

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

BOARD OF SELECTMEN MEETING MINUTES 03/15/2018

CALL TO ORDER: The meeting was called to order by Chairman Duval at 7:00 p.m. Members Hoyt and Nowak were present as well Interim Town Administrator Cesan.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF MINUTES: The February 14, 2018 Regular Meeting, February 21, 2018 Workshop and February 21, 2018 Regular Meeting Minutes were presented for approval. Motion made by Member Hoyt to waive reading and approve the minutes as submitted, second by Member Nowak. Vote: unanimous.

PUBLIC COMMENT: *There were no public comments made at this meeting.*

NEW BUSINESS:

Service Award Acknowledgement: Chairman Duval read a resolution and service award acknowledgement for David Nuwallie, Interim DPW Director who retired after 30 years of service. His expertise and contributions were outlined, and he was wished a happy and healthy retirement.

Special Municipal Employee Designations, Screening Committee Members: Member Hoyt explained the need for a Special Municipal Employee Designation status for the entire committee. Committee Members will complete the *Conflict of Interest* training online and will report any potential conflicts of interest. Member Hoyt will follow up with the Town Clerk to be sure the special municipal status is on file. Motion made by Member Hoyt to designate a Special Municipal Employee status to the Town Administrator Screening Committee, second by Member Nowak. Vote: unanimous.

Request for Letter of Non-Opposition, Berkshire Boys, Inc.: Jacob Zieminski, President and Founder of Berkshire Boys, Inc. addressed the Board. He gave the Board his background and noted he is driven to do this business because of the opioid epidemic and his work in an addiction clinic. He explained the benefits of anxiety reduction and bringing jobs to the area. The Berkshire Boys mission was outlined to include families, and there will be a financial incentive to build up drug awareness programs. He noted his home is in Berkshire County and that someone that lives here is going to care more about the community. He advised he was seeking partnership with the Town to be compliant and professional. Mr. Zieminski explained he reviewed the Recreational Marijuana law and the process needs to be followed with an application for intent to enter into this business and to work together with the Chief of Police. He advised there is an expectation of a four to eight year process. He explained that to date 46,000 patients signed up in Massachusetts for Medical Marijuana care and although Medical Marijuana is the focus, Recreational Marijuana is part of the package for holistic care. He explained that relationships could be built with assisted living facilities and nursing homes. The Adams bylaw was noted as a standard other communities will use. Mr. Zieminski advised that oils and edibles will be more available and provide more consistent quality of the product. The current status of the application of intent for medical and recreational was explained as going forward simultaneously due to timing. Medical Marijuana was explained as being a vertical business and there will be manufacturing, cultivation and dispensing on one license. He expressed a desire to talk about jobs and security in the next few months. Any identified location will be within the zoning bylaws, in compliance with local and state laws. Mr. Zieminski's credentials and training were discussed. He advised his business would have a diversity plan to open it up to veterans and other groups. Host agreements and percentages would be negotiated since it takes six months to harvest, and models indicate there are factors that have expenses. He cautioned the Board to be cautious of businesses offering money. He predicted there will be a lot of failure in the industry. The lack of physicians available to prescribe Medical Marijuana was noted as being a big problem, and people in this area go to Northampton to see a physician for a prescription. Federal regulations were identified as a factor. The next steps are for the Berkshire Boys to submit an Application of Intent for Adams and to do a conflict check. There is currently no restriction on a maximum number of businesses in Town. There are two separate processes that have not integrated yet, and as the Cannabis Control Commission (CCC) evolves the process will become clear. It was noted that municipalities have not had much guidance from the CCC.

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Appointment of Adams-Cheshire Regional School District's Superintendent Search Committee

Representative: Member Hoyt reviewed a request to appoint Erin Milne to a representative position on the Adams-Cheshire Regional School District's Superintendent Search Committee. It was noted that she is currently serving on Regional Agreement Amendment Committee. Motion made by Member Hoyt to appoint Erin Milne to be a representative on the Adams-Cheshire Regional School District's Superintendent Search Committee, second by Member Nowak. Vote: unanimous.

Facility Use Request, Visitors Center -Berkshire Family YMCA: Motion made by Member Nowak to allow use of the Visitors Center by Berkshire Family YMCA on July 21, 2018 from 7:00 a.m. to 1:00 p.m., second by Member Hoyt. Vote: unanimous.

Approval of Council on Aging Van Driver Job Description: The Personnel Sub-committee reviewed the submitted amended job description. Member Hoyt noted that the highlights included language changes from "senior citizens" to "older adult", wording was changed from 16 to 20 passenger vans to 8 passenger vans and language was removed for the CDL License because it is no longer required. Motion made by Member Nowak to approve the updated Van Driver job description, second by Member Hoyt. Vote: unanimous.

Ratification of Council on Aging Part Time Van Driver Position: A letter to the Board from Interim Town Administrator Cesan requesting ratification of William Wilson, Jr. was read. Motion made by Member Nowak to ratify the appointment of William Wilson, Jr. to the position of Part Time Van Driver for the Council on Aging, second by Member Hoyt. Vote: unanimous.

Ratification of Wastewater Treatment Plant Laboratory Technician, Operator II Position: A letter from Interim Town Administrator Cesan requesting ratification of Dana Labbee to the position of Laboratory Technician, Operator II was read. Motion made by Member Hoyt to ratify the appointment of Dana Labbee to the Laboratory Technician, Operator II position for the Wastewater Treatment Plant, second by Member Nowak. Vote: unanimous.

Approval of DPW Director Hiring Process: Interim Town Administrator Cesan explained that as per Town Charter the Board of Selectmen hires the DPW Director. There is an applicant pool, and she recommended the process be done as in the past with the Screening Committee recommending two to three candidates for the Board to review. Within the next couple of weeks the recommendation will be made. A couple of applicants were interviewed, and approval of the process was on the agenda for last week but the meeting was canceled. There are eight individuals in the applicant pool currently and three do not meet the minimum requirements. The Screening Committee was noted as being comprised of Interim Town Administrator Cesan, Town Accountant Beverly, and Retired DPW Interim Director Nuvallie. All resumes will be provided to the Board for review in the event the Board wishes to add interviews. The Personnel Sub-committee discussion resulted in a recommendation that two candidates may be submitted if there are not three viable candidates because of such a small pool. Motion made by Member Hoyt to approve the DPW hiring process including the screening committee as outlined to bring forth two to three candidates to the Board of Selectmen, second by Member Nowak. Vote: unanimous.

Amendment to Intermunicipal Agreement for Veterans Services: The Intermunicipal Agreement for Veterans Services was reviewed. The Veterans Agent, Steve Roy will still have two days of office hours in Adams and the agreement will defray overall cost to the communities in the original agreement. North Adams and Williamstown have already signed the agreement to add Cheshire, Dalton and Lanesborough. Discussion took place about the viability of one Veterans Agent being able to cover the number of towns in the proposed amendment. A request was made to get the number of additional veterans to be added. It was noted that veteran numbers and needs ebb and flow and a recommendation was made to go forward with the agreement and to monitor it. The agreement is not dated, and it was explained that it is not time sensitive except for other communities to get started. Board Members requested to table the agreement amendment and to invite Veterans Agent Steve Roy to attend the next meeting to answer questions. Motion made by Member Nowak to table this agreement to the next meeting and invite Steve Roy to attend, second by Member Hoyt. Vote: unanimous.

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Additional Compensation for Town Accountant: A letter from Interim Town Administrator Cesan asking for additional compensation for Town Accountant Mary Beverly was read by the Chairman. A recommendation for her to be paid an additional \$100 per week beginning March 12th and ending the last day of June 2018, for a total amount of \$300 weekly, would be a temporary adjustment for a temporary assignment. The previous approval of an additional compensation was discussed. It was outlined that last year the Town Administrator had a significant input into the budget and the Town Accountant will be taking on that role and responsibility, as well as off-hours meetings. The Interim Town Administrator will also participate to the full extent possible and will also be working on large projects that are important to the Town. She will work with DPW Foreman Cota regarding street paving and sidewalk reconstruction and they need to concentrate on Chapter 90 funds. It was noted that Town Accountant Beverly does an excellent job. Her salary and benefits were discussed, and the additional compensation will be taken out of the Town Administrator salary budget. Motion made by Member Hoyt to approve the additional compensation of \$100 per week for Town Accountant Beverly beginning March 12 through June 30, 2018 in conjunction with Section 7 compensation, #7, second by Member Nowak. Vote: unanimous. Motion made by Member Hoyt to add a Facility Use Request for Thunderbolt Ski Runners to the agenda, second by Member Nowak. Vote: unanimous.

Facility Use Request, Thunderbolt Ski Runners: The Thunderbolt Ski Runners requested use of Greylock Glen on March 18, 2018 from 9:00 a.m. to 3:00 p.m. for a "pop-up" event due to excellent ski conditions. Motion made by Member Hoyt to approve the use of the Greylock Glen on March 18th from 9:00 a.m. to 3:00 p.m., second by Member Nowak. Vote: unanimous.

DEPARTMENT REPORTS:

Town Administrator's Report: The Town has made good progress on the 50 Commercial Street demolition project and the contractor expects to complete the project next week, weather permitting. Tests came back with nothing hazardous in the foundation. The removal of the building made a positive impact. Questions were asked about the status of the lien. It is not in place because the final bill is being drafted for Town Counsel review and filing with the Registry. Other projects will be bid simultaneous, including the Visitors Center Parking Lot, the Town Hall Roof Project and Chapter 90 work.

Town Counsel Report: *There was no report given at this meeting.*

SUB-COMMITTEE AND LIAISON REPORTS: Member Nowak advised he attended the School Committee meeting for the final budget. An attendee suggested that a teacher should have been on the committee to select the new Superintendent. He expressed concern about the Superintendent's frustration at the delay with the repair of the C.T. Plunkett lift floor. It was noted that the way it was procured by the previous Town Administrator and Dr. Putnam did not secure a proper engineer for this lift. The Building Commissioner wanted to see proper floor on the lift because a structural engineer had not been part of the process. The Town had to get one to review and complete the project. Member Hoyt attended the Personnel Sub-committee meeting, the ACRSD Superintendent Search Committee training and the Regional Agreement Amendment Committee (RAAC) meeting. There will be two more RAAC meetings before the proposed amendments go before the Board of Selectmen and Town Meeting. It will likely go to a Special Town Meeting in the fall. Special Legislation work needs to be done by State Representation. There was a Ribbon Cutting celebration for Bella Sky Gifts and Adams Therapeutic Massage and Boutique that relocated together on Summer Street. Chairman Duval noted the facilitation services through the Community Compact were completed. A meeting took place on the Route 8 project for the Mass DOT District 1 offices. It was hoped to have the project started in 2019 but their process indicated 2020. An agreement will be issued in the autumn of 2019 and begin in the spring of 2020. A portion is covered by the state up to the bridge, and the area covered by the Town of Adams is in front of Mullen Mayflower. More information will be forthcoming.

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ANNOUNCEMENTS AND GOOD OF THE ORDER: Member Nowak expressed gratitude to the high school kids in this area that speaking out regarding taking control of gun violence. He thanked the students for being engaged in this civic duty. Member Hoyt thanked the Hoosac Valley Elementary School for inviting her to come read the Dr. Seuss book Yertle the Turtle with them. Chairman Duval announced that the Adams Council on Aging is being recognized for the Fallon Health grant and Members interested should RSVP. The Berkshire County Selectmen's Association Meeting is also upcoming and Board Members interested in attending should RSVP with the Administrative Assistant.

EXECUTIVE SESSION:

#3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;

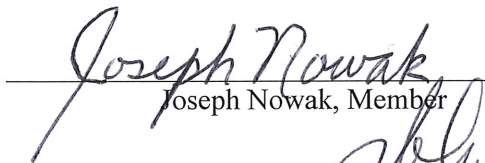
- MASSACHUSETTS COALITION OF MASS POLICE, IUPA, AFL-CIO, LOCAL 367 (Police Officer's Unit)
- LOCAL #204, STATE COUNCIL #93, AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFL-CIO (Clerical Unit)

At 8:18 p.m. a Motion was made by Member Hoyt to enter into Executive Session for reason #3, second by Member Nowak. Roll Call Vote: Chairman Duval, Member Hoyt, Member Nowak.

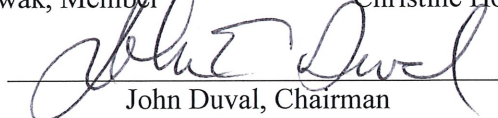
At 8:51 pm. A Motion was made by Member Nowak to exit Executive Session, second by Member Hoyt. Roll Call Vote: Chairman Duval, Member Hoyt, Member Nowak.

ADJOURNMENT: Motion made by Member Nowak to adjourn the meeting, second by Member Hoyt, Vote: Unanimous. Meeting adjourned at 8:51 p.m.

Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary


Joseph Nowak, Member


Christine Hoyt, Member


John Duval, Chairman