

Meeting Minutes

Town of Adams Board of Selectmen

Board of Selectmen Meeting

August 20, 2014

On the Above date the Board of Selectmen held a meeting at Town Hall at 7:00 p.m. **Chairman Harrington** presided and present were Members **Joseph Nowak, Richard Blanchard, Jeffrey Snoonian** and **John Duval**. Also in attendance were Town Administrator **Jonathan Butler** and Town Counsel **Edmund St. John III**.

Meeting called to order at 7:00 p.m. by **Chairman Harrington**.

The *Pledge of Allegiance* was recited.

READING OF THE MINUTES

- August 6, 2014 Select Board Meeting Minutes
- August 13, 2014 Select Board Workshop Minutes

Motion made by Member Snoonian to waive and approve minutes from August 6 2014

Second by Member Nowak

Unanimous vote

Motion passed

Motion made by Member Snoonian to waive and approve minutes from August 13, 2014

Second by Member Nowak

Abstention from Member Duval

Voted in favor were Chairman Harrington, Member Nowak, Member Blanchard, and Member Snoonian

Motion passed

CITIZEN'S CONFERENCE

Public Parking

Peter Coussoule clarified that the *Jones Block* parking lot behind the building is not public parking, per the original agreement with the property owners, and wanted to be sure the Select Board was aware.

The original agreements have not been changed, and are still in place. The understanding was that the business owners had access to the parking behind the building, and there has not been a need to put up signs to date. Some signs have been put up by business owners, and they have been asked to park behind the buildings themselves to leave parking open in

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front of the building. If it becomes an issue the Town will work with business owners to help resolve it and put up signs as needed.

Idling Cars on School Street

Peter Coussoule received complaints by his tenants of cars idling on School Street, and one was the K-9 Police Unit with the K-9 inside. He requests that if the vehicle has to idle, to please have the car somewhere else because it is not good for his tenants.

Chief Tarsa reports he has already created solutions for this issue and it is taken care of.

Reconstruction of Park Street

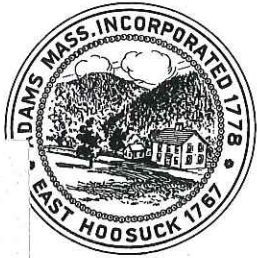
Peter Coussoule inquired if there was any additional pipework that was being done on Park Street, and if there would be any extra cost for the work. He inquired if the Town really wanted to use Chapter 90 Funds for this project and end up short somewhere else.

Town Administrator Butler reported there is not currently any gross exaggeration of the initial scope of the project, which is within the expected range. The Town Administration and the Former DPW Director had done a very good job of managing the Chapter 90 Funds which is State money for infrastructure, so the Town is in a strong position. If there was an overrun of costs related to the project there is an opportunity for the Town to go back to the Board to ask for more Chapter 90 Funds.

Park Street Construction Heavy Machinery Parking

Peter Coussoule expressed concern that there were two backhoes parked on Park Street, and initially it was said that the heavy machinery would not be parked on Park Street during the construction project. He requested that if there is a project to let the public know that equipment is going to be left on the street.

Town Administrator Butler responded that the expectation was that there would not be equipment on the street and it was left there because it cannot actually drive on the street out to the staging area. It would have to be trucked, which would increase the cost of the project. Having the equipment there a couple nights a week is making the project budget better on the taxpayers.



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Rail Trail

Peter Coussoule inquired what is happening with the Rail Trail project. He also inquired if the MA DOT purchased the Rail Line in South County.

Town Administrator Butler reported that the Rail Trail was redesigned as a result of the Berkshire Scenic Rail Project, so the original 2013 construction date was pushed out to 2015. MA DOT will be doing the construction for the Rail Trail Extension from Hoosac Street to Lime Street. The Town is working with property abutters that have to have modifications to their original easements, which will allow for both the Train and the Bike Trail within the right of way. The Town just received the modified design for the project from MA DOT in July, so the Town is moving as quickly as possible on the modifications on the easements.

Constitutional Amendment

Don Sommer requested the Select Board to consider passing a resolution to support the Constitutional Amendment that would overturn the Supreme Court's decision on *Citizen's United*. He asks that the Select Board approve the resolution to support that Constitutional Amendment.

Mr. Sommer was asked to provide the wording of the petition for the Select Board to review.

PUBLIC HEARING

OLD BUSINESS

NEW BUSINESS

Set Special Town Meeting

This was held off until a future date

Open Warrant for Special Town Meeting

This was held off until a future date



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SUBCOMMITTEE/LIAISON REPORTS

Historical Society

Member Nowak thanked the Historical Society for displaying the flag for U.S.S. Hartford Rear Admiral David Farragut Ship.

Youth Center

Member Nowak spoke with Amber at the Youth Center and noted there were over 100 kids at the center, and many are there because their parents are working. Member Nowak would like to have further discussion regarding the Memorial School in context with the Youth Center.

ADMINISTRATOR'S REPORT

Commercial Street Project

There continues to be field inquiries and frustrations regarding the Commercial Street Project. DPW Director Joe Bettis has been monitoring the project daily both the construction and the condition of the road at the close of the day. In the last week, he has required a replacement of steel plates with those of higher quality to provide more stability when left overnight. He is putting more emphasis on the quality of temporary evening paving each night and has made suggestions about signage and where it is more appropriate and visually helpful to drivers and pedestrians. If residents have issues, contact the Water District at (413) 743-0179. The Town is trying to keep the project moving so it can get done; the worst thing that could happen is to have it shut down, which will prolong it further. The Town appreciates everyone's patience and will help wherever possible with the process.

Park Street Project

There have been few complaints about the Park Street Project, and it is going smoothly. Some businesses reached out with questions about the scheduling of the work. Community Development has been posting weekly updates about the project. Thank you to the Park Street residents and drivers coming down Route 8. Maxymillian has done a great job keeping active traffic moving down Route 8 on both lanes almost all the time.

Member Snoonian reports he has personally received a lot of complaints, and he reported seeing Maxymillian employees using parking spaces on Park Street, some chased away by business owners. Businesses are running very small margins, and it doesn't take much for a bad couple of months to terminally impact their business. Member Snoonian asked the



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Police Officers on the details to remind the construction workers to park in alternative parking areas like the Visitor's Center parking lot, and not to take up the metered spots. He also asked that people continue to patronize the businesses on Park Street despite the project to show them support so they will be there after the conclusion of the project.

If businesses experience challenges like this, please give the Town Administrator's or Select Board Office a call so follow-up can be done.

Town Administrator Transition

The Department Heads have been working closely with the Town Administrator's Office and the Department Heads that need to be responsible for items right now with an interim process are aware, have the information they need, and there are a few more follow up meetings to take place until Friday. Donna Cesan is doing a great job and getting organized, arranged, and communicating with departments to outline what that procedure will be. Mary Beverly, Town Accountant is also doing a great job making sure everyone understands changes in protocol and anything else that needs to happen. The Town is in a good place and the budget is in good shape for both the current fiscal year and moving out of the fiscal year. There are challenges with the larger budget picture incorporating the schools and things that the community needs to work on. The operating budget of the Town of Adams is stable, predictable, and is meeting the service demands of the public in a cost-effective manner. The person that comes in next should be in a position to build on it.

Unions

All three of unions, Clerical, DPW and Police groups are in good standing with the Town. Management and staff are interacting very well. A picnic hosted yesterday by the Select Board had representation from all of the departments, showed a good culture and camaraderie of the group, and it is in a good place to build from. There are many challenges going forward, but the Town has a stable team working well together.

PUBLIC WORKS DEPARTMENT

Approval of Deputy DPW Director Job Description Reclassification of Cemetery and Park Superintendent Position

The *Department of Public Works* (DPW) is comprised of 19 Union Employees and 3 Management Employees. These are the *DPW Director*, the *Wastewater Treatment Plant Superintendent*, and the *Cemetery and Park Superintendent*. 10 years ago there was a *Highway Superintendent*, so there was a Superintendent of each division. That position went away when Tom Satko became DPW Director, was never replaced, and was taken out of the Town's Employee Classification.



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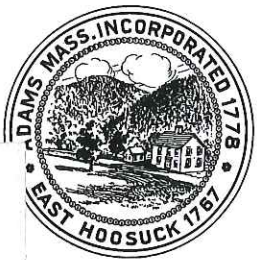
The *Cemetery and Park Superintendent*, is essentially the DPW second in command. There is no Highway Superintendent. This position keeps an eye on Cemetery and Parks work crews and daily activities, but also checks in with the Highway crews.

The *Wastewater Treatment Plant* is a separate, outside division of the DPW. It is a different group of employees, and they are off away from the rest of the DPW. It is a different type of job description. They all require very technical licenses and very different expertise. Keeping the Wastewater Treatment Plant Superintendent position in place is important, and keeping that reporting to the DPW Director and keeping it in line with the union and the budget.

This new *Deputy Director* position is the job the current Cemetery and Park Superintendent has done over the past few years and a combination of classification and pay scale that was consistent with the job description. It creates a clearer hierarchy, as there is the Director, Assistant Director, and the staff, which is comprised of foremen, operators, and crews. The Director, Joe Bettis, is a hands-on guy, and will spend a lot of hours in the field but will also spend a lot of time in the Town Hall. He will spend a lot of time in meetings, trainings, conferences, and the Deputy Director is the "in the field" guy. He will spend 2/3 of his time out in the field communicating directly with crews, handling residents' concerns, handling contractors, dealing with engineers, architects, and consultants. With a change in regime there is an opportunity to reposition the model so it reflects what is currently in practice and clarifies some of the responsibilities that the current *Cemetery and Park Superintendent* has taken on that are beyond his current job description. These two votes will create a new position, *Deputy DPW Director*, and will reclassify the *Cemetery and Park Superintendent* as the *Deputy DPW Director*, effectively putting this person into that role. This was put together by Donna Cesan, the Interim Town Administrator and Community Development Department, working with Joe Bettis, the DPW Director, and the Town Administrator. A meeting took place on Friday with the Personnel Sub-Committee to discuss this, plus it was proposed to the person currently in the position and met his approval.

***Motion made by Member Blanchard to approve the Deputy Director Job Description
Second by Member Duval
Unanimous vote
Motion passed***

Member Snoonian noted that he was concerned originally that this might have been a special arrangement made to keep the individual that had not gotten the DPW Director job happy. He met with DPW Director Bettis and was reminded that Director Bettis had wanted had outlined this position when he was interviewed for his current position. This will help enhance communication on the DPW and though he doesn't want to throw money



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around haphazardly, he is no longer skeptical. This position will make both DPW Director Bettis and the Cemetery and Park Superintendent Nuvallie more effective, as well as the DPW as a whole. Director Bettis explained that when all of the positions are in alignment, with a couple of retirements expected, it will actually save the Town money to do it this way. If it stayed the way it is, multiple people would be paid a minimal amount more to do the same job that the Deputy Director will now do by himself. The position comes with a lot more responsibility and it was not taken lightly by David Nuvallie.

Member Nowak wanted to know what the salary would be for the position. The salary is Grade 12, ranging from \$53,000 entry level to \$68,000. Dave Nuvallie would be making a parallel move from where he is at today.

Town Administrator Butler advised the performance of Dave Nuvallie proved that having someone in that capacity would be useful, and that he was the person that could handle it. Any time a new position is created or reclassified, it is a very interactive process, involving multiple department heads before it gets to the Personnel Sub-Committee. Decisions are made collaboratively and strategically. Having the Select Board sit with the DPW Director and any of the Department Heads that was involved is a healthy process.

Motion made by Member Duval to approved the reclassification of the Cemetery and Park Superintendent Position

Second by Member Snoonian

Unanimous vote

Motion passed

POLICE DEPARTMENT

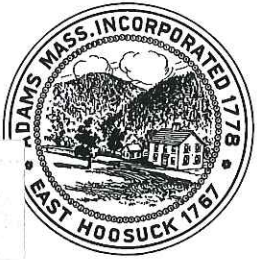
Officers in the Police Academy

August 18, 2014 Officers Dorr and Clark started the Academy in Springfield at STCC, and are expected to graduate on January 17, 2015.

Bike Helmets

A generous donation was received by Daniel Paciorek in the amount of \$250, in memory of Joe Dean, for funding for Bicycle Helmets. Hopefully this will establish a trend where others will do the same.

Chief Tarsa gave the officers gift certificates for the Rainbow Shack, and when they see a young kid riding a bike with a helmet they are stopping them, praising them for wearing the helmet, and giving them a free ice cream certificate. These are very popular.



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Church Vandalism

Chief Tarsa reports the Police Department is pursuing active leads on the vandalism. He spoke with Father Stephen from St. Thomas and Pope John Paul, and also Mike Mullaney of the Congregational Church. What was done inside the church does not appear to be a "hate crime", but appears more like opportunistic teenagers doing something totally opposite of what the building was designed for. There were satanic markings, a swastika, and other pagan and Anti-Christ markings.

COMMUNITY DEVELOPMENT

OTHER DEPARTMENTS

Tourism Department

Bike Night

Chief Tarsa spoke on behalf of Samantha Talora, Tourism Director, regarding Bike Night on September 26, 2014. Usually this event is held on Park Street, but because of the construction changes needed to be made to make it work. An alternate solution would be to change from 5:00 p.m. to 8:00 p.m. instead of 6:00 p.m. to 9:00 p.m. to keep it within the daylight spectrum. It will be from the Visitor's Center parking lot area with Depot Street, and it will be blocked off at East Maple Street. Hoosac Street from the Columbia Street intersection all the way up to Mill Street will also be used. The changes proposed will eliminate having to reroute and block off Park Street. Route 8 traffic will still flow North and South, and the change of time is due to thick foliage on Hoosac Street and having lower lighting than on Park Street. This way the event doesn't need to be cancelled.

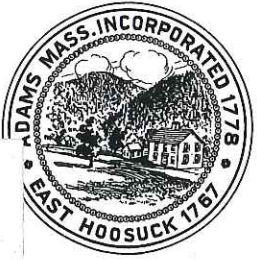
Council on Aging

MASS in Motion

Council on Aging Director Erica Girgenti and Amanda Chilson of *MASS in Motion* gave a presentation about the new *MASS in Motion* initiative. Amanda worked closely with Town Administrator Butler regarding the Adams Farmers' Market and also with Samantha Talora to help bring local healthy options to Adams. She also has been working closely with Erica Girgenti to focus on the older adults.

Walking Loops

Walking loops have been created by focus groups to map loops and routes where people could go out walking. A project grant was received for the *Mass Council on Aging*,



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specifically to focus on the design of the community for an inter-generational focus on healthy aging. A brochure was put together, including locations with benches, parks with water bubblers, and the distance marked on the map. The Ashuwillticook Rail Trail and the bus route are also marked. Visitors can come off the trail and come into the community, and eateries are noted on the loops to support local businesses. Walking loops include the *Merchant Mile*, *The Rail*, *The Greylock View*, *Cemetery Loop*, *Commercial Circuits*, and others. The loops were created with the input of the Town Administrator, Community Development Director, Committee Members, Berkshire Planning, Chairman Harrington, Amanda Chilson, and COA Director Girgenti. They were determined to be a safer place to walk due to sidewalks, flatter areas, and lighting. They are recreational and also accessible to transportation.

Walking and Biking Etiquette

Recently, an older adult was severely injured when being hit by a bicycle on the rail trail. Bright colored shirts will be walking billboards for safety and were created to help older adults walk in safety. They say "*Please warn me if passing*", and "*Loudly on your left or your right*" and "*Active Ager*" to help bicyclists know the person may be hard of hearing, and may not hear bells or people talking in a normal voice level, plus it reminds bicyclists to remember to warn those they are passing.

Donated Bikes

The *Berkshire Bike Path Council* donated 2 recumbent bicycles, helmets, and waiver forms. The bikes are being used by older adults, including a 96 year old gentleman.

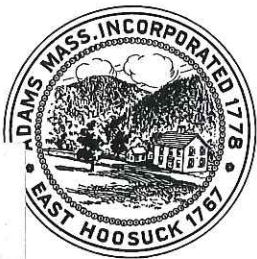
Safety Features

Other safety features that can be added as part of this project grant are orange flags to be put on the back of bikes, stickers on the sidewalk, and perhaps future signage and certain crosswalks to be painted before others.

Items on the Brochure

Specific items that will be listed on the brochure will be Town Building hours for bathroom usage, summer events and attractions on the maps. The brochures will be located at key places where people are frequenting, and the loops will have different starting points, based on these locations.

Member Blanchard noted that there are no dogs allowed on the *Cemetery Loop*, and both he and Member Nowak said it would be beneficial to highlight the Victorian homes on Summer Street and to connect with the Historical Society to put some of the more notable locations on the walking tour.



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Ratification of Per Diem Van Driver

COA Director Girgenti requested the ratification of Per Diem Van Driver, Robert Duverney. Town Administrator Butler submitted an appointment letter to the Select Board. Per Section 10 of the Town Charter, Robert Duverney will start at Grade 4, Step 1, at \$13.56 per hour, subject to passing a physical exam and ratification of the Select Board. He will work as needed to fill shifts of the two full-time van drivers. Van drivers start their shift at 7:45 a.m. and end at 3:15 p.m.

Motion made by Member Blanchard to approve the ratification of Robert Duverney to the position of Per Diem Van Driver

Second by Member Snoonian

Unanimous vote

Motion passed

TOWN COUNSELOR'S REPORT

Town Counsel St. John III reports he appeared in the housing court concerning a Board of Health matter since the last report. He met with Town Staff and completed his review of the Executive Session minutes that covered the period of March 2011 to July 2014.

The lawsuit against the Town Zoning Board of Appeals has been dismissed, leaving intact the ZBA ruling approving the Solar Array project on East Road. By agreement between the Solar Array Company and the neighbors, the project was reduced in size and repositioned.

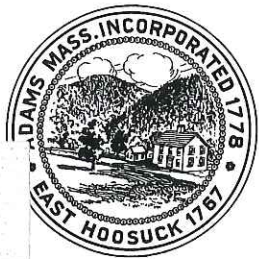
Town Counsel met with Community Development Staff regarding projects around town, reviewed contracts, insurance bonds, and performance bonds related to the Park Street and Library Projects. He did follow-up concerning the Ostrowski purchase, including the release of the escrow to ensure that was held to insure that the property was cleaned to the Town's satisfaction.

ANNOUNCEMENTS

APPROVALS

Facility Request

BArT Charter School requests use of Russell Field on Monday through Friday from September 2nd, 2014 through June 30, 2015 from 8:00 a.m. to 3:30 p.m. for fitness classes.



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Motion made to approve the Facility Request for BArT Charter School to use Russell Field as requested by Member Snoonian
Second by Member Blanchard
Unanimous vote
Motion passed

Change of Manager Application

The *Licensing Committee* was requested to approve the application of the *Firehouse Café* for a Change of Manager.

Motion to approve the petition for Change of Manager for Firehouse Café made by Member Blanchard
Second by Member Nowak
Unanimous vote
Motion passed

OTHER BUSINESS

Lions' Club Picnic and Alzheimers Association Walk

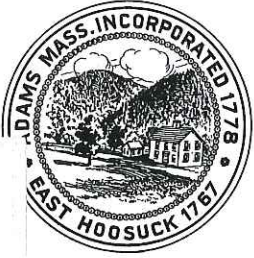
Council on Aging Director Erica Girgenti, announced that August 21st is the annual *Lions' Club* picnic from 4:00 p.m. to 7:00 p.m., and invited the Select Board to attend. 130 people will be attending as well as the *Lions' Club*. *Berkshire Tents* donated a very large tent, valued at over \$500. Town Counsel St. John and his spouse also donated gift cards for the raffle. A 50/50 Raffle and Cash Calendar will take place at the *Lions' Club* picnic. The *Alzheimers Association* will promote the Walk to Prevent Alzheimers, scheduled for September 20, 2014. The *Council on Aging* has a team, and invited those interested to walk with the COA team. The *Alzheimers Association* will give T-Shirts to walkers who raise \$100 or more.

GOOD OF THE ORDER

Memorial School

Member Nowak inquired if there would be another study expected on the Memorial School Building. He said his understanding was that there would be a follow-up study to the original study.

Town Administrator Butler advised once the Town is satisfied with the original study done by Mass Development, it would be final. The Town has the right to follow up with



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other questions and look into other details, and then to persuade Mass Development to work with the Town further. Town Administrator Butler encouraged the Select Board to speak with the incoming Interim Town Administrator, and to work with her and the appropriate Department Heads on this project.

Post Office Square Pedestrian Light

Member Nowak advised that the Pedestrian Light has been malfunctioning for far too long and something needs to be done to fix it, especially with the construction on Park Street already causing traffic backups.

Mausert Building

Member Nowak expressed satisfaction that the Mausert Building has an agreement in place between the Building Commissioner and the owners to start working on it again. This is an anchor building, and he hopes everyone will be on the same page and move forward in an orderly fashion.

Railroad Project

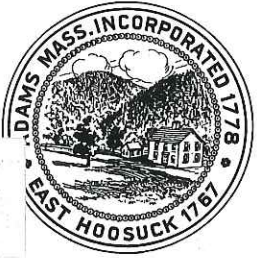
Member Nowak inquired if the delay of the Railroad project puts the Town in any jeopardy for funding.

Town Administrator Butler confirmed that there is no jeopardy, as the project remains approved for funding. It is a Department of Transportation (DOT) project and the Town has to work with them and advocate a little bit but all the funding is still in play.

Park Street Project

Member Nowak expressed concern about the digging potentially getting down to the root systems of the majestic trees in front of Town Hall. He does not want to see the trees get damaged in any way, because the trees are one of a kind.

Town Administrator Butler advised he would pass along the information, and that the Town was pretty specific with the Project Engineer and with the Contractor because the trees are considered a big part of the historical integrity of the street, and that every safeguard was in place so there was no damage to them at all. He agreed to make sure this was still being honored.



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Town Administrator Search Committee

Member Blanchard went to the *Town Administrator Search Committee* (TASC) Meeting, and they were asking for input from the community, so the next meeting will be August 26, 2014 at 6:30 p.m. at the Visitor's Center if anyone has input.

Town Administrator Departure

Council on Aging Director Girgenti, Town Counsel St. John III, Members Blanchard, Duval, Snoonian, Nowak, and Chairman Harrington thanked Town Administrator Butler for all he has done for the community, for his hard work and dedication, and the solid financial foundation that he has left the Town in. He was wished best of luck in his future.

Town Administrator Butler thanked the community for their patience and support and the experience he has had in the last 5 years to try to improve the community that he grew up in, which has been very near and dear to him. He gave special thanks to all of the Town Staff, which he noted was phenomenal, awesome, and an extremely talented group that works very hard for the community. He expressed that his replacement is in a position to be immediately successful because of the people they will be surrounded with. Additional special thanks went to the Board of Selectmen that he served under in the past, and the initial Board that "took a chance on a 27 year old kid" for this position. When he has asked for the Select Board to support and trust him and the staff, they have. In his next job Adams will always be among one of his major interests, and something he will always pay attention to.

5 Hoosac Street Gallery

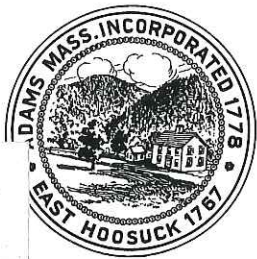
Member Snoonian reminded the public of the 5 Hoosac Street Gallery, and invited people to stop by to check it out.

Farmers' Market

Member Snoonian encouraged people to go to the Farmers' Market on Sundays, and to check out the live music that is there both during and after the Farmers' Market each week.

Louison House Shelter

Member Snoonian brought leftover food from the Town Staff barbecue to the Louison House Shelter. It is the only shelter of its kind in Berkshire County. He encouraged people to stop by and see what they are doing. The Shelter is always looking for donations. They have families, toddlers, and expectant mothers there.



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Executive Session

Item #6. to consider the purchase, exchange, lease or value of real property if the Chair declares that an open meeting may have a detrimental effect on the negotiation position of the public body.

The Select Board will go into Executive Session and will adjourn solely to end the meeting, as there will be no further business to take care of.

***At 8:30 p.m. a Motion was made to go into Executive Session by Member Blanchard
Second by Member Snoonian***

***Roll Call Vote took place with Members Nowak, Blanchard, Duval, Harrington, and
Snoonian***

Motion passed

***8:51 p.m. Member Nowak made a motion to come out of Executive Session for adjournment
Second by Member Blanchard***

***Roll Call Vote: Chairman Harrington, Member Nowak, Member Blanchard, Member Duval
and Member Snoonian***

Motion passed

Motion to Adjourn made by Member Blanchard

Second by Member Snoonian

Unanimous vote

Motion passed

Meeting adjourned at 8:52 p.m.

Respectfully Submitted by Deborah Dunlap
Recording Secretary

Deborah Dunlap
[Signature]
[Signature]
[Signature]

Andrew Harrington

Joseph J Nowak

John E Duval