

TOWN OF ADAMS, MASSACHUSETTS

RECEIVED-POSTED ADAMS TOWN HALL BUILDING, 1st FLOOR, ADAMS, MA 01220

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BOARD OF SELECTMEN MEETING MINUTES 10/17/2018

CALL TO ORDER: The meeting was called to order by Chairman Duval at 7:00 p.m. Vice Chairman Nowak, Members Blanchard, Hoyt and Bush as well as Interim Town Administrator Cesan and Town Counsel St. John III.

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES: The minutes for the August 22, 2018 Meeting and October 3, 2018 were submitted for approval. *Motion made by Member Hoyt to waive reading and approve August 22, 2018 and October 3, 2018 meeting minutes as submitted, second by Member Bush. Abstention by Member Blanchard. Voted in favor were Chairman Duval, Vice Chairman Nowak, and Members Hoyt and Bush. Motion carried.*

PUBLIC COMMENT: *Dave Roberts, 7 Elm Street, Adams* advised that he was confused about the zoning for Cumberland Farms. He stated he purchased his home in a residential community and Cumberland Farms is now being supported to go in this neighborhood. He expressed concern that his abutting property value will go down and asked to be compensated for the lower property value. He noted all other Cumberland Farms businesses in the area have no houses behind them and are set back, but his house will be looking at dumpsters and have noise of eight gas pumps and 24-hour operation. It was explained that this business proposal has been well-advertised, and the business has put in an application for a variance. A public meeting was held this evening with Cumberland Farms representatives to address questions and concerns. Zoning is not static but changes with the community needs. The area of concern was described as being a commercial corridor with a neighborhood focus. It was explained that property values will likely increase because the Town is making a large investment to upgrade the area. Zoning Board determinations and the decision guidelines through state laws and Town Meeting bylaws were explained. Discussion took place about the need for growth in the community to keep the tax rate from rising. *Anita Guttman* of East Street inquired about the plan for resurfacing roads. It was explained that the Town had a hiatus of road work for approximately three years and hopes to return to annual resurfacing again. Another group of roads and sidewalks will be identified this winter for the next season. Staffing reduction from a few years ago was briefly discussed. *Town Clerk Meczywor* gave information about election hours and location on November 6th, as well as early voting and special office hours at the Town Clerk's office. She noted that today is the last day to register to vote at either the Town Clerk's Office until 8:00 p.m. or on the Secretary of the Commonwealth website. Absentee Ballot information is available at the Town Clerk's office. The Council on Aging can arrange transportation for early voting and voting on Election Day by calling 743-8333. Voter registrations were briefly discussed, and citizens were urged to vote.

PUBLIC HEARING: Classification Hearing, 7:10 p.m.

Motion by Member Blanchard to open the Public Hearing for Tax Classification, second by Member Hoyt. Vote: unanimous.

Town Assessor MacDonald reviewed the process of the determination of the tax structure and whether to keep the tax rate at a split rate or to go with a single classification. Different possibilities for residential and commercial/industrial rate shifts were compared. The difference between 2018 and 2019 shifts and the fiscal health of the community were discussed. The reduction in the tax rate was from new growth, new houses, and additions of garages, as well as valuations increasing. It was noted that the Board of Selectmen looked harder at trimming taxes and made important investments in staffing. Health, education and transportation costs were in a good place this year and tourism and investments in the local economy will continue this trend. \$250,000 was taken from free cash to reduce taxes. It was noted that free cash use for reducing the tax rate is not a good practice to do regularly. Growth in the community will lower the tax rate further.

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The budget process was reviewed briefly. It was explained that the need for a Town Hall Roof, a Police Cruiser, DPW vehicles and maintenance of buildings and equipment were addressed. It was advised to be cautious with setting the tax rate. The rates from the past couple years were reviewed and different options were reviewed for potential shifts. A 15% shift was considered. It was explained that businesses are also taxed for what is in the building. Although the tax rate going down is good news, the Town still has an aged infrastructure and Wastewater Treatment Plant. It was noted that the Board of Selectmen is doing their best for the community and wants to keep the amenities for the people, and it is difficult to keep everything going. It was explained that the Town made some cuts and is still giving services to community the best way possible but it would only take one thing to happen in this community to impact the Town fiscally. Costs for special needs children and the elderly were briefly described. Efforts the School District has made were acknowledged, and it was pointed out that there are things the Board cannot foresee such as the cost of salt, gas, and other items. After it is set, the new tax rate would go into effect in the November bill. If a 15% shift was adopted it would bring back the tax rate from 2016. Citizens were asked if they had any questions or comments, and it was explained that the average value of a home is \$140,000 in Adams. There were no other questions or comments. ***Motion made by Member Blanchard to come out of the Public Hearing, second by Member Hoyt. Vote: unanimous.***

Board Members explained they had spoken with the financial staff and a 15% split would be beneficial. It was noted that last year the commercial businesses were assisted and this year it is time to help the residential community. ***Motion made by Vice Chairman Nowak to set the Residential Tax Rate at 15%, second by Member Hoyt. Vote: unanimous.***

OLD BUSINESS:

Host Community Agreements – Review and Approval Process, Mission MA, Inc. *Interim Town Administrator Cesan* explained two Host Community Agreements (HCAs); one for Medical Marijuana and one for Adult Use Marijuana with Mission MA, Inc. It was explained that Mission MA Inc. is located at 150 Howland Avenue, where they have executed a long term lease. The process of Marijuana Licensing was reviewed, and it was noted that Mission, MA, Inc. is already in the Department of Public Health (DPH) program and having the two HCA agreements will assist them in starting the Medical Marijuana business sooner. The site plan approval process with the Planning Board was explained. It is expected that in approximately five months from the site plan approval the Medical Marijuana facility will open. Adult Use is regulated through the Cannabis Control Commission (CCC), and timing is more uncertain. Wording in the HCA agreement was noted as being nearly identical to that which was approved previously for LC Square. It was noted that the business would be across the street from a cultivation business, and will help the tax rate. Both facilities will be away from the center of town and on a public transportation route. Funding received by the Town in the agreements was explained, including the impact fee and a proposed minimum of \$10,000 annually, with an increase if sales go beyond \$1,000,000. Adult Use is a \$30,000 minimum annual payment, and if both uses are in the same facility it could be a \$40,000 annual payment in addition to property taxes. The location will be highly secured, with significant investment in cameras. It was noted these are five year agreements, as stipulated by law. Renewal provisions in both agreements indicate a renegotiation process that starts six to nine months prior to the end of the agreement. It was explained that the Town wants Mission MA, Inc. to be viable and stay in business, rather than just providing short term gains. Special Counsel has reviewed the agreements. ***Motion made by Member Hoyt to enter into a Host Community Agreement with Mission MA, Inc. for Medical Marijuana, second by Member Bush. Vote: unanimous. Motion made by Member Hoyt to enter into a Host Community Agreement with Mission MA, Inc. for an Adult Use Marijuana facility, second by Member Bush. Vote: unanimous.***

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NEW BUSINESS:

Setting Halloween Hours: *Motion made by Member Hoyt to set Halloween Hours on Wednesday, October 31st, from 5:30 to 7:00 p.m., second by Member Blanchard. Vote: unanimous.*

Appointment to Northern Berkshire Cultural Council: *Henry Klein.* Mr. Klein was thanked for stepping forward to fill the vacancy. *Motion made by Member Blanchard to appoint Henry Klein to the Northern Berkshire Cultural Council through June 2019 for reappointment at that time; second by Member Hoyt. Vote: unanimous.*

Facility Use Requests:

Edward Saharczewski, Roadrunners Club of America requested use of Town Streets for a 5K Road Race on November 22, 2018 from 9:00 a.m. to 11:00 a.m. *Motion made by Member Blanchard to approve use of Summer Street, North Summer Street and Lime Street on November 22, 2018 from 9:00 a.m. to 11:00 a.m. for the 5K Road Race by Roadrunners Club of America, second by Member Hoyt. Vote: Unanimous.*

Patricia Socha, Adams Lions Club requested use of the Visitors Center Parking Lot and Visitors Center for Lions Club Halloween Parade, October 28, 2018 from 4:00 p.m. to 6:00 p.m. *Motion made by Member Hoyt to approve use of Visitors Center and Parking Lot October 28, 2018 from 4:00 p.m. to 6:00 p.m. for the Lions Club Parade, second by Vice Chairman Nowak. Vote: unanimous.*

Alan Horbal, Polish Center of Discovery & Learning requested use of the Visitors Center on November 17, 2018 from 10:30 a.m. to 5:00 p.m. to offer genealogy information. Translators are available to people and private services, with a \$10 fee for participants. It was noted that it would be on a Saturday and there are additional expenses for opening the building and cleaning restrooms. It was advised that in the future a fee for use of the space should be considered if a fee is being charged. *Motion made by Member Blanchard to approve use of the Visitors Center by the Polish Center of Discovery and Learning on November 17, 2018 from 10:30 a.m. to 5:00 p.m., second by Member Bush. Vote: unanimous.*

Memorandum of Agreement with Town of Cheshire Senior Transportation: Erica Girgenti, Council on Aging Director outlined the proposed agreement to share the Fallon Car with the Town of Cheshire. She noted there are 2,700 miles and thirty trips with the car since it was received 29 weeks ago, and it has been a great opportunity to help community members who have no other transportation opportunities. Volunteer drivers were thanked for volunteering to drive, and more volunteers are needed. Volunteers must pass a CORI check, have a positive driving record and will need to attend trainings. She requested support by the Board of Selectmen of the Memorandum of Agreement (MOA) to share the vehicle services with Cheshire. Adams will be charging Cheshire for mileage and a \$20 coordination fee. The Legislative Sub-committee met and reviewed agreement and COA Director Girgenti will meet with Cheshire COA staff. It was explained that Cheshire has earmarked funding to support a transportation program. It was clarified that this agreement is just for the Fallon Car, not the van service for now. The vehicle will be utilized when the wheelchair lift van is not in use and for long distance medical trips or special circumstances that the van cannot go to. Between the two communities the first request for use would be honored first. It was noted that this is a one year agreement, and if adjustments are needed both Boards of Selectmen could sign a new agreement going forward. At that point there would be an opportunity to reevaluate mileage and other concerns. Once the agreement is signed it will go before the Board of Selectmen in Cheshire. Grants and funding for use of the car were detailed. It was noted that Savoy expressed interest in having support in their community but an agreement with Savoy would look different as they have no Council on Aging Director and a different government setup. *Motion made by Member Blanchard to approve the Memorandum of Agreement with Cheshire as presented, second by Member Hoyt. Vote: unanimous.*

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DEPARTMENT REPORTS

Town Administrator Report: A notice of award was signed to Titan Roofing to move forward with the Town Hall roof after a delay to evaluate alternatives. The first alternative was accepted to address the Clock Tower leaking. The total contract base was \$163,000 and work on the Clock Tower was \$47,000 for a total contract price of \$210,000. It will be started as soon as possible. Two of the most dire and difficult projects on Glen Street and East Road have been started. Construction oversight is being provided from VHB, and should be able to mobilize Monday. Glen Street is a narrow area to do drainage and the hope was to put in a larger pipe size, but water service and gas lines created a tight fit. The Glen Street hole was filled in and they are digging another hole for drainage. East Road has a steep slope and has damage to the wing wall. The Board of Selectmen will be kept apprised. Commercial Street is at 75% design and hope to have that prior to end of calendar year. There are over 100 properties involved in the Right of Way process. The Ashuwillticook Trail engineering is starting up again, and is looking for a 20% Town match as they are anticipating a million dollars in design funds for the section from Lime Street to Hodges Cross Road. It could be two to three years of Chapter 90 funds to reduce the cost. DCR will be repaving the existing Bike Trail from Lanesboro to Adams.

Town Counsel Report: An Open Meeting Law complaint was reviewed and responded to. Two Host Community Agreements were reviewed. Advice was provided and preparation and attendance of a hearing concerning a dangerous dog took place. Minutes were reviewed for the dangerous dog hearing, and a proposed letter to the dog owner was drafted. Further discussions took place with MJD counsel regarding access agreement. A meeting will take place with the Chairman of the Board and Interim Town Administrator to work on MJD.

SUB-COMMITTEE AND LIAISON REPORTS: *Member Hoyt* advised she attended the McCann School Committee meeting and there were presentations on Skills USA. She advised she toured the shops. There are changes in MCAS classifications. New designations are no longer levels one, two, three and are now changed to "not requiring assistance and intervention" or "requiring assistance and intervention. There is no information yet on how they are graded. October enrollment numbers from McCann will be available shortly and will be shared when all are received from McCann, ACRSD and BART. She advised she attended the BART essay review where participants meet with a graduating senior to review their college essay and give feedback. She encouraged Board Members to attend the BART breakfast. She advised she attended a walk through with the School District, Interim Town Administrator, a Member of the Cheshire Board of Selectmen and members of MSBA to look at the building thoroughly and review the statement of interest submitted by the School District. It is still in process, and there were over one hundred statements of interest. This will go back to their Board and before a meeting. *Member Nowak* attended the Cemetery Commission meeting and noted there are nine documented cemeteries in Adams. The Cemetery Commission will look into them and get more information from Eugene Michalenko for their history. *Member Bush* attended a Northern Berkshire Solid Waste Management District meeting. He advised he went to Real Eyes Gallery for lecture. *Chairman Duval* advised the Town received Mass DOT Small Bridge Inspection reports for the bridges in town between ten and twenty feet long. He recommended looking at creating a Capital Improvements Sub-committee as there are a number of named bridges and a lot of chutes that go through town into the Hoosic River. He listed off the names of the bridges and advised that the Inspector gave them all rankings. They will be looked at, reviewed for their integrity and a plan created for them. Work will be done with Interim Town Administrator Cesan to create the Sub-committee.

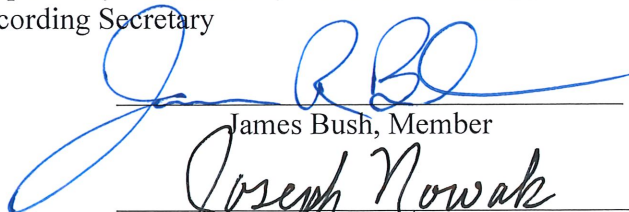
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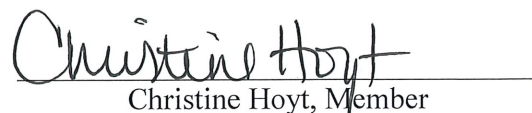
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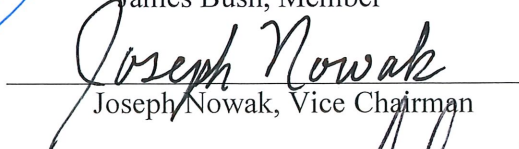
ANNOUNCEMENTS AND GOOD OF THE ORDER: *Member Hoyt* thanked Board Members for attending the Ribbon Cutting event for the Mobil Adams Express Station. She advised those interested in having an event to come forward. She thanked the volunteers that put on Ramblefest and the Greylock Ramble. 1,100 people collected certificates and there were more that participated. She announced that the Ziemba Benefit Spaghetti Supper will be held at Bounti-Fare at 4:00 p.m. on Monday and asked people to be patient and alert when driving on Curran Highway and when going in or out of Bounti-Fare as they are expecting a lot of traffic. The Police Department is working with the event organizers for the safety of the event. Bounti-Fare will serve until the last person comes through the door. *Member Bush* advised that the Berkshire Scenic Railway had approximately 1,000 riders on the weekend of Ramblefest. *Vice Chairman Nowak* advised he is staying in close contact with the Ziembas. A barn was given to the Ziembas, and a company from Adams took it apart and re-erected it on a portion of the property where the previous barns burned. He expressed a great deal of respect for those in the farming and dairy business. He advised that the Agricultural Commissioner is staying in contact with them and with Halloween coming he cautioned citizens to drive carefully because kids will be out. *Chairman Duval* advised that the Adams Community Bank will be hosting the annual Holly Days on November 25th. The tree lighting will take place at 2:00 p.m., and there will be hay rides, coffee, cocoa, and Santa arriving at 3:00 p.m. At 4:30 they light the tree at the Town Common and DPW will turn on the tree lights for the event. They have reached out to the Chief of Police and Adams Community Bank and the volunteers for this event were thanked for hosting it. The Town of Adams is looking for a donation of Christmas Trees for the Town Common and Summer Street by The Grille. He expressed appreciation for the tree donations received by people each year. He advised that mail had been received from the Alcoholic Beverages Control Commission regarding the Multiple Amendments Application for the American Legion Post #160 stating that the disposition is "No Action Taken". Administrative Assistant Dunlap will review the reasons and follow up. Information was given about 33 Crotteau Street and between Staple and Sparrow Streets reporting of flooding from overgrown trees and debris, with walls caved in. It was noted that the former Town Administrator and DPW Foreman reviewed it but action has not been taken, and the yard is now flooded, causing basement issues. It was suggested that the river be cleared at a minimum yearly. It was explained that the Town is taking care of issues at hand, and this issue is now on record. An inquiry was made whether an engineer took a look at the keystone under Jordan Street. A broad look will be taken of the neighborhood and at the drainage. A meeting will be held with the Conservation Commission. Items to be addressed are to look at emergency orders for Glenn Street and East Road, and to look at what is needed for permitting. The Board of Selectmen and the Interim Town Administrator will address this at a workshop in the future.

ADJOURNMENT: *Motion made by Member Blanchard to adjourn the meeting, second by Member Hoyt.*
Vote: Unanimous. Meeting adjourned at 8:49 p.m.

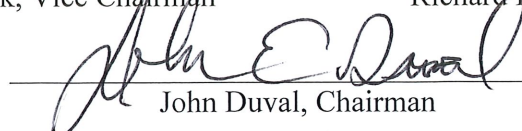
Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary


James Bush, Member


Christine Hoyt, Member


Joseph Nowak, Vice Chairman


Richard Blanchard, Member


John Duval, Chairman