

Town of Adams Massachusetts 01220-2087

BOARD OF SELECTMEN

TOWN HALL BUILDING
8 PARK STREET

Wednesday, June 16, 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, Council on Aging Director Girgenti, Jacy Settles from Alzheimer's Association, Kent Lemme of the Berkshire Running Center, Jacqueline Millard, Vandana Sharma from Val's Variety, and Jake Racette from O'Geary's Package Store.

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES: The minutes for the May 12, 2021, May 19, 2021 and May 26, 2021 meetings were presented for approval. *Motion made by Vice Chairman Hoyt to waive reading and approve the meeting minutes for May 12, 2021, as presented, second by Member Rosenberg. Abstention by Member Blanchard. Voted in favor were Chairman Duval, Vice Chairman Hoyt, Members Nowak and Rosenberg. Motion passed. Motion made by Vice Chairman Hoyt to waive reading and approve the meeting minutes for the May 19, 2021 and May 26, 2021 meetings as presented, second by Member Blanchard. Vote: unanimous. Motion passed.*

PUBLIC COMMENT:

There were no public comments made at this meeting.

NEW BUSINESS

Licensing Sub-Committee Recommendation, Complaint of Early Memorial Day Sales: *Val's Variety, 5 Columbia Street, Adams; O'Geary's Package Store, 60 Commercial Street, Adams.* Member Blanchard reported that the Town had received word that two new local businesses were selling alcohol before 12:00 p.m. on Memorial Day, which was the state law imposed selling time. He reported that the Licensing Sub-Committee met with Val's Variety and O'Geary's Package Store. Both admitted they had made a mistake and submitted a plan to prevent it from happening again. He explained that it is the recommendation of the Licensing Sub-Committee that the Local Licensing Authority take no further action at this time. *Chairman Duval* reviewed the report of the infractions, the recommendation from the Licensing Sub-Committee and the Liquor License Policy and Recommendations. He asked License Subcommittee to review the process they took. *Vice Chairman Hoyt* referenced page 7, section 12 of the Liquor License Policy and Recommendations which were reviewed with both establishments on June 9th at a public meeting, including the wording in the policy that was applicable to this situation. *Chairman Duval* inquired if the input can be monitored, and it was noted that the Licensing Sub-Committee did educational time with both establishments and reviewed how each will remedy the situation. *Town Counsel St. John III* input was received and he noted that he agreed with the Licensing Sub-Committee process and the Local Licensing Authority can go forward with a hearing but the issue has been vetted thoroughly and the owners were very cooperative and not hiding anything. He pointed out they were forthright and understood they did not follow the rules. He explained it was up to the Local Licensing Authority to decide whether to bring it to a hearing, but the Licensing Sub-Committee did a very good job in his presence. He noted it was necessary to put on record that a violation did occur and if something else happens the Local Licensing Authority will have to look at this with other forms of discipline.

Motion made by Vice Chairman Hoyt that after consideration and discussion, receipt of corrective action plans from Val's Variety at 5 Columbia Street, Adams and O'Geary's Package Store at 60 Commercial Street, Adams that the Local Licensing Authority not take any corrective action at this time. Second by Member Blanchard. Vote: unanimous. Motion passed.

Review and Approval of Application for Conservation Commission: *Matt Burdick – Chairman Duval reviewed the application. Motion made by Vice Chairman Hoyt to approve the appointment of Matthew Burdick as a Member of the Conservation Commission, second by Member Nowak. Vote: unanimous. Motion passed.*

Approval of Town Wide Tag Sale and Request to Reduce Tag Sale Fee for August 14, 2021: *Kelly Rice requested the Board reduce the fee from \$7 to \$1 for the Town-Wide Tag Sale. Chairman Duval read aloud the letter from the Events Committee. It was noted that July 23rd is last day to register, and a map will be provided on August 4th and posted at Town buildings. The Events Committee will provide the advertisement and it was verified that no Covid-19 health guidelines are required at this time. Motion made by Member Blanchard to waive the \$7 Tag Sale Registration Fee and reduce it to \$1, and approve the event as non-impacting of the two-per-year per residence allowed, second by Vice Chairman Hoyt. Vote: unanimous. Motion passed.*

Board Subcommittee and Liaison Assignments: Vice Chairman Hoyt advised that the three school systems were split up on the list. Both Vice Chairman Hoyt and Member Rosenberg expressed interest in serving the educational organizations and covering all three is a large task. *Member Rosenberg* expressed interest in covering the Hoosac Valley Regional School District and *Vice Chairman Hoyt* advised she would cover McCann and BART as verified voting members. Vice Chairman Hoyt noted that Berkshire Regional Transit Authority should be noted on the list as an advisory board, that the Agricultural Committee was listed in two places and there was a spelling error noted. *Member Nowak* asked to do away with Greylock Glen as Sub-Committee and to bring it back as an Ad Hoc Committee. *Chairman Duval* clarified that Sub-Committees meet with the Town Administrator, staff and others to bring forward to the Board of Selectmen recommendations for action. An Ad Hoc Committee meets at various times and though one person speaks to it, the Committee does not hold the same weight as one that is structured and works with the Town Administrator and staff. *Motion made by Vice Chairman Hoyt to approve the Sub-Committee and Liaison assignments as per the amendments, second by Member Blanchard. Vote: unanimous. Motion passed.*

Annual Appointments (See Attached List): *Chairman Duval* reviewed the Annual Appointment List. He advised the Retirement Board would be handled with a separate vote. He read aloud all the Annual Appointments. It was pointed out that under the Conservation Commission, Steve Melito would be updated to serve until the end date of June 30, 2022. An inquiry was made about whether a person who has not started yet can be appointed from a date prior to their start date and it was clarified that the person was already ratified so it would be all set. Vice Chairman Hoyt questioned the absence of Fence Viewers Sue Denault and Timothy Ziemba and it was noted that at last year's Town Meeting the responsibility was given to the Board of Selectmen to formally approve Fence Viewer positions. A brief explanation was given about what a Fence Viewer was used for. *Vice Chairman Hoyt* questioned what the appointments for the Northern Berkshire Community Coalition were for. *Town Administrator Green* noted that the Zoning Board listed seven positions and eight slots so he will check on the number and come back to it on another agenda. *Member Blanchard* inquired about there being only two Special Police Officers, and it was explained why there are now only two qualified, with the new regulations for Peace Officers. *Motion by Member Blanchard to approve the list as submitted with the exception of the Retirement Board and Conservation Commission Member Melito, second by Vice Chairman Hoyt. Vote: unanimous. Motion passed. Motion made by Vice Chairman Hoyt to amend Conservation Commission Member Melito's end date as amended to June 30, 2022, second by Member Blanchard. Vote: unanimous. Motion passed.* *Chairman Duval* noted that there were two applications for one position on the Retirement Board. Pat Wol, who is currently serving on the Retirement Board, and Mary Beverly. *Vice Chairman Hoyt* noted that letters were received by both applicants giving their background and experience. She expressed that she found compelling the letter from the Retirement Board Members recommending the appointment of Pat Wol. *Member Nowak* confirmed he had received calls stating Pat Wol did a good job, and that the retirement funds have done very well. *Motion made by Vice Chairman Hoyt to appoint Pat Wol to the Retirement Board, second by Member Nowak. Vote: unanimous. Motion passed.*

Application for Permit to Place Sign on Public Way: *Alzheimer's Association.* It was noted that the locations of the signs would be at 3 Hoosac Street, Depot Street, the intersection of Hoosac Street and Berkshire Mill, along Park Street, East Maple Street and Route 8 for a few days at a time. The waffle board signs will be moved around from July 2021 through October 2, 2021. *Chairman Duval* reviewed the application. *Jacy Settles* gave some background on the Alzheimer's Association and the walk which spreads the word and provides funds for it. He provided statistics and noted it will be promoted consistent with the past events from July through October. He explained that June 20th is the "longest day", and the most challenging day for caregivers regarding "sundowning". He encouraged citizens to wear something purple and participate in brain health activity on that day. It was pointed out that the Senior Center has a support group for caregivers. There are over 100 signs in Berkshire County and no more than 10 or 15 will be in Adams. **Motion made by Member Blanchard to approve the placement of signs on the public ways as provided for the Alzheimer's Association from July through October 2nd, 2021, second by Vice Chairman Hoyt. Vote: unanimous. Motion passed.**

Facility Use Requests

Adams Visitors Center and Parking Lot by the *Alzheimer's Association, October 2, 2021 from 6:00 a.m. to 1:00 p.m.* The use will be for the common grounds and the parking lot. It was noted that last year the event was modified due to Covid-19 but the intention is to use the lawn space, parking lot and building. Both Council on Aging Director Girgenti and Town Clerk Meczywor are working on logistics for it. **Motion made by Vice Chairman Hoyt to approve the use of the Adams Visitors Center from 6:00 a.m. to 1:00 p.m. on October 2, 2021 by the Alzheimer's Association, second by Member Blanchard. Vote: unanimous. Motion passed.**

Greylock Glen by *Jacqueline Millard, on August 25, 2021 for Wedding Rehearsal, and August 26, 2021 from 11:00 a.m. to 2:30 p.m. for the Wedding.* *Jacqueline Millard* advised she is not having a big event as parking is limited, and she will have people carpool. She explained she will provide a lightweight arch, and the elderly will bring their own chairs. It was clarified there will be no reception at the Greylock Glen. **Motion made by Member Blanchard to approve the facility use request for Greylock Glen on August 25th, 2021 from 5:00 p.m. to 6:00 p.m. and August 26th, 2021 from 11:00 a.m. to 2:30 p.m., second by Vice Chairman Hoyt. Vote: unanimous. Motion passed.**

Town Hall Lawn: *Adams Events Committee, Movie Nights on July 9, 2021 (Rain Date July 10, 2021); July 23, 2021 (Rain Date July 24, 2021); August 6, 2021 (Rain Date August 7, 2021); August 20, 2021 (Rain Date August 21, 2021), 6:00pm to 10:00pm.* Town Clerk Meczywor reported that a portion of the former Events Committee has come back together to assemble a list of events for the summer. Friday night movie dates were reviewed, and will start at dusk. People are asked to bring blankets and lawn chairs to enjoy the movie. Movie titles included *Trolls, Tom & Jerry, Hook and Onward* and posters and flyers are being created. The committee will reach out to April Varellos to see if she is interested in helping again. Offerings at the Town Common may happen in the future. *Vice Chairman Hoyt* advised that the August 20th rain date may need to be shifted because she was arranging Susan B. Anthony Days to be doing something on August 21st using the Town Hall Lawn all day. A brief discussion took place regarding the rain date and having competing events. It was noted that people coming to the Movie Nights are asked to bring their own popcorn this year. **Motion made by Member Blanchard to approve request for the use of the Town Hall Lawn for July 9th, Jul 23, 2021, August 6, 2021 and August 20, 2021 with provided rain dates and times, second by Vice Chairman Hoyt. Vote: unanimous. Motion passed.**

Adams Visitors Center and Property: *Adams Events Committee, Summer Concerts on July 13, 2021; July 27, 2021; August 10, 2021; August 24, 2021 from 5:30pm to 9:00 pm.* Town Clerk Meczywor advised the summer concerts will take place rain or shine, utilizing the overhang at the Visitors Center or the tent if it is still up. Concerts will begin at 6:30 p.m. and run until 8:00 p.m. **Motion made by Member Blanchard to approve the request for July 13th, July 27th, August 10th, and August 25th from 5:30 p.m. to 9:00 p.m., second by Vice Chairman Hoyt. Vote: unanimous. Motion passed.**

Adams Visitors Center and Property: *Berkshire Running Center, October 3, 2021 6:00 a.m. to 3:00 p.m.* *Siobhan Lemme* with the Berkshire Running Center is having its 9th year of Steel Rail Races at the Visitors Center, but this year in October and in a limited way to keep it safe and low key. The expectation is that there will be half the attendance as in past years. Work is being done with the Police Chief on planning the event and the route is adding the Rail Trail Extension past Hoosac Street to Lime Street to create a marathon distance of a full 26 miles.

It was noted that the Half Marathon is the biggest part of the event. Setup would be at 6:00 a.m. and the plan is to clean up and depart by 3:00 p.m. It was explained that parking in Adams is minimal so the majority of parking will be in Lanesborough and we people will be shuttled back to their cars. Bounti-Fare will secure a One Day Liquor License for the event and there will be other food vendors and services for the runners. The number of participants is expected to be 1,500 next year and will use the entire rail trail with events starting in both Pittsfield and Adams. It was clarified that the full marathon starts in Lanesborough, and there will be running back and forth from Lime Street to Hoosac Street. The path and logistics were briefly reviewed. It was noted that \$60, 000 were raised and donated back to the Department of Conservation and Recreation for Ashuwillticook Rail Trail maintenance. It was explained that the Ashuwillticook Rail Trail section from the Visitors Center to Lime Street is in Adams. ***Motion made by Member Blanchard to approve the Facility Use Request for Berkshire Running Center to support the Steel Rail Marathon Event on October 3, 2021 from 6:00 a.m. to 3:00 p.m., second by Vice Chairman Hoyt. Vote: unanimous. Motion passed.***

Termination of State of Emergency as a result of the Covid-19 Health Pandemic: *Chairman Duval* advised that the Governor rescinded his State of Emergency and the Town is doing the same. *Town Administrator Green* reviewed the Administrative Act to end the State of Emergency and noted there is no change in operations but keeps the Town in line with the Commonwealth and neighboring communities. He reported that as of June 15th the State of Emergency no longer exists. *Member Nowak* inquired about mask wearing and explained that businesses have the right to require them to be worn. It was outlined that the Board of Health guidelines are independent of the State of Emergency and could mandate it if Covid-19 numbers go up. A request was made to post the document on the Town website and it will be given to the Town Clerk to post accordingly. ***Motion made by Vice Chairman Hoyt to ratify the rescission of the State of Emergency Declaration stating the State of Emergency no longer exists as of June 5, 2021 as signed by Chairman of Board of Selectmen John Duval, second by Member Blanchard. Vote: unanimous. Motion passed.***

DEPARTMENT REPORTS

Town Administrator: *Town Administrator Green* reported that Covid-19 cases have been in the grey category for two reporting cycles and last month there were zero cases in the community. He advised that the Commonwealth of Massachusetts has made Juneteenth a state holiday and the Town of Adams is honoring the June holiday as the last holiday observed on a Thursday with Town Hall closed on Fridays. He reported that the Town is restoring Friday hours effective Monday, July 12th. New Municipal Hours will be 8:00 a.m. to 4:00 p.m. on Mondays, Tuesdays and Thursdays; 8:00 a.m. to 5:00 p.m. on Wednesdays and Friday hours are 8:00 a.m. to 12:00 p.m., with the exception of the Library to align all municipal offices and treat staff the same. *Council on Aging Director Girgenti* reported input from businesses and noted that there must be an administrative piece with the transportation there will now be limited transportation on Fridays. A Municipal Per Diem person will be able to use the vehicle. She advised that routine grocery shopping, restaurant, hair dresser and other appointments will not be able to be accommodated. She explained that grab and go lunches are now being offered and in the future pop-up socials, and on-site dining options will be offered. She noted she is exploring options on serving fresh plate meals. She reported that there is a new magnetic locking system that allows access to the building securely. She noted Council on Aging staffing is labor intensive and has dedicated volunteers but she has taken the lead on overseeing the Volunteer Program with Carol Cushenette. Recruiting has begun and there are approximately 25 volunteers now picking up a couple hours a week to staff the building from 9:00 a.m. to 5:00 p.m. almost every day. Friday evenings, Saturday days and Sunday evenings have staffing issues so anyone interested should reach out to COA Director Girgenti. It was acknowledged that Board of Selectman Member Rosenberg is working on Tuesdays. An inquiry was made about CORI requirements and if the Visitors Center is not operating in conjunction with the Senior Center it would not be a requirement for Visitor Center staffing. Town Administrator Green thanked the volunteers for their willingness to donate their time. Funds used for staffing in the past can be used for dining maps and marketing that would not have been available without volunteers. The American Recovery Plan is on track for \$2.3 Million, with 50% of that funding coming in this year and a workshop will be forthcoming.

He reported that the DPW will be line painting ahead of schedule this year in the downtown corridor, and on West and East Roads, and will have the center lines done over next week or two.

Town Counsel: *Town Counsel St. John III* advised since his last meeting he prepared an answer to a complaint for judicial review of a ZBA decision, he reviewed, researched, and commented on the appointment of a tenant member to the Housing Authority Board, he prepared and filed a motion to quash subpoenas in the Foster judicial review matter. He reported he appeared at a hearing in Superior Court regarding the Foster judicial review case, he rescheduled witnesses on the Dupee dog case to June 29th, he reviewed and commented on a question asked by the Cemetery Commission, and he reviewed and commented on a question concerning the Board liability made by the Board of Health Chairman. He spoke with the Registrar of Deeds and staff concerning a question regarding the recording of documents, he reviewed and commented on the agenda for a licensing subcommittee meeting, he attended a meeting of the licensing subcommittee and reviewed and responded to a Public Records Act request. *Vice Chairman Hoyt* inquired about the process of the Housing Authority Board and it was clarified that Town Clerk Meczywor and Town Counsel St. John III are working together on this. *Chairman Duval* inquired about dogs and state sanitary codes to address dog issues.

SUBCOMMITTEE AND LIAISON REPORTS: *Member Nowak* reported he attended the Parks Commission meeting and noted that Paul Nowicki is now the Chairman. The two new members were in attendance. Mohawk Trail Woodlands Partnership is not sure if moneys from MVP are still applicable and asked if the Board would invite a representative to speak on it. *Vice Chairman Hoyt* reported there was a meeting of the Licensing Sub-Committee. She noted that most of conversation has already been taken place. Additionally they reviewed outdoor seating and if any establishments need to amend any paperwork to allow for outdoor seating it will be reviewed by the Building Commissioner. A recommendation was made to amend paperwork now as the temporary outdoor provision is ending and the ABCC anticipates thousands of applications from across the state. A review was made of the liquor license quotas regarding inquiries. The Sub-Committee also reviewed the process in which Mt. Royal Inn has been going through licensing, and noted that the Building Commissioner and Fire Chief have finally been allowed in to inspect and hopefully to sign off on their Motel License. Town Counsel St. John III will be asked to draft a letter about no delays being accepted in the future. *Member Rosenberg* advised he attended the Community Development Roundtable Meeting held yesterday where it was discussed how to move together as a community. *Chairman Duval* reported the Zoning Board of Appeals approved the Interpretive Historical Signs so citizens will see the new signs going up. *Town Administrator Green* advised he asked the DPW Administrative Assistant to schedule the work for sometime this summer.

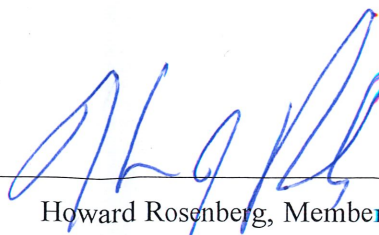
ANNOUNCEMENTS AND GOOD OF THE ORDER: *Member Nowak* pointed out that with school ending children out and rambunctious. He requested citizens pay attention when driving and watch out for the kids. *Vice Chairman Hoyt* suggested for the annual appointment process going forward that the individual Boards review the appointments, state they have been notified, and have them write letters to the Board of Selectmen. She reported that Annual Town meeting June 21st at 6:00 p.m. at Bowe Field. She noted there was a nice attendance at the Town Meeting Workshop and the PowerPoint presentation is available on the articles. She received confirmation from Lt. Governor Polito that she will be present for the unveiling of the Susan B. Anthony Statue at Town Common next Thursday, June 24th at 9:30 a.m. She has the guest list and notes from the Adams Suffrage Centennial Celebration Committee have been implemented. She is continuing to make calls and do outreach to parties to be part of the unveiling. *Member Rosenberg* thanked COA Director Girgenti and Carol Cushenette for getting volunteers for Visitors Center and encouraged community members to volunteer.

ADJOURNMENT: *Motion made by Member Blanchard to adjourn, second by Vice Chairman Hoyt. Vote: unanimous. Motion passed. Meeting adjourned at 8:47 p.m.*

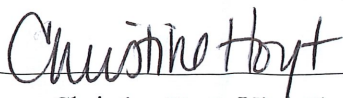
Respectfully Submitted,
Deborah J. Dunlap, Recording Secretary



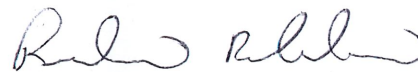
Joseph Nowak, Member



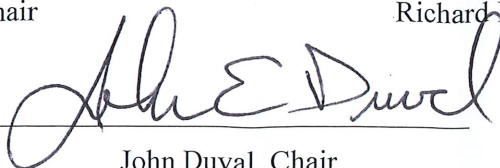
Howard Rosenberg, Member



Christine Hoyt, Vice Chair



Richard Blanchard, Member



John Duval, Chair