

Town of Adams Massachusetts 01220-2087

BOARD OF SELECTMEN

TOWN HALL BUILDING
8 PARK STREET

Wednesday, July 7, 2021, 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 Chairman Duval. Present from the Board of Selectmen were Chairman Duval, Vice Chairman Hoyt, Members Blanchard, Nowak and Rosenberg. Also present were Town Administrator Green, Town Counsel St. John III, Administrative Assistant Dunlap, NBCTC via Zoom, Town Clerk Meczywor, and Sarah Lesure.

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES: The minutes for the May 26, 2021, June 2, 2021, and June 7, 2021 meetings were submitted for approval. *Motion made by Vice Chairman Hoyt to waive reading and approve the minutes for the May 26, 2021 and June 2, 2021 meetings as submitted, second by Member Blanchard. Vote: unanimous. Motion passed. Motion made by Vice Chairman Hoyt to waive reading and approve the minutes for the June 7, 2021 meeting as submitted, Second by Member Nowak. Abstention by Member Blanchard. Voted in favor were Chairman Duval, Vice Chairman Hoyt, Members Nowak and Rosenberg. Motion passed.*

PUBLIC COMMENT: Town Clerk Meczywor announced that Movies Under the Stars will take place on Friday night at dusk, with Saturday night as the rain date and the movie will be "Trolls World Tour". The concert series will begin on July 13th with Lady Di and the Dukes at 6:30 p.m. at the Visitors Center.

NEW BUSINESS

Ratification of Town Clerk Administrative Assistant II, Sarah Lesure. Town Clerk Meczywor gave the Board some background on the position and introduced Sarah Lesure. She requested the Board ratify Ms. Lesure to begin effective July 19, 2021. Chairman Duval read aloud the letter from Town Administrator Green requesting the ratification. *Motion made by Vice Chairman Hoyt to ratify Sarah Lesure as an Administrative Assistant II for the Town Clerk Office, at the Grade 6, Step 3 rate of \$19.82 per hour, beginning July 19, 2021, second by Member Blanchard. Vote: unanimous. Motion passed.*

Ratification of Police Officer Christopher Lampiasi. Town Administrator Green advised the Board Members of a recent officer departure. Officer Lampiasi's background on the police force was provided, and as the department is filling final slots he has been appointed. Police Chief Kelley gave additional information on Officer Lampiasi and his experience in property and calls for service. He noted that Officer Lampiasi is prepared to do more training, he has an Emergency Medical Technician background and training and will bring a lot to the Town as a full-time Officer on the Police Department. Chairman Duval read Town Administrator Green's letter requesting ratification. *Motion made by Vice Chairman Hoyt to ratify Christopher Lampiasi to the position of Police Officer beginning July 9, 2021 at the Step 1 Patrolman rate of \$23.19 per hour, second by Member Blanchard. Vote: unanimous. Motion passed.*

Ratification of Police Officer: Kevin Stant. Police Chief Kelley advised that Kevin Stant brings a wealth of information on fleet maintenance, putting programs together, has advanced medical skills and ICS knowledge. He noted he is very pleased Mr. Stant is coming to be part of the police department in Adams.

Motion made by Vice Chairman Hoyt to ratify Kevin Stant to position of Police Officer beginning July 9, 2021 at the Step 5 Patrolman rate of \$26.14 per hour, second by Member Blanchard. Vote: unanimous. Motion passed.

Appointment of Fence Viewers, Timothy Ziemba and Susan Denault. It was noted that the Fence Viewer position is archaic from colonial days and the position viewed issues with boundary lines and cattle roaming from parcel to parcel before surveys were being done. Town Counsel St. John III explained that the position was established in 1693 and Fence Viewers were empowered with more authority at that time than today. They were useful in dissolving disputes over the quality of fencing for boundaries to keep cattle from roaming. He noted the fencing is now under the Building Commissioner. ***Motion made by Vice Chairman Hoyt to appoint Timothy Ziemba and Susan Denault as Fence Viewers from July 1, 2021 to June 30, 2022, second by Member Blanchard. Vote: unanimous. Motion passed.***

Facility Use Request, Adams Visitors Center Parking Lot, Grounds and Depot Street. *Joseph Martin and Leanne O'Brien*, Co-Chairs of the Adams Street Fair Committee gave an overview of the planned event. They advised there are flyers made, and the Adams Community Bank may cover the insurance. It was explained that there will be food and other vendors, a bounce house, pony rides, and a train from Springfield. An application for a Sunday Entertainment License has been submitted for a DJ and dance groups. It was explained that the Visitors Center bathrooms will not be available because there are not enough staff to monitor their use. An offer was made to clean the bathrooms if the building can be opened in lieu of porta potties. Non-profit organizations have been invited to participate for free, including the VFW, DCF, United Cerebral Palsy, and the Brien Center. The Committee is working with Officer Sorrel and the Adams Police Department officers will donate their time at the event. A portion of the proceeds will be going to the Police Department. It was requested to block off Depot Street from East Maple to Hoosac Street for emergency responders. An additional request was to use the picnic tables from fairgrounds to put under the tents. It was noted that due to the change of date to accommodate the Susan B. Anthony Celebration the insurance certificate will be changed to August 15th from the original August 22nd date. The proceeds will be donated to the first responders. A bank account has been created for all funds of the Adams Street Fair and it is intended to be a yearly event for first responders especially since the last year has been very hard for them. It was outlined that the entire parking lot at the Visitors Center would be needed as there will be up to 100 vendors. Parking availability was requested at the Waverly parking lot, and Town Administrator Green will reach out to them. First Responders will have a row of tents with donation buckets, and there will be a K-9 demonstration. Signage for the event was briefly discussed and there will be a banner at Racing Mart and additional signs for event parking. The Bounce House will be charging a fee and giving back some money toward first responders. *Police Chief Kelley* advised that he is working with Officer Sorrell to make sure there are enough people and officers are volunteering their time. For the street closures there may be signs already available. He noted it is a testament to this community that people are coming out and doing this. It was clarified that the Bounce House and the Train have their own insurance. It was confirmed that the vendors are being connected with the Code Enforcement Officer for food certificates. Trash removal was briefly touched on and the Town will put out barrels. It was noted that Allied waste and Casella have portable cardboard containers and can be asked to provide them. A request has been made for two regular and one handicapped accessible porta potty. ***Motion made by Vice Chairman Hoyt to approve the use of the Adams Visitors Center parking lot, grounds and Depot Street from Hoosac Street to East Maple Street on August 15, 2021 from 10:00 a.m. to 8:00 p.m. contingent upon receipt of the updated date on the insurance, second by Member Blanchard. Vote: unanimous. Motion passed.***

Application to Place Temporary Sign on a Public Way. The Adams Street Fair c/o Joseph Martin requested sign placement on the Center Street Island from July 19, 2021 to August 16, 2021 to advertise the Adams Street Fair. The sign would be an A-Frame with the Adams Street Fair date and time on it.

Motion made by Vice Chairman Hoyt to approve the placement of a temporary sign at the Commercial Street and Center Street light Island with approval of the Building Inspector from July 19, 2021 to August 16, 2021, second by Member Blanchard. Vote: unanimous. Motion passed.

Application for Sunday Entertainment License: Adams Street Fair, Adams Visitors Center from 12:00 p.m. to 5:00 p.m. on August 15, 2021. It was updated by Joseph Martin that the DJ will now go until 7:00 p.m. *Motion made by Vice Chairman Hoyt to approve the Sunday Entertainment License on August 15, 2021 from 12:00 p.m. to 7:00 p.m., second by Member Blanchard. Vote: unanimous. Motion passed.*

Facility Use Request for Park Street, Bloodmobile: *Chris Amuso* advised the Bloodmobile would park in front of Town Hall on July 22, 2021 from 9:00 a.m. to 2:30 p.m. She explained the Bloodmobile has parked there before and were very successful. *Member Nowak* noted the shortage of blood and its impact on procedures and treating children with cancer. All of the blood collected will go directly to Berkshire Medical Center so they won't have to rely on the Red Cross. The vehicle will arrive at 8:30 a.m. and set up inside the truck to take donors at 9:00 a.m. until 2:00 p.m. Cones will be put out to reserve the space prior to the morning arrival. *Motion made by Vice Chairman Hoyt to reserve Park Street and the Town Hall lawn from 8:30 a.m. to 3:30 pm on July 22, 2021 for the Bloodmobile, second by Member Blanchard. Vote: unanimous. Motion passed.*

Facility Use Request, Greylock Glen: *Edward Saharczewski*, Road Runners Club of America requested use of the Greylock Glen on August 15, 2021 from 7:00 a.m. to 6:00 p.m. for registration and a post-race picnic. He explained the set up would be in the gazebo area and the race would take place at 10:00 a.m. and there will be a dumpster for trash. Two porta potties will be on site and the area will be cleaned up and vacated by 6:00 p.m. *Motion made by Member Blanchard to approve the use of the Greylock Glen by Road Runners Club of America on August 15, 2021 from 7:00 a.m. to 6:00 p.m., second by Vice Chairman Hoyt. Vote: unanimous. Motion passed.*

DEPARTMENT REPORTS

Town Administrator: *Town Administrator Green* reminded the Board that he is changing Town Hall hours to accommodate some public requests for Friday hours, beginning next Friday. Town Hall and the Council on Aging will be open 8:00 a.m. to 4:00 p.m. Monday, Tuesday, and Thursday, 8:00 a.m. to 5:00 p.m. on Wednesday and Friday 8:00 a.m. to 12 :00 p.m. The Town Clerk will make signs and update the web page. *Member Nowak* noted that CRX put in another bid to take over the railroad line. It was clarified that if they are successful they would be granted rights to the line extending to where the Berkshire Scenic Railway is. *Town Administrator Green* is speaking with State Representative Barrett and Senator Hinds' office regarding this and he hopes the railway service will be able to continue without impediment especially since Holland Company and Specialty Minerals rely on them.

Town Counsel: *Town Counsel St. John III* advised he participated in the Annual Town Meeting by phone, he reviewed researched and commented on questions before the Board of Health regarding potentially dangerous trees, he reviewed, researched and commented on a question regarding a regulation concerning the imposition of a ban on dogs at athletic fields by the Board of Health. He Prepared for and attended the June 29, 2021 hearing on the Dupee appeal of the Board's dangerous dog findings. Judge Paul Vrabel heard testimony from five witnesses, including Officer David Dean, ACO Kim Witek and Selectperson Christine Hoyt. The matter was taken under advisement for 30 days, however the Court ordered Mr. Dupee to provide it with copies of the dog's veterinary records and proof of insurance covering liability for dog bites. He attended the June 30, 2021 Board of Health meeting, and he received a request and incident report regarding a matter that occurred at the transfer station and prepared a "no trespass" letter for one of the parties involved. An inquiry was made by Member Nowak regarding the potentially dangerous trees and it was clarified that a question came up regarding whether trees on an individual's property posed a danger and the Board of Health was brought in for a sanitary code violation.

There was a lot of uncertainty on whether the trees are dangerous or not. An arborist said the tree was dangerous and another neighbor reported it was not dangerous. It was noted that typically this is resolved through private litigation. At the last hearing the Board of Health voted to dismiss the appeal, as they had contradictory information. *Member Nowak* inquired when the Tree Warden becomes involved on an issue and it was explained that in this scenario and most instances in private disputes the Tree Warden would not be involved as the position is more involved in public matters. *Member Rosenberg* noted that if the Town got involved there would be numerous other cases and people would have the Town take care of their trees. *Chairman Duval* noted there was a 2006 Warrant Article regarding dogs in parks, and he is researching more data on that. *Town Administrator Green* pointed out that if it was on the Town Meeting Warrant it would be codified into a bylaw. *Town Counsel St. John III* explained that Article 14 has all laws relating to dogs and beyond that there is nothing else. *Chairman Duval* noted that the articles were approved and at the end was a list of bylaws approved but there was no information regarding them.

SUBCOMMITTEE AND LIAISON REPORTS: *Member Nowak* reported there was a Conservation Commission Meeting regarding individuals looking to find out if they were affected by wetland regulations. He noted that Steve Melito was introduced as a new member. *Chairman Duval* reported that Berkshire Regional Planning Commission has an executive meeting at 5:00 p.m. tomorrow and the regular full Commission will meet at 6:00 p.m. to go over the yearly votes and actions. The Public Safety Sub-Committee had a meeting with Member Blanchard, Chief Kelley and Officer Baker. He stated it was a good meeting and there was discussion regarding radios in certain parts of the community that cannot pick up well from the county dispatch. Ways to fix the problem with 95% accuracy were discussed and they will be able to do it with the budget assigned that was left over from 2021. *Town Administrator Green* will speak with the Building Commissioner regarding the zoning and planning standpoint, and the Water District is on board with it. Concern was expressed about feedback from neighbors. Testing has been done and it is believed to resolve the problem. Additional details were given on how the coverage would be achieved. *Member Blanchard* updated that there was also discussion on training changes in the Public Safety Sub-Committee meeting. Officer Baker is now in charge of training. Regarding the Greylock Glen, Chairman Duval, Town Administrator Green, Member Nowak and Community Development Special Projects Coordinator Cesan will work together and once Eammon Coughlin comes on board as the Community Development Director, Coordinator Cesan will shift her attention to select projects. An hour-long interview with Berkshire Trade and Commerce was noted and work is being done with McClay Architects on getting materials and pricing. Chairman Duval reported discussion with the Water District and is working with the Town Administrator and Member Nowak on that.

ANNOUNCEMENTS AND GOOD OF THE ORDER: *Member Nowak* reported having received two calls about vegetation impairing sight for drivers turning from Crandall Street onto Center Street. *Town Administrator Green* will send the DPW to trim back the vegetation. It was noted that if trimming doesn't remedy the problem it will become a Traffic Commission issue. *Member Nowak* expressed he was pleased to see the Susan B. Anthony Statue come to fruition, and be uncovered. He explained that Susan B. Anthony was probably one of the 10 most prominent women, and he was happy to see the representation on iBerkshires. *Town Administrator Green* noted pictures were professionally done and donated, and the cable company was there as well to provide good documentation. *Vice Chairman Hoyt* reported that Spectrum News did a nice piece on the event and sent it out to their NY State stations. *Member Rosenberg* reported having a tour of the DPW. He noted

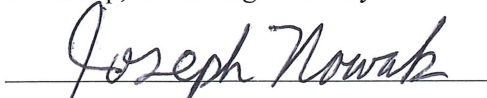
he got to see the fleet and how the Operations Supervisor is maintaining the crew. He noted that the trucks are very well maintained, but it is an aging fleet. The DPW is controlling outside infrastructure but inside the buildings are not as well maintained as they should be. He pointed out that deferred maintenance is the most expensive and that the Town needs to bring in facilities management expertise. Work will be done with the Finance Director on maintenance costs.

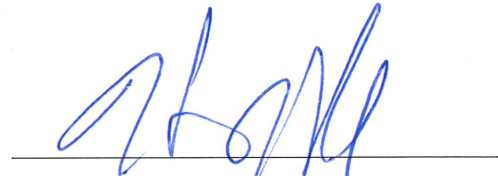
He explained that the Town is in band-aid maintenance mode for roads and crack sealing. *Town Administrator Green* advised that a visit from the Governor and LT. Governor is pending for August. Within the next 60 days, the architectural firm is making sure to have a bid package that it is done really well. *Chairman Duval* noted that an Acting DPW Director needs to be appointed and it was explained that it would be either Town Administrator Green or Community Development Director Coughlin by the end of July.

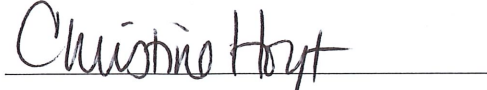
ADJOURNMENT: *Motion made by Member Blanchard to adjourn, second by Member Hoyt. Vote: unanimous. Motion passed. Meeting adjourned at 8:14 p.m.*

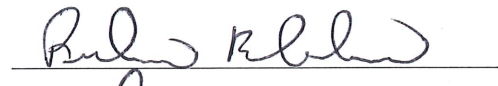
Respectfully Submitted,

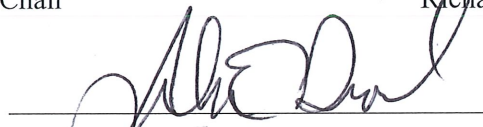
Deborah J. Dunlap, Recording Secretary


Joseph Nowak, Member


Howard Rosenberg, Member


Christine Hoyt, Vice Chair


Richard Blanchard, Member


John Duval, Chair