

# TOWN OF ADAMS SELECT BOARD MEETING MINUTES

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WEDNESDAY, January 7, 2015 - 7:00 PM TOWN CLERK  
ADAMS MASS.

TOWN HALL, MEETING ROOM, 1<sup>st</sup> FLOOR, ADAMS, MA 01220

On the Above date the Board of Selectmen held an Executive Session meeting at Town Hall at 7:00 p.m. **Chairman Arthur Harrington** presided. Present were **Members John Duval, Joseph Nowak, Jeffrey Snoonian**, and **Vice Chairman Richard Blanchard**. Also in attendance was **Town Counsel, Edmund St. John III**. **Interim Town Administrator Donna Cesan** was absent.

*Meeting was called to order at 7:00 p.m.*

*The Pledge of Allegiance was recited.*

## READING OF MINUTES

- April 16, 2014
- September 10, 2014
- December 3, 2014
- December 10, 2014
- December 17, 2014

*Motion made by Vice Chairman Blanchard to waive the reading and approve the minutes for the April 16, 2014 meeting.*

*Second by Member Nowak*

*Abstention by Member Snoonian*

*Voted in favor: Chairman Harrington, Vice Chairman Blanchard, Member Duval and Member Nowak*

*Motion passed*

*Motion made by Member Snoonian to waive the reading and approve the minutes for the September 10, 2014, December 3, 2014 and December 10, 2014 meetings*

*Second by Member Duval*

*Unanimous vote*

*Motion passed*

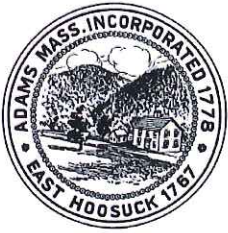
*Motion made by Vice Chairman Blanchard to waive the reading and approve the minutes for the December 17, 2014 meeting*

*Second by Member Snoonian*

*Abstention by Member Duval*

*Voted in Favor were Chairman Harrington, Vice Chairman Blanchard, Member Nowak and Member Snoonian*

*Motion passed*



# TOWN OF ADAMS

## SELECT BOARD MEETING MINUTES

### CITIZEN'S CONFERENCE

Jeff Lefebvre reminded everyone that the Supply Drive for the Homeless Veterans had only one week left and items could be dropped off at Town Hall or the Registry of Deeds.

### PUBLIC HEARING

*There was no public hearing at this meeting.*

### OLD BUSINESS

*There was no old business discussed.*

### NEW BUSINESS

*There was no new business discussed.*

### SUBCOMMITTEE/LIAISON REPORTS

**Member Nowak** reported that he had attended the Parks Commission meeting, where priorities were discussed. When the Parks Commission Chair is prepared, these items will be presented to the Select Board.

**Member Nowak** attended the Forest Service meeting and was very impressed with both the Board Members and the questions asked. He said he felt a lot of compromise will need to be made. Representatives in attendance came from many organizations, including the National Forest Service, BRPC, and Franklin County Trust. In time consensus is expected.

### ADMINISTRATOR'S REPORT

*Interim Town Administrator Cesan was not in attendance, and there was no report made.*

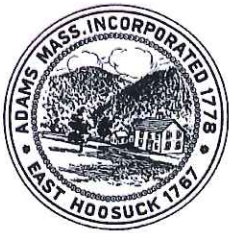
### PUBLIC WORKS DEPARTMENT

*There were no items discussed by the Public Works Department.*

### POLICE DEPARTMENT

**Chief Tarsa** introduced Gregory Onorato, a lateral transfer from North Adams Police Department, who will fill the vacancy the Town has had since August 2014. He has given 5 years of full service to North Adams and brings enthusiasm to Adams.

Gregory Onorato was welcomed and congratulated by the Select Board Members.



# TOWN OF ADAMS

## SELECT BOARD MEETING MINUTES

### COMMUNITY DEVELOPMENT

**Donna Cesan** and her staff were acknowledged and appreciated for what they do and applying for available grants.

There will be a meeting tomorrow evening at 6:00 p.m. at Town Hall regarding the CDBG Priority Projects. There is a list that highlights both existing and new projects, as well as the status of projects in progress. Select Board Members were encouraged to attend the meeting and give input.

### OTHER DEPARTMENTS

There were no reports made by other departments.

### TOWN COUNSEL REPORT

**Town Counsel** reports he reviewed and provided comment to both the Rail Trail Project and in reference to Executive Session Minutes. He also had a discussion with counsel regarding litigation.

**Member Snoonian** advised he had spoken with the Housing Authority, and asked Town Counsel if Jeff Cohen varied from his statement that he would not provide Section 8 housing, what the Town would have for options.

**Town Counsel** advised he will research this question and get back to the Select Board.

### ANNOUNCEMENTS

*There were no announcements made.*

### APPROVALS

- a. Revised Zero-Tolerance Drug and Alcohol Policy – Clerical Union
- b. MOA with Clerical Union (Contract FY2015-FY2017)
- c. MOA with Police Union (Contract FY2015-2017)

**Town Accountant Mary Beverly** and **Interim Town Administrator Donna Cesan** worked to complete these so the Select Board could go forward. The documents were substantially the same but had slight wording modifications. The Clerical Union has a second Drug and Alcohol Policy in addition to that within their contract, and this zero-tolerance portion is required by MASS Department of Transportation.





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*Motion made to approve the Clerical Union Zero-Tolerance Policy by Member Snoonian*

*Second by Vice Chairman Blanchard*

*Unanimous vote*

*Motion passed*

The Clerical Contract is a 3-year contract with a 2% increase.

*Motion made to approve the Clerical Union Memorandum of Agreement by Vice Chairman Blanchard*

*Second by Member Snoonian*

*Unanimous vote*

*Motion passed*

**Member Nowak** inquired if drug testing is done randomly.

**Chief Tarsa** advised that Department of Transportation guidelines cover random screening, and this contract may be under same precept as the Highway Department in which random testing may be done with no warning but if there is a suspicion the person will be told. Testing will probably be done at the same facility as the Clerical Union.

**Town Counsel** advised that the use of the specific wording of "probable cause" in the agreement means there would have to be a reason to suspect use.

An open container stored as evidence would not be the same as probable cause, which means the person must have indications such as slurred speech, or red and glassy eyes. Vague wording in the agreement was tightened up because of this.

*Motion made to approve the Police Union Memorandum of Agreement by Vice Chairman Blanchard*

*Second by Member Snoonian*

*Unanimous vote*

*Motion passed*

### **OTHER BUSINESS**

#### ***Cable Station Changes***

**Time Warner Cable** sends a letter every two weeks announcing what may be eliminated or changed for stations. This letter will be posted in office in case anyone interested.



## TOWN OF ADAMS SELECT BOARD MEETING MINUTES

### AGENDA ITEMS

#### ***Reuse of Goodwill Building***

There are a group of individuals interested in purchasing property in Adams who would like to meet with Zoning Board, the Building Inspector, Select Board and Town Administrator. January 14<sup>th</sup> may be a good time to have this meeting, if it can be scheduled. If there is a quorum of any of the noted boards the meeting would have to be posted.

### GOOD OF THE ORDER

#### ***Concerned Taxpayer Letter***

**Member Nowak** reported receiving a letter from a "Concerned Taxpayer" who felt there are too many police officers in this community. He said he felt if a person has an issue for the Board they should say who they are and give reasons for their feelings.

**Vice Chairman Blanchard** also received a "Concerned Taxpayer" letter and said he has responses to the concern but doesn't know who to respond to.

**Chairman Harrington** received the letter as well, and said that the concept of "Concerned Taxpayer" has a negative connotation but this is not necessarily the case. He said the Board cannot have a discussion with a person if they don't know who they are or what it is about. He encourages those with concerns to become involved, call and get on the agenda, or get involved in a number of committees that need people or town meeting members, in order to make a difference.

#### ***Bernice Madigan***

**Member Nowak** acknowledged Bernice Madigan, Cheshire Resident, who just passed away at 115 years old. He noted that she was born in 1899 during the horse and buggy era and was the 5<sup>th</sup> oldest person in the world.

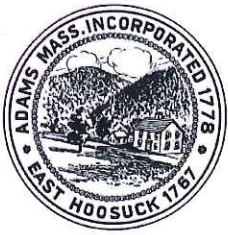
#### ***Thanks to Donna Cesan***

**Member Nowak** offered thanks to Donna Cesan for filling in as Town Administrator, and was said to have done an excellent job. She will be a good asset to Tony Mazzucco as he comes into the position.

#### ***Cordial New Year***

**Member Nowak** wished everyone a Happy New Year and expressed his hope that this year everyone would do things in a hospitable way so people can look to the Select Board for leadership. He said he hopes that if anyone has comments and meets with either the Select Board or the Town Administrator that they do it cordially.





## TOWN OF ADAMS SELECT BOARD MEETING MINUTES

### ***Elections***

**Vice Chairman Blanchard** reminded everyone that May elections are coming and if anyone is interested in serving on a committee there are vacancies. He recommends stopping by to see the Town Clerk to see what spots are open.

**Member Duval** added that Town Meeting Member positions are very important vacancies to fill, and make a difference with changing votes and bylaws. He advised anyone with outspoken views to become educated on the matter and take part.

### ***Meet the New Governor***

**Member Snoonian** advised he will be meeting the new Governor in North Adams on Saturday and plans to speak with him about the Greylock Glen. He will continue to connect with Gail Anne Cariddi as well, since the Greylock Glen is future of the Northern Berkshires.

### ***Cold Weather and Maintenance***

**Chairman Harrington** reminded everyone to make sure their animals are inside during cold weather, and to take care of sidewalks. The DPW graciously provides sand and salt at the paddock to Adams residents free of charge, with a maximum of two 5-gallon buckets each. No truckloads are allowed.

### **EXECUTIVE SESSION**

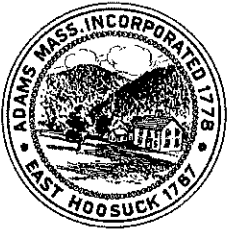
**Chairman Harrington** explained that the executive sessions this evening will be held to approve minutes from previous executive session meetings, and that they have to be approved in Executive Session in order to discuss approving them for release. The issues and subject matter are not revisited in these meetings.

*#2. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;*

*#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 negotiating position of the public body;*

*\*Cancelled – paperwork was incomplete*

*#9. To meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that:*



## TOWN OF ADAMS SELECT BOARD MEETING MINUTES

- i. Any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and
- ii. No action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session

***Motion made by Vice Chairman Blanchard to enter into Executive Session for Reasons #2 and #9***

***Second by Member Snoonian***

***Roll Call Vote – Chairman Harrington, Vice Chairman Blanchard, Members Duval, Nowak, and Snoonian***

***Motion passed***

### **ADJOURNMENT**

***Motion made to adjourn by Member Snoonian***

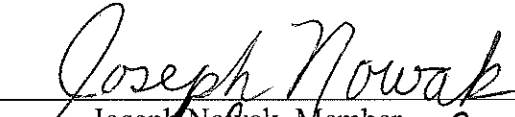
***Second by Member Nowak***

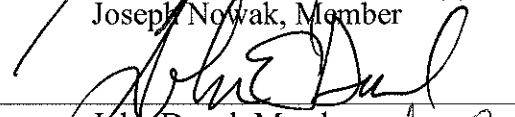
***Unanimous vote***


***Motion passed***

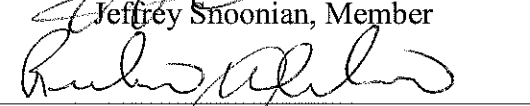
***Meeting adjourned at 7:43 pm***

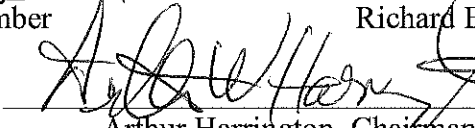
Respectfully Submitted by Deborah J. Dunlap,  
Recording Secretary.

  
Joseph Nowak, Member

  
John Duval, Member

  
Jeffrey Snoonian, Member

  
Richard Blanchard, Vice Chairman

  
Arthur Harrington, Chairman