

TOWN OF ADAMS

BOARD OF SELECTMEN MEETING MINUTES

WEDNESDAY, MARCH 1, 2017 – 7:00 PM
ADAMS TOWN HALL, 1st FLOOR, ADAMS, MA 01220

On the above date the **Board of Selectmen** held a meeting at the **Adams Town Hall** at 7:00 p.m. **Chairman Jeffrey Snoonian** presided the meeting. Present were **Vice Chairman, Arthur Harrington, Members Joseph Nowak, John Duval and Richard Blanchard**. Also in attendance was **Town Administrator Tony Mazzucco**. *Town Counsel, Ed St. John III was absent.*

The Select Board Meeting was called to order at 7:00 p.m. The Pledge of Allegiance was recited.

READING OF MINUTES

- February 1, 2017

Motion made by Member Blanchard to waive reading and approve minutes for February 1, 2017 as written

Second by Vice Chairman Harrington

Unanimous vote

Motion passed

PUBLIC COMMENT

Hydrant Clearing

Jeff Lefebvre thanked athletes at Hoosac Valley for shoveling out fire hydrants in Adams.

Vote for School Closing

Jeff Lefebvre explained that tomorrow the School Committee will talk about voting on closing a school, and he requests a good turnout from citizens.

Wenzel Terrace

Jeff Lefebvre inquired about Wenzel Terrace houses with no frontage and Town liability.

Town Administrator Mazzucco advised that Town Counsel St. John III is aware of it and the Town is not involved in the process.

BagShare Project

Francie Anne Riley advised that the *BagShare* drop-in event was held last weekend and 68 bags were made by participants at the Firehouse Café on Park Street. About 5 groups have committed to make 800 bags.

School Information Session

Henry Jaeschke thanked everyone who showed up at Cheshire Meeting for being very professional, and thanked Superintendent Putnam.

PUBLIC HEARING

Show Cause Hearing, Mak's Grill dba Rascals, 7:20 p.m.

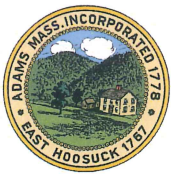
Motion made by Member Duval to open the Show Cause Public Hearing for Mak's Grill dba Rascals

Second by Member Blanchard

Unanimous vote

Motion passed

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The Show Cause Hearing commenced at 7:20 p.m.

Chairman Snoonian read the letter served to Thomas J. Rotolo in hand on February 18, 2017. He noted there are representatives from *Mak's Grill dba Rascal's* attending the meeting and read aloud the reason for the hearing regarding the cease of business operation. The representatives of Mak's Grill, dba Rascals were invited to come forward and update the Board on the status of the business as it pertains to the Liquor License, and any plans for the future.

Thomas J. Rotolo and **Marci Levesque** advised the prior agreement they had to "lease to own" fell through and requested to keep the license for the rest of the calendar year to attempt to sell the business. Documentation of the listing of the property was presented and the Board was advised without the license the business would be unsellable, essentially making it a 2-family house and a loss of funds put into the business and the building. Other examples of restaurants with liquor licenses for sale were given, including the number of days on the market. It was noted that the license is part of the entity, and if the value could not be kept with the property the license would be for sale separately.

Board Members emphasized that Rascal's has done nothing wrong, had no violations, and it is only a matter of having a "pocket license", which has not been paid for yet. An inquiry was made regarding how aggressively it had been marketed and it was noted that other restaurants have stayed open while for sale, but this business is not open which may affect the likelihood of a sale. The opening of the business is also contingent upon inspections by the Building Commissioner and Fire Chief annually. It was noted that the Licensing Sub-Committee should review setting a timeframe for managing "pocket licenses".

Thomas Rotolo advised he had brought a check to the meeting to pay for the license and it was dated November 2016 but he did not want to pay for the license for two months so he had not submitted it yet. He advised it had been heavily marketed and is for sale for \$150,000.

Town Administrator Mazzucco gave information on the legislative process to get another license and pointed out that the Alcoholic Beverages Control Commission has become more aggressive and cracked down on "pocket licenses" because it creates an impediment to opening a business by holding on to them and keeping them unavailable. He advised he felt it should be extended for two years to set a precedent.

Review was made of the renewal process, and the public was invited to ask questions or make comments. There were no citizen questions or comments.

*Motion made by Member Blanchard to close the Show Cause Public Hearing
Second by Vice Chairman Harrington
Unanimous vote
Motion passed*

Discussion took place regarding whether this is an Alcoholic Beverages Control Commission or a Local Licensing Authority issue.

*Motion made by Duval to extend the All Alcohol Liquor License for Mak's Grill dba Rascals, contingent upon payment of the license and the check clearing
Second by Chairman Snoonian
Voted in favor were Chairman Snoonian, Vice Chairman Harrington, Members Duval and Nowak
Voted in opposition was Member Blanchard
Motion passed*



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NEW BUSINESS

Facility Use Request - Reid Field, Adams Lassie League

Matt Witek of the *Adams Lassie League* submitted a request to use Reid Field from April 22, 2017 to November 1, 2017 from 10:30 a.m. to 8:30 p.m. A financial summary and expired insurance certificate were provided. The request was approved by Parks Commission Chairman Scott.

Motion by Member Duval to table the request until March 15, 2017 for updated insurance

Second by Vice Chairman Harrington

Unanimous vote

Motion passed

One Day Wine & Malt License Application – BART School, April 8, 2017

BART Charter School submitted an application for a *One Day Wine & Malt License* on April 8, 2017 from 6:00 p.m. to 9:30 p.m. All required documents were submitted including a written plan to prevent underage and over-consumption. Leah Thompson advised the Board the proceeds go to academic programming and information is available at www.BARTCharter.org and their Facebook event.

Motion made by Member Nowak to approve the One Day Wine & Malt License for BART Charter School on Saturday, April 8, 2017 from 6:00 p.m. to 9:30 p.m.

Second by Member Duval

Unanimous vote

Motion passed

Change of Club Officers Application

Adams Turners, Inc. submitted an application to change the Club Officers for their All Alcohol Liquor License. Documents were briefly reviewed and new officers were outlined.

Motion made by Member Blanchard to approve the Change of Club officers for Adams Turners, Inc.

Second by Vice Chairman Harrington

Unanimous vote

Motion passed

Reserve Fund Transfer Request

Town Administrator Mazzucco explained the four items being put forth for Reserve Fund transfers.

DPW Overtime, \$15,000. There is only approximately \$6,000 left and this amount is anticipated to get through the year.

Salt, \$17,500. This buffer is needed to accommodate salt in the event of more snow.

WWTP Inflow Infiltration Study, \$20,000. This is a DEP requirement and will allow the Town to take advantage of positive pricing for a mandatory report. The initial cost for the study was \$100K, but the Town was able to reduce it to \$15,000 with an additional \$5,000 buffer just in case. Marilyn Kolis and Larry Robert were acknowledged for saving over \$50,000 on the report.

Legal Services, \$15,000. The budget will likely be increased next year to meet the annual need.



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Member Nowak inquired about the cost per ton of salt and expressed concern about overuse and runoff going into streams because of overlapping and liberal use. He asked the Town Administrator to address this. He also asked for an explanation of how DPW overtime is allocated, and who calls them in.

Town Administrator Mazzucco advised use depends on the storm, keeping up with calibrators and that a pretreatment with brine reduced the salt use. The cost of salt almost doubled in the last couple years, and though other products are available they are not as good as the salt. He advised he has regular discussions with the DPW and there is an on-call order for overtime per the union and staff is called going down the list. Not the whole crew is deployed with a storm because some do pretreatment. The police make the request and the Superintendent /Foreman or Director make the decision about crew size for the task at hand. Transfers are approved by the Board then approved by finance committee. Any funds not used will return to Free Cash the following year. The total requested amount is \$67,500.

Motion made by Member Nowak to approve reserve fund transfer of \$67,500 as submitted

Second by Member Duval

Unanimous vote

Motion passed

SUBCOMMITTEE/LIAISON REPORTS

School Public Information Forums

Chairman Snoonian advised he attended two hearings of ongoing discussions in Adams and Cheshire. He noted the forum in Cheshire on Monday was contentious and it is an incredibly complicated situation. He reviewed the content of the discussion and pointed out that it is a fiscal reality that whatever choice is made it is a financially challenging year. He expressed dissatisfaction that people who spoke were booed, laughed at, and hollered at and that superintendent Putnam and other authorities allowed this behavior to go on all night.

Member Nowak advised he attended the meeting, and expressed disappointment that the opinions expressed and at Cheshire meeting centered on the playground, parking and safety with buses rather than education. He noted the safety flow of the drop off and pickup of children at C.T. Plunkett. He expressed dissatisfaction that a Town Official from Cheshire said the Town of Adams overspends its budgets while Cheshire is more frugal, which had nothing to do with the education of the children. He briefly reviewed concerns about the septic and electrical systems in Cheshire and the accessibility of the gymnasium in C.T. Plunkett versus Cheshire requiring some kids to have gym in the cafeteria due to accessibility issues.

Member Duval attended the Adams forum but not the Cheshire forum and noted the Board is responsible for keeping control of the meeting, which did not happen.

Metropolitan Planning Organization

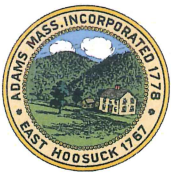
Member Duval attended the MPO meeting. The Route 8 project is still on track for 2020 from town line to town line. The amount that has been appropriated on the list and the current cost is 7.3 Million. The Town paid for the engineering portion, and it is believed to be a Complete Streets program.

DEPARTMENT REPORTS

Town Administrator's Report

Recycle Center

There will be a meeting held on Thursday with MassDEP, and the Town is preparing for a July 1st launch for taking waste at the Recycle Center.



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Free Cash

Free cash came in and did well. Last year, due to the mild winter the Town turned in salt and vehicle budget money and as a result much needed capital projects are being done, such as a roof and windows, carpeting and video system.

Town Budget

The Budget is being prepared, will include capital improvement.

If C.T. Plunkett is closed the roof needs to be done. Leaks were noted. The C.T. Plunkett School boiler roof damage came from when the furnace was installed a few years ago and the repair was given to the school to handle but they held off on repairs pending the decision on closing a school. The Town will have an engineer look at the roof to find out where it is failing and is taking an active role in maintaining the building.

Vice Chairman Harrington noted that the Board of Selectmen needs to take a stand because the same thing happened at Memorial School that is now happening at C.T. Plunkett. We need to fix the roofs, and take care of it so it will be maintained, even if the contract has to be adjusted to change the formula. Cheshire should be taking care of their building.

Member Nowak noted Adams has done its best to give to the education of the children and biggest part of the budget is for the schools. Adams has done its part to keep the children a priority.

Town Counsel Report

Town Counsel St. John III was absent.

ANNOUNCEMENTS AND GOOD OF THE ORDER

Thunderfest

Thunderfest will be held on Saturday but there will be no races. Festivities begin at 12:00 p.m. at the Adams Visitors Center, and will include music, a bonfire, food, Chowderfest and more.

ADJOURNMENT

Motion made by Member Blanchard to adjourn

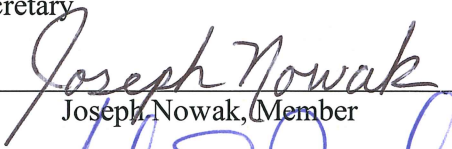
Second by Member Harrington

Unanimous Vote

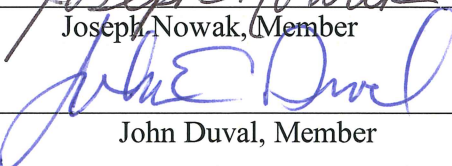
Motion passed

The Board of Selectmen Meeting adjourned at 8:29 p.m.

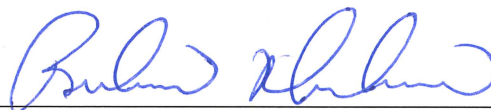
Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary



Joseph Nowak, Member



John Duval, Member



Richard Blanchard, Member

Arthur Harrington, Vice Chairman

Jeffrey Snoonian, Chairman