



## *Town of Adams Massachusetts 01220-2087*

### **BOARD OF SELECTMEN**

TOWN HALL BUILDING  
8 PARK STREET

**Wednesday, March 15, 2023, 7:00 p.m.**

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

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**CALL TO ORDER:** On the above date, the Board of Selectmen held a meeting at 7:00 PM at the Adams Town Hall. Chairman John Duval opened the meeting. Present: Chairman John Duval, Members Howard Rosenberg, and Joseph Nowak. *Vice-Chair Christine Hoyt, Member Rick Blanchard, and Town Counsel Attorney St. John were absent.* Also present were Jay Green, Town Administrator; Bri Hantman, Recording Secretary; Members of the Adams Agricultural Commission, NBCTC; Tammy Daniels, iBerkshires Reporter; Eammon Coughlin, Community Development Director; and residents of the Town of Adams.

*The Pledge of Allegiance was recited.*

### **APPROVAL OF MINUTES:**

**The minutes from the March 1, 2023 Meeting were submitted for approval.**

*A motion was made by Member Rosenberg to waive the reading of the March 1, 2023 Minutes and approve them as submitted. The motion was seconded by Member Nowak. The motion passed with two yes votes and an abstention from Chairman Duval.*

### **PUBLIC COMMENT:**

*Gene Baker, resident from the Town of Adams addressed the Board. He asked if the expansion of the Fire District was going to be discussed this evening.*

*Superintendent John Barrett from the Water District stated that he is not able to discuss issues of the lawsuit with the fire district.*

*Gene Baker stated that in 2008 or 2009 there was a proposed piece of legislation to expand the fire district, which was similar to the currently proposed legislation. M.G.L Chapter 48 Section 79 defines the way in which a Fire District can expand. At the time, the fire district requested guidance from Town Counsel in relation to the expansion of the fire district. Town Counsel discussed the statue above which states that in order for the Fire District to expand, the Fire District must call a public meeting in order to discuss that matter. They must receive a signed petition from the majority of the voters in the area to be annexed. In 2008/2009 there was no petition from citizen who are outside of the district, and moving the legislation forward was a disenfranchisement of the voters outside of the district.*

If the fire district receives a petition, it must be signed by a majority of the voters in the area to be annexed, it may proceed. Mr. Baker stated that this is an issue that would circumvent the voter's right to have a say in this process.

#### **OLD BUSINESS: None**

#### **PUBLIC HEARINGS:**

**Member Rosenberg made the motion to go into Public Hearing on the FY2019 Community Development Block Grant (CDBG) program and the FY20 COVID Microenterprise CDBG Program at 7:10pm. The motion was seconded by Member Nowak. The motion passed unanimously.**

*Eammon Coughlin, Community Development Director addressed the board. The two Grants that the Town received (the CDBG Grant and the Microenterprise CDBG Grant) allowed the Town to do important work in town.*

*Becky Ferguson, Assistant Director of Community Development, gave an overview of the work that was done at Russel Field using the FY19 CDBG Grant.*

The Microenterprise COVID grant program was an off-cycle grant that was taken on by the Community Development in conjunction with the Berkshire Regional Planning Commission. There were 15 business that received funds through the program across the multiple towns that were in the area of service. There were really rigid guidelines across the state and it made it difficult to find businesses that fit the criteria.

***A motion made was by Member Rosenberg to come out of Public Hearing. The motion was seconded by Member Nowak. The motion passed unanimously. The Board of Selectmen moved out of Public hearing at 7:16 PM***

#### **NEW BUSINESS:**

##### **Review and Approve Farmland of Local Importance Designation**

*Eammon Coughlin stated that the last conversation on this topic happened about a year ago. Farmland of Local Importance allows farmers to seek preservation. The higher the percentage of the soils of importance, the more likely the farm owner is to receive the designation of Farmland of Local importance. This allows farmers to continue their work and provide food for the community.*

The Agricultural Commission in Adams voted unanimously to recommend to the Board of Selectmen that they adopt the Farmland of Local Importance Designation.

There does not appear to be a significant amount of land that will be removed from potential development. A lot of the land that is eligible for this designation is already protected by a number of other designations. If the board decides to adopt this, Al Averill, who has previously presented to the board, will provide the documentation for the Chair of the Board of Selectmen to sign.

*Member Nowak stated that he thinks this is a worthwhile program. Member Nowak stated that there are about 20 other municipalities in Berkshire County who have adopted this.*

***Member Rosenberg made the motion to approve the designation of Farmland of local importance. The motion was seconded by Member Nowak. The motion passed unanimously.***

## **Review and Approve Council on Aging Advisory Board Bylaws**

Sarah Fontaine, Council on Aging Director; Stated that these bylaws are being presented to the Board of Selectman after recommendations from the Board of Selectmen at the February 15th Meeting.

*Chairman Duval* asked if Attorney St. John had reviewed these bylaws. Sarah stated that yes, he has.

*A motion was made by member Rosenberg to adopt the COA bylaws. The motion was seconded by Member Nowak. The motion passed unanimously.*

## **Ratification of Appointment of Benjamin Acquista to the Council on Aging Advisory Board**

*Sarah Fontaine* read into the record her recommendation of the appointment of Benjamin Acquista to the Adams COA Advisory Board.

*Member Rosenberg made a motion to ratify the appointment of Benjamin Acquista to the Council on Aging Advisory Board. The motion was seconded by Member Nowak. The motion passed unanimously.*

## **Ratification of Appointment of Thomas Dubis to the Council on Aging Advisory Board**

*Sarah Fontaine* read into the record her recommendation of the appointment of Thomas Dubis to the Adams COA Advisory Board.

*Member Rosenberg made a motion to ratify the appointment of Thomas Dubis to the Council on Aging Advisory Board. The motion was seconded by Member Nowak. The motion passed unanimously.*

## **Fire District Project Updates**

*John Barrett, Water District Superintendent* addressed the board.

### ***Ongoing ISO evaluation for Public Protection Classification***

ISO will be going out the insurance companies by the end of the year. John Barrett stated that he has been monitoring the flow of water through the fire hydrants. Additionally, there is a hydraulic model that is used to calculate the flow through the hydrants.

Markers will be going on the hydrants to indicate the flow that can be expected from various hydrants. If there is a rate regression, homeowners may see an increase in their fire protection insurance. We did experience a rate regression at one time, however the rating is by no means bad. They are comparable to that of neighboring communities. It is important to use NFPA code for hydrants as the Town of Adams has a volunteer fire department. Often, in the case of a fire, other communities respond. It is important for individuals from other communities to know what the flow of the fire hydrants will be.

*Jay Green* stated that by color-coding the hydrants it would actually be considered a betterment in the eyes of the insurance companies. If the hydrants are color-coded, the homeowner can expect to eventually see a decline in insurance rates.

The maximum daily demand is used to determine what a maximum hydrant flow would be.

### ***East Orchard Tank Repairs and Pending Water Restriction***

The East Orchard take is going to have to be taken offline due to freezing in the mixer that was mounted in tank from the factory. The mixer prevents freezing and keeps the water from becoming stagnant. The mixer broke. When the tank is offline, there will be a call for water conservation in the affected area. There will not be fire protection in

that area for about a week with the tank being off-line. Chief Pansecchi will be monitoring the affected area and Superintendent Barrett will be keeping the pumps running in order to maintain water pressure in the affected area.

*John Duval* asked if there was any more definitive timeline for when these repairs will be happening. Orchard street from Glen Street to Hoosac Valley High School (including the high school), Leonard street to overlook terrace, Tower Road, Woods Drive, and Arnold Street. *Superintendent Barrett* stated that he would like to do this while the High School is out, in order to reduce the amount of impact on the pumps. *Chairman Duval* asked what the fire suppression plan for the area will be. Superintendent Barrett stated that he will have tankers prepared for the time that the water tank is down. Superintendent Barrett will be working with the surrounding communities to also be prepared to respond. *Member Rosenberg* asked about the overall status of the infrastructure. The water district works to utilize SRF Funding to help maintain the assets and infrastructure while maintaining reasonable prices for members of the district. The pH of the water is good, around 8.1 or 8.2 (basic, not acidic).

#### ***Source Water Protection Plan***

We are lucky that our wells are in Cheshire. We have two different zones that recharge the wells. There is a water district protection overlay. An independent group comes in and does an assessment of the risks to our water source. We are reviewing that data and assessing how to better protect the water supply. We look at possible risks for Adams's water and Cheshire's water. One of the primary sources of risk is sewer contamination. The water district is looking to do an educational outreach to residents of Cheshire regarding proper maintenance of their septic systems.

*Member Nowak* asked for a copy of the source water protection plan.

We are lucky that we are in a confined aquifer, so we are not as susceptible to contamination as other locations. We have tested for PFAS. The upcoming test for contaminants includes lithium and more PFAS. The Water District is fairly protected based on the pH level and injection of phosphates.

#### ***EPA Service Line Inventory and Lead Service Pipe Replacement Plan.***

In 1991 water departments and public water were required to start testing for lead and copper in water. On October 16<sup>th</sup>, 2024 every public water source is required to submit the material make up of every connection to the public water system. The town of Adams has 3033 connections. Lead connections were installed in the 1830s. Superintendent Barrett has been working to acquire the data since 2018 and currently there are no lead service lines in the Town of Adams. At this point, there are 2471 copper lines and 385 galvanized steel lines. The work is still in progress, but we are well prepared to present this data to the EPA in 2024.

This is a funded mandate from the EPA. DEP has a meeting on April 5<sup>th</sup>, so by April 6<sup>th</sup> the water district should be receiving \$50,000 to continue this project to finish the collection of data. The job should be started in May and should be done by February. There are roughly 25 data points that need to be input for each connection and with 3033 connections, there are about 75,000 data points that need to be input in this spreadsheet.

*Chairman Duval* requested that, at the next board of selectmen meeting, there be an agenda item to discuss the legislation that was filed by representative Barrett regarding the expansion of the fire district.

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

*Member Rosenberg:* The Board of Health is looking into helping apartments in Adams recycle plastics and glass

*Member Nowak:* None

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

*Chairman Duval:* This Saturday, March 18<sup>th</sup> there is a ribbon cutting ceremony at the Adams Memorial Library to celebrate the completion of the grand staircase. 10:30 am at the Adams Free Library.

• *Member Rosenberg:* Shout out to the DPW for the amazing job they did during this storm.

*Member Nowak:* The girls basketball game last weekend was transferred to Drury High School due to a leak in the roof. It is embarrassing. *Chairman Duval* stated that he agrees that it is embarrassing and the school district will be coming in to speak about it. *Member Nowak* also stated that he is concerned with the Fisk Street Dam and sediment buildup. Eammon Coughlin will be asked to report out on the status of the dam at a future meeting.

## ADJOURNMENT

*A motion was made by Member Rosenberg to adjourn. The motion was seconded by Member Nowak. The motion passed unanimously. The meeting was adjourned at 8:19pm*

Respectfully Submitted by Bri Hantman, Recording Secretary.

 _____ Joseph Nowak, Member	 _____ Richard Blanchard, Member
 _____ Christine Hoyt, Vice Chairman	 _____ Howard Rosenberg, Member
 _____ John Duval, Chairman	