETING AGENDA**

***WEDNESDAY, June 5, 2013 – 7:00 PM***

**TOWN HALL, MEETING ROOM, 1<sup>st</sup> FLOOR, ADAMS, MA 01220**

1. **CALL TO ORDER – 7:00 PM**
2. **READING OF MINUTES – April 3, 2013**
3. **CITIZEN'S CONFERENCE**
4. **PUBLIC HEARING**
5. **OLD BUSINESS**
  - DCR Request
  - Dogs in Cemeteries
  - Selectmen Sub-Committee Assignments
6. **NEW BUSINESS**
  - 2013 Annual Appointment List Discussion
7. **SUBCOMMITTEE/LIAISON REPORTS**
  - Appointment of Support Staff for Adams Visitors Center
8. **A. ADMINISTRATOR'S REPORT**  
**B. PUBLIC WORKS DEPARTMENT**  
**C. POLICE DEPARTMENT**  
**D. COMMUNITY DEVELOPMENT**  
**E. OTHER DEPARTMENTS**
  - Town Clerks office – Special State Election Warrant**F. TOWN COUNSELOR'S REPORT**
9. **ANNOUNCEMENTS**

CLERK

TOWN CLERK  
ADAMS, MASS.

14 MAY 16 AM 11:14

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10. **APPROVALS**

- One Day Beer & Wine - American Legion, June 30<sup>th</sup> 11:00 AM – 6:00 PM – Fundraiser
- Topia Arts – Swing line Dancing on Pleasant Street – Sundays, June – September 2:00 PM – 5:00 PM

11. **OTHER BUSINESS**

1. Agenda items

12. **GOOD OF THE ORDER**

13. **EXECUTIVE SESSION.**

14. **ADJOURNMENT**

**June 5, 2013**

On the above date the Board of Selectmen held a meeting at Town Hall at 7:00 PM. Chairman Duval presided, present were Michael Ouellette, Arthur Harrington, Richard Blanchard, Joseph Nowak, Jonathan Butler, Town Administrator and Edmund R. St. John III, Town Counsel.

Chairman Duval called the meeting to order at 7:00 PM

### **READING OF THE MINUTES**

A motion made by Member Ouellette, seconded by Member Harrington to waive the reading and approve the minutes of April 3, 2013 – 3 Yeas, 2 Abstained (RB & JN) motion passed

### **CITIZENS CONFERENCE**

Resident, Jeff Lefebvre asked the Board to look into putting picnic tables outside in the Armory Court for residents to enjoy eating outside. Jeff also asked when WILCO returns to Mass Moca if someone could talk to the Department of Conservation and ask if people could camp at the Greylock Glen during this event. Member Harrington stated that this was DCR regulated and the organizers for Mass Moca should be the ones who contact with DCR. Jeff also asked about the solar project being built on Spring Road, Chairman Duval commented that at this time that project was in the hands of the Planning Board, then to Conservation.

### **APPROVALS**

A motion made by Member Nowak, seconded by Member Ouellette to approve the One Day Wine & Malt License for the American Legion on June 30, 2013 – Unanimous motion passed

A motion made by Member Blanchard, seconded by Member Ouellette to approve an Entertainment License for Topia Inn for June 9, 2013 – Unanimous motion passed

### **OLD BUSINESS**

There was discussion by the Board regarding the Department of Conservation request. DCR asked the Board for their approval of the “Friendly Taking” for the Departments use of eminent domain under provisions of Gen. Laws ch. 132A, §3 .- of 269 acres – Fritz property and 9 acres – Burke property.

A motion made by Member Harrington, seconded by Member Ouellette to approve the exercise of the power of eminent domain by the Commissioner of the Department of Conservation and Recreation, acting pursuant to and in accordance with Section 3 and 3A of Chapter 132A of the General Laws, to acquire 294.0 acres, more or less, located in the Town of Adams. This vote is expressly conditioned upon the payment to the Town of Adams of all outstanding real estate taxes on the subject property – Unanimous motion passed.

A motion made by Member Ouellette, seconded by Member Harrington to approve the exercise of the power of eminent domain by the Commissioner of the Department of Conservation and

Recreation, acting pursuant to and in accordance with Sections 3 and 3A of Chapter 132A of the General Laws, to acquire 9 acres, more or less, located in the Town of Adams – Unanimous motion passed.

A motion made by Member Ouellette, seconded by Member Blanchard to deny the request to allow dogs in the cemeteries - Unanimous motion passed

Chairman Duval informed the Board of Selectmen of their Sub-Committee assignments, he stated that this is a living document and if necessary it can be updated and changes made to it.

## **NEW BUSINESS**

Jonathan Butler, Town Administrator updated the Board on the Annual Appointment list, he named off a number of Boards & Commissions that have vacancies. If any residents are interested in serving they can contact his office for an application.

## **SUBCOMMITTEE/LIAISON REPORTS**

A motion made by Member Ouellette, seconded by Member Blanchard to approve the Visitors Center Staff Appointments – Unanimous motion passed

Member Ouellette updated the Board on the Berkshire Regional Transit budget. They are right in line on their budget, they also voted on an article regarding the quorum for a meeting. It was added - meetings by telecommunication, Members are allowed to participate in meetings by teleconference or similar communication as long as all participants can hear each other, this shall constitute presents at the meeting.

## **ADMINISTRATORS REPORT**

A copy of this report is attached to these minutes.

## **OTHER DEPARTMENTS**

A motion made by Member Harrington, seconded by Member Ouellette to approve the Special State Election Warrant – Unanimous motion passed.

## **TOWN COUNSEL REPORT**

- Communication with a private citizen regarding the proposed solar energy project on East Road.
- Receipt of an order allowing Town's motion for summary judgment on the Ransford Housing Court matter and communication with the Town's building Department concerning the result.
- Review language changes to the nurse's contract and provide input to the Board of Health concerning those changes.

- Review of public records request made to police department and provision of a written response to the requestor.
- Review of questions concerning procedure for an appeal of ZBA decision to the Superior Court.

## **OTHER BUSINESS**

The Board decided that at the next Workshop meeting they would be discussion changes to the Policy and Procedure Handbook for the Selectmen and the Subcommittee assignments.

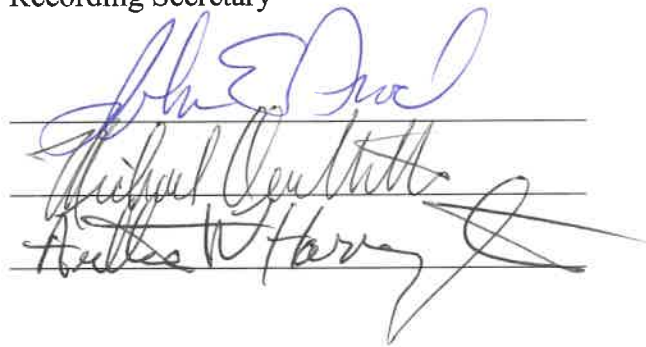
## **GOOD OF THE ORDER**

Member Nowak asked the Board if they would consider saying the Pledge of Allegiance before each Selectmen's meeting, Chairman Duval said he would give this some thought and get back to Member Blanchard.

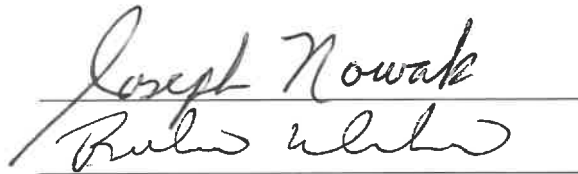
Jonathan Butler, Town Administrator announced to the public that the American flags were in and would be hung on Summer Street this week.

With no further business to transact, a motion made by Member Blanchard, seconded by Member Ouellette to adjourn at 8:28 PM – Unanimous motion passed

Respectfully Submitted  
Melissa Schaffrick  
Recording Secretary



Three handwritten signatures in blue ink are written over three horizontal lines. The signatures are cursive and appear to be 'John E. Duval', 'Michael Gauthier', and 'Andrea W. Harvey'.



Two handwritten signatures in blue ink are written over two horizontal lines. The signatures are cursive and appear to be 'Joseph Nowak' and 'Brenda White'.



# Town of Adams • Massachusetts 01220-2087

JONATHAN W. BUTLER  
TOWN ADMINISTRATOR

TOWN HALL  
8 Park Street  
Tel. (413) 743-8300  
Fax (413) 743-8316  
e-mail: jbutler@town.adams.ma.us

## Memorandum

To: Board of Selectmen

From: Jonathan Butler, Town Administrator

Subject: Town Administrator's Report

Date: June 5, 2013

JWB

RECEIVED POSTED  
14 SEP - 8 AM 9:55  
TOWN CLERK  
ADAMS MASS.

1. The Town appeared to be in good shape for Memorial Day Weekend, despite some very challenging weather leading up to it. I would like to extend thanks to the staff of the Department of Public Works. The Town has been in great condition the past few years, and it is a reflection on their work and effort in taking pride in the appearance of our downtown.

I would also like to extend a thank you to my Melissa Schaffrick, Linda Greenbush, Marie Greenbush, Erica Samson, Cheryl Lillie and Larry Robert from the DPW for taking the time to plant flowers around the downtown prior to Memorial Day Weekend.

2. Since our last regular meeting the first ever Steel Rail Marathon took place in Adams, appearing to have gone off as a huge success. Special thanks to organizers Kent Lemme and Shiobbean Archey for working out the logistics and providing us with the opportunity to host the post-race celebration in our downtown. Over 500 competitors made the trek from the Berkshire Mall to the Adams Visitors Center, and in excess of 1000 people were in attendance at the post-race celebration.
3. The Adams Visitors Center will be open daily starting on June 10<sup>th</sup>, with extended hours through the tourism season. Visitors to Adams and recreational tourists are encouraged to stop by the center at their leisure. The Thunderbolt Ski Museum will be open for viewing, and updated information about both our local businesses and other Berkshire County attractions will be on hand.



"Home of Mt. Greylock"



# Town of Adams • Massachusetts 01220-2087

**JONATHAN W. BUTLER**  
TOWN ADMINISTRATOR

TOWN HALL  
8 Park Street  
Tel. (413) 743-8300  
Fax (413) 743-8316  
e-mail: jbutler@town.adams.ma.us

## Memorandum

To: Board of Selectmen

From: Jonathan Butler, Town Administrator

Subject: Town Administrator's Report

Date: June 5, 2013

JWB

RECEIVED-POSTED  
14 AUG -5 PM 2:25  
TOWN SELECTMEN  
ADAMS MASS.

1. The Town appeared to be in good shape for Memorial Day Weekend, despite some very challenging weather leading up to it. I would like to extend thanks to the staff of the Department of Public Works. The Town has been in great condition the past few years, and it is a reflection on their work and effort in taking pride in the appearance of our downtown.

I would also like to extend a thank you to my Melissa Schaffrick, Linda Greenbush, Marie Greenbush, Erica Samson, Cheryl Lillie and Larry Robert from the DPW for taking the time to plant flowers around the downtown prior to Memorial Day Weekend.

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*"Home of Mt. Greylock"*

June 5, 2103

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Chairman Duval called the meeting to order at 7:00 PM

The following is a portion of this meeting; these minutes have not been approved by the Board of Selectmen.

There was discussion by the Board regarding the Department of Conservation request. DCR asked the Board for their approval of the "Friendly Taking" for the Departments use of eminent domain under provisions of Gen. Laws ch. 132A, §3 .- of 269 acres – Fritz property and 9 acres – Burke property.

A motion made by Member Harrington, seconded by Member Ouellette to approve the exercise of the power of eminent domain by the Commissioner of the Department of Conservation and Recreation, acting pursuant to and in accordance with Section 3 and 3A of Chapter 132A of the General Laws, to acquire 294.0 acres, more or less, located in the Town of Adams. This vote is expressly conditioned upon the payment to the Town of Adams of all outstanding real estate taxes on the subject property – Unanimous motion passed.

A motion made by Member Ouellette, seconded by Member Harrington to approve the exercise of the power of eminent domain by the Commissioner of the Department of Conservation and Recreation, acting pursuant to and in accordance with Sections 3 and 3A of Chapter 132A of the General Laws, to acquire 9 acres, more or less, located in the Town of Adams – Unanimous motion passed.

Respectfully Submitted  
Melissa Schaffrick  
Recording Secretary

RECEIVED-POSTED  
13 JUN -6 PM 12:39  
TOWN CLERK  
ADAMS MASS.  
CLERK