

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

BOARD OF SELECTMEN MEETING MINUTES DECEMBER 12, 2018

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

PLEDGE OF ALLEGIANCE: *The Pledge of Allegiance was recited.*

CLERK

APPROVAL OF MINUTES: The minutes for the November 14, 2018 were submitted for approval. *Motion made by Member Hoyt to waive reading and approve November 14, 2018 Meeting minutes as submitted, second by Member Bush. Abstention by: Member Blanchard. Vote: otherwise unanimous.*

PUBLIC COMMENT: *There were no public comments made.*

OLD BUSINESS:

Annual All Alcohol, Weekly and Sunday Entertainment, and Common Victualer License Renewals – *Zing Financial, LLC dba Adams Ale House, 8-10 East Hoosac Street, Adams MA.* Nathan Girard, representing Zing Financial, LLC, was present. *Member Hoyt* advised this was tabled last week for clarification on questions and several names on the paperwork. *Mr. Girard* explained that the Landers were supposed to transfer the license but have not done so, and he applied for the renewal himself. He advised he reviewed reports to the Adams Ale House once a week in order to hold the liquor liability insurance. The Landers were covering the fee for renewal and providing liquor liability but they are not meeting any expectations and are ending the lease at the end of this month. He advised he is engaged in talks with another party regarding a lease but until that comes to fruition he is willing to renew as Zing Financial, LLC solely to run the business alone. It was noted in the initial license application that Mr. Girard would be there twenty-five hours a week as the License Manager. Mr. Girard advised he cannot be there twenty-five hours a week, which would be physically impossible for him, and he would be willing to amend the application. It was explained to Mr. Girard that Town Hall was contacted by a distributor because someone other than Zing Financial, LLC was attempting to order alcohol. Mr. Girard advised that he put paperwork through Attorney Michael Shepard to have Rob Williams as the alcohol manager to order alcohol but he did not bring that paperwork with him to this meeting. He noted that all CORI checks and documents went through the ABCC to have Rob Williams the manager. It was pointed out that Rob Williams is no longer there. Discussion took place regarding having a “pocket license” and the Special Legislation License for that location. Mr. Girard advised he would not open the business himself but wanted to get another lease for the business because it would take another ninety days to get a new license if it didn’t renew. He advised he is actively pursuing an individual to run the business. As he personally is not interested in running it, he advised he will either get a new tenant or liquidate the property. Board Members expressed hesitation to move forward the renewal because in March the new license application was approved for Zing Financial, LLC with the understanding that a transfer of license was forthcoming and nine months later the transfer has not come forward. It was noted that this appears to be the same situation. Mr. Girard explained that the building does not function well without a license. If renewed, Mr. Girard will need to provide updated paperwork. Mr. Girard advised he cannot run this business while heavily invested in the marijuana business in Pittsfield and Lee. It was explained that if the license renewal was granted the Board would need to meet with Mr. Girard again in six months if not before because taking it away would be a negative impact on negotiating power. It was explained that if the license goes to Zing Financial, Mr. Girard would have to hire someone to do management under Zing Financial, LLC. Mr. Girard was asked about the Temporary Inspection Certificate and he advised he will be completing these requirements.

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Board Members requested all documents to be in the Board of Selectmen office by Monday, December 17th. An update will be given to Mr. Girard on what changes are needed on the application and all Building Commissioner inspection requirements. ***Motion made by Member Blanchard to table license renewal for Zing Financial, LLC for the All-Alcohol License, Weekly and Sunday Entertainment Licenses and Common Victualer License, second by Member Hoyt. Vote: unanimous.***

NEW BUSINESS:

Facility Use Request: *Adams Memorial School Gymnasium, Andy Goyette, Pitching Practice; December 13, 2018 to March 24, 2019 – Sunday, Monday Tuesday 6-8pm; Friday, Saturday 4-6pm.* Andy Goyette explained the request for his daughter, a high school softball pitcher to work through the fall and winter to be ready for the spring season. He noted that using space in Pittsfield has been challenging. He explained that the pitching mat and net behind should not cause any issue with the floor. ***Motion made by Member Hoyt to approve facility use by Andy Goyette December 13, 2018 to March 24, 2019 – Sunday, Monday Tuesday 6-8pm; Friday, Saturday 4-6pm, second by Member Blanchard. Vote: unanimous.***

Setting Dog License Fees: *Chairman Duval* read a letter from Town Clerk Meczywor indicating the license fees currently in place. ***Motion made by Member Bush to approve the dog license fees as presented, second by Member Blanchard. Vote: unanimous.***

DEPARTMENT REPORTS

Town Administrator Report: Board Members were informed of the resignation notice from Building Commissioner Torrico, whose last day of work will be January 2, 2019. He will be using up vacation time and has been asked to work together on the transition and on finding an Interim Building Commissioner. Local Inspector Kruzel will continue but the Town will need another one. An advertisement for the position will be placed in the paper next week. It was noted that this is a critical position within the Town staff complement and the recruitment process will begin right away.

Town Counsel Report: *Town Counsel St. John III* advised since his last report he did a review of and attended a Selectmen's meeting concerning issues regarding an annual renewal request of an all alcohol beverages license, he reviewed and responded to a question concerning the use of vacation and sick pay, and reviewed and responded to a Board of Health question regarding campgrounds.

SUB-COMMITTEE AND LIAISON REPORTS: *Member Hoyt* advised that the Licensing Sub-Committee met regarding renewals and information about the licenses discussed today was communicated. *Vice Chairman Nowak* attended the Planning Board meeting where Epod was discussed. Vehement concern was expressed by one party and hopefully it can be rectified soon. A point was brought up about meeting on zoning in the community as a group. Dates in January were put together to get the ball rolling. It will be scheduled with the Interim Town Administrator's office.

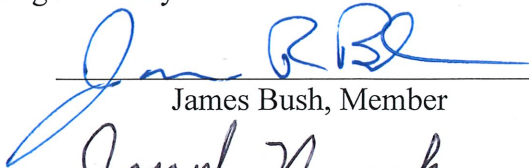
ANNOUNCEMENTS AND GOOD OF THE ORDER: *Vice Chairman Nowak* advised he walked around town on December 8th, stopped at businesses that were open and met with those that were leaving. He advised there were no bad feelings with the Town expressed. He noted he had difficulty finding out who the owners of buildings were but there are vacant areas open for rental. It was noted that Real Estate businesses have this information. It was expressed that it was nice to see young families come off the train at the Scenic Railway. *Member Bush* advised the Tinseliner Trains were full on each ride.

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ADJOURNMENT: *Motion made by Member Blanchard to adjourn the meeting, second by Member Nowak. Vote: Unanimous. Meeting adjourned at 7:55 p.m.*

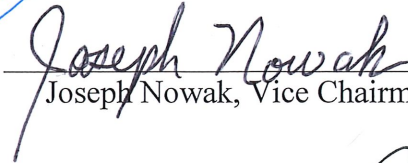
Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary



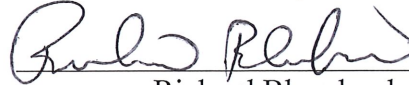
James Bush, Member



Christine Hoyt, Member



Joseph Nowak, Vice Chairman



Richard Blanchard, Member



John Duval, Chairman

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