

TOWN OF ADAMS, MASSACHUSETTS
ADAMS TOWN HALL BUILDING, 1st FLOOR, ADAMS, MA 01220

BOARD OF SELECTMEN MEETING MINUTES 12/06/17

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17 DEC 21 AM 8:35

CALL TO ORDER: Meeting was called to order by Chairman Duval at 7:00 p.m. Members Hoyt and Nowak were present as well as Community Development Director Cesan and Town Counsel St. John III.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF MINUTES: November 8, 2017 and November 15, 2017 Meeting Minutes were presented for approval. Move by Member Hoyt to waive reading and approve the minutes of November 8, 2017 and November 15, 2017 as submitted, second by Member Nowak. Vote: unanimous.

PUBLIC COMMENT: *Glenn Diehl* representing Berkshire Scenic Rail advised the Board the train had 1,285 passengers in the last two weeks and the use of the Visitors Center has made it easier to be found. Future themed trains for the future were outlined for holidays and local events. Local establishments have noticed a spike in visitors. Ray Gargan was thanked for his design of the local restaurant map. *Chief Tarsa* announced *Adams Police Association* is sponsoring a Christmas gift drive. Officers are gathering toys and taking donations at the Police Station. Contributions can be made directly to the Police Association and those donating are requested to make a notation on it that says "toy fund". The final installation of the WatchGuard video system is in the cruisers. The new cruiser is in the final stages of being built and should be available within the next couple weeks. The Police Department received a grant of \$30,000 through the state for a fingerprinting device, which has been installed. Officers are being trained and it has been fully operational for a couple months. The Police Officers are carrying **NARCAN**[®] nasal spray for opioid overdoses and have deployed it with a successful result. The Police Department is receiving a reimbursable enforcement grant through the *Executive Office of Public Safety* of \$5,000 for salaries for patrols and \$5,000 for equipment. This may help put two new radar units in the cruisers. *Board Members* addressed speeding in town as a problem. The Speed Trailer has been put away for the season due to battery depletion in winter. The Safe Roads program has marked a few places of concern in town, and Community Development Director Cesan and Matt Chase were thanked for their work on the program, which will bring a significant benefit for the Town.

NEW BUSINESS:

Appointment of Interim Town Administrator: *Chairman Duval* read a letter of written notice received from Tony Mazzucco effective December 6, 2017 upon the appointment of the Interim Town Administrator. Town Counsel advised upon the appointment of the Interim Town Administrator the former Town Administrator's contract hereby ends. Motion made by Member Hoyt to accept the resignation of Tony Mazzucco from the Town Administrator position, second by Member Nowak. Vote: unanimous. Community Development Director, Donna Cesan, agreed to take on the Interim Town Administrator position during the transition and will help to develop the replacement process. Motion made by Member Nowak to appoint Donna Cesan to the Interim Town Administrator position, second by Member Hoyt. Vote: unanimous.

Free Metered Parking for the Holiday Season: Member Hoyt recommended making metered parking free for the downtown during the holiday season. Board Members recommended placing holiday coverings over the meters. Police Officers empty meters but the design of the meters results in coins jamming the top of the canister, and the manufacturer advised it was the Town's issue. The Board will be provided with the number of parking tickets issued to date. Town Meeting voted in funds to hire someone to manage the parking meter process. A general discussion will be scheduled about parking issues and the budget to implement it. The change to Civil Service has been formally presented to the House of Representatives and cleared the Senate. Once the Reserve Officers are in place there will be an increase in ticketing and meter collection. Parking ticket fees will be increased once the ticket books are used up. A discussion took place on Community Policing, statistics for motor vehicle stops and arrests during day hours. Each shift has different needs for operation. It will be looked into whether there are still bags that can be used for the meters or if they can be programmed for free parking. A recommendation was made to put bows on the meters. Motion made by Member Hoyt to approve free metered parking until January 1, 2018, second by Member Nowak. Vote: unanimous.

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Setting of Dog License Fees: Chairman Duval read a letter from the Town Clerk about setting the dog license fees. Having dog license information mailed with the census is appreciated. Motion made by Member Hoyt to accept the dog license fees as submitted by the Town Clerk, second by Member Nowak. Vote: unanimous.

Facility Use Request, Adams Visitors Center, Pam St. John, ASCCC: Motion made by Member Hoyt to approve the facility use request for ASCCC for November 25th and 26th, December 2nd, 3rd, 9th, 10th, 16th and 17th in 2017 from 12:00 p.m. to 6:00 p.m., second by Member Nowak. Vote: unanimous.

Licensing Policy Edit Approval (First Reading): Member Hoyt reviewed the changes to the Liquor License Policy from the November meeting and outlined three minor changes. Town Counsel will review the changes prior to the second reading. Motion made by Member Nowak to accept the changes of the Liquor License Policy for General License Rules for licensees at the first reading, second by Member Hoyt. Vote: unanimous.

License Renewal Applications: *Member Hoyt* advised Licensing Sub-Committee met to review the licensing process. Licenses were approved according to license type.

All Alcohol Package Store Licenses: *Member Hoyt* recommended approval of the All Alcohol Package Store Licenses subject to payment by December 28, 2017. The Licensing Sub-committee will look into payments being included with the application in the future for the first meeting of December. Motion made by Member Nowak to approve license renewals for *O'Geary's Package Store, Inc., 60 Commercial St., Adams MA, Oasis Liquor Store, Inc., 35 Dean St., Adams MA, and Val's Pipe & Package, 5 Columbia St., Adams, MA* contingent upon receipt of payment of fees, second by Member Hoyt. Vote: unanimous.

Wine & Malt Package Store Licenses: *Member Hoyt* recommended approval of J. P. Rose Inc. and Pierre Kareh updated the Board about the building and future opening of Tri-Petroleum, Inc. Winter and unforeseen delays were discussed, and a mid-February opening is expected. Motion made by Member Nowak to approve the Wine & Malt Package Store license for *J.P. Rose, Inc, dba 7-Eleven*, second by Member Hoyt. Vote: unanimous. Motion made by Member Hoyt to approve the Wine & Malt Package Store license for *Tri-Petroleum, Inc.* pending receipt of documents and payment of license fees. Vote; unanimous.

All Alcohol Establishments: Member Hoyt motion to approve the renewal of All Alcohol and Common Victualer Licenses for *AJ's Trailside Pub, Haflinger Haus Restaurant & Inn, LLC, Commercial Street Café dba The Viking Pub, Gebirgs Verein, dba Mt. Club, Forest Park Country Club, Juljusza Slowackiegi Society dba Julius Slowacki Society dba Polish National Alliance, Densue, Inc. dba Chick's, and Nicholas Enterprises, dba Bounti-Fare*, second by Member Nowak. Vote: unanimous. Move by Member Hoyt to approve the renewal of All Alcohol Licenses pending payment for *TAWJRW, Inc., dba WOJO's, The Grille, Inc., Red Carpet Restaurant, Adams Turners, Inc., Adams Lodge #1335 BPO Elks, and Adams Post #160, Inc., dba The American Legion of MA*, second by Member Nowak. Vote: unanimous.

Wine & Malt Establishments – Motion made by Member Hoyt to approve the Wine & Malt Establishment and Common Victualer Licenses for *James S. Varellas, dba Pizza House and Chee's Chinese Cuisine, Inc.*, second by Member Nowak. Vote: unanimous. Motion made by Member Hoyt to approve the Wine & Malt Establishment and Common Victualer Licenses for *Bascom Lodge Group, LLC* subject to inspection and payment of fees, second by Member Nowak. Vote: unanimous. Motion made by Member Hoyt to approve the Wine & Malt Establishment and Common Victualer License for *Yun Lin Food Service, Inc. dba Lee's Dynasty Asian Fusion* subject to payment of fees, second by Member Nowak. Vote: unanimous.

Sunday Entertainment Licenses: Motion made by Member Hoyt to approve Sunday Entertainment Licenses for *Bascom Lodge Group, LLC, AJ's Trailside Pub, TAWJRW, Inc. dba WOJO's, Commercial St. Café, dba The Viking Pub, Adams Turners, Inc., The Grille, Juljusza Slowackiego Soc. Grp 1365 Polish National Alliance dba Julius Slowacki Society dba Polish National Alliance, Gebirgs Verein, dba Mt. Club, Polonka Grounds, c/o St. John Paul II Parish, Adams Agricultural Fair*, second by Member Nowak. Vote: unanimous.

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Weekly Entertainment Licenses: Move by Member Hoyt to approve Weekly Entertainment Licenses for *AJ's Trailside Pub, Forest Park Country Club, Adams Turners, Inc., Commercial St. Café, dba The Viking Pub, Juljusz Slowackiego Soc. Grp 1365 Polish National Alliance dba Julius Slowacki Society dba Polish National Alliance, Gebirgs Verein, dba Mt. Club, Nicholas Enterprises, Inc. dba Bounti-Fare Restaurant, Haflinger Haus, Polonka Grounds, c/o St. John Paul II Parish, Adams Agricultural Fair, and the Youth Center, Inc.*, second by Member Nowak. Vote: unanimous. Motion made by Member Hoyt to approve Weekly Entertainment Licenses subject to payment of license fees for *TAWJRW, Inc. dba WOJO's, The Grille, and the Adams Lodge #1335 B.P.O. The Elks*, second by Member Nowak. Vote: unanimous. Motion made by Member Hoyt to approve the Weekly Entertainment License for *Bascom Lodge Group, LLC*, subject to payment by May, 2018, second by Member Nowak. Vote: unanimous

Common Victualer Licenses: Motion made by Member Hoyt, to approve the Common Victualer, Lodging and Innkeeper Licenses for *Topia Inn, Bascom Lodge, and Haflinger Haus*, second by Member Nowak. Vote: unanimous. Motion made by Member Hoyt to approve the Common Victualer Licenses for *Jason Donuts, Inc., dba Dunkin Donuts, Original Submarine Corporation, dba Angelina's Submarine Shop, James 4:10, LLC dba McDonalds, Corner Variety & Luncheonette, Las Pizza, Inc. dba Domino's Pizza, Pizza Jim's, and Coffee Liberation Front*, second by Member Nowak, vote: unanimous. No vote was made for the *Daily Grind* or *Martin & Martin Enterprises, Inc. dba Subway* due to requirements pending for approval.

Auto Sales Licenses: Motion made by Member Hoyt to approve Class 1 Auto Agent or Seller Licenses for *Ronnie's Cycle, Sales & Service, Inc., 150 Howland Avenue, Ronnie's Cycle, Sales & Service, Inc., 63 Alger St., McAndrews- King, Buick, GMC, Inc., and Maple Grove Equipment*, second by Member Nowak. Vote: unanimous. Motion made by Member Hoyt to approve the Class II Used Car Dealer Licenses for *Gene's Sales & Service, Alternative Motors of Adams, Inc., 69 Columbia St. and Alternative Motors of Adams, Inc., 74 Columbia St.*, second by Member Nowak. Vote: unanimous.

Town Administrator's Report: Town Administrator Cesan advised there is a *Planning Board* public hearing scheduled for December 18th to address the bylaw for marijuana. The Route 8 design project for roadway improvement from Duke's Sand & Gravel to McDonalds is 25% designed, and plans are being reviewed in Boston. A design public hearing will be anticipated for spring, and the project is listed on the 2020 Transportation Improvement Program (TIP). Board Members noted that the bridge that spans the bike trail has railings that need to be painted or cleaned. A request was made and since bridges are a special category there is a backlog.

Town Counsel Report: Town Counsel St. John III advised he is preparing for a housing court complaint and motion to obtain a demolition order regarding 50 Commercial Street. The bill for demolition will include a lien recorded and served that secures the cost of the demolition. He advised he continued work and negotiations on the lawsuit against MJD and the Dellaghelfas and performed a review of the proposed "marijuana bylaw".

SUB-COMMITTEE/LIAISON REPORTS: *Member Nowak* advised he attended the *Planning Board* meeting regarding the marijuana bylaw. The public hearing will be held on December 18th at 7:00 p.m. regarding the draft of the bylaw. He thanked Town Administrator Cesan for her work on drafting the proposed bylaw. He advised he attended the *Parks Commission* meeting and there was a discussion about updating the Russell Field complex. *Member Hoyt* advised she attended the Planning Board, and Parks Commission meetings, as well as the Licensing Sub-Committee meeting, where the sub-committee will work on a timeline and process for licensing changes. She advised she attended the Regional Agreement Amendment Committee which began a review of other regional agreements for language and modifications. The composition of the District and the School Committee was discussed and a suggestion was made to rename the district but no decisions have been made. Two meetings of this committee have been scheduled for January. *Chairman Duval* attended the Planning Board, Parks Commission, Licensing Sub-Committee meetings as well as the BRPC meeting regarding planners. Speakers from North Adams, Pittsfield, Lenox, Great Barrington, discussed their roles and what a planner does. He advised the Board needs to consider looking into a Planner position to help create growth in Adams.

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ANNOUNCEMENTS, GOOD OF THE ORDER: *Chairman Duval* read a letter from Anthony Donovan asking to rescind his letter of resignation and stay on as an Alternate Member of the *Zoning Board of Appeals*. Motion made by Member Nowak to accept Anthony Donovan as an Alternate ZBA Member, second by Member Hoyt. Vote; unanimous. *Chairman Duval* announced the Community Choice Power Supply Program has selected a contract with Public Power and recommended those with questions call the Town Administrator's office. Board Members advised citizens to thoroughly review all contracts before entering into them, and electricity aggregation was explained. *Member Nowak* congratulated the Hoosac Valley High School football team for a fine season. He noted the Hoosac Valley High School Band played the National Anthem, and the school cheerleaders were there with a core of supporters. He asked citizens to come to support local businesses when going Christmas shopping. He noted he was happy to see the Scenic Train working out and enjoyed the energy of the children and visitors. The addition of the Scenic Rail is one piece of the economic puzzle in Adams, which is moving forward in a positive manner. He advised he attended the Tree Lighting Ceremony, and it was a great community event. He thanked the Adams Community Bank for their efforts to keep this going. He expressed concern that flu season is here and the strain of flu covered by the flu shot is only 10%. He reminded citizens to be sanitary and keep hands clean as it looks like it will be a tough season. *Member Hoyt* announced there were two Ribbon Cutting Ceremonies for Bohemian Road and the Scenic Train. Chairman Duval, Member Nowak, Town Administrator Cesan, volunteers, and sign holders were thanked. Over 1200 passengers boarded the train in a couple weekends. A local group put together the Holiday Marketplace and there will be artisans that have registered with the Firehouse Café at 47 Park Street, and they will be working with the Town for permits on Summer Street. An invitation was extended to those interested in attending the NBCC screening of a film about recovery and building a recovery community at the North Adams Movieplex at 10:00 a.m. on Friday.

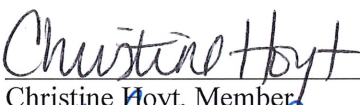
ADJOURNMENT: Move by Member Hoyt to adjourn the meeting, second by Member Nowak. Vote: Unanimous. Meeting adjourned at 8:24 p.m.

Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary

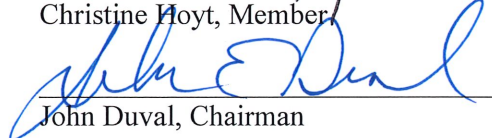


Joseph Nowak, Member

Richard Blanchard, Vice Chairman



Christine Hoyt, Member



John Duval, Chairman