

TOWN OF ADAMS

SELECT BOARD WORKSHOP MINUTES

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Board of Selectmen Meeting

February 25, 2015

On the Above date the Board of Selectmen held a Workshop Meeting at Town Hall at 6:30 p.m. **Vice Chairman Richard Blanchard** presided. Present were **Members John Duval, Joseph Nowak, Jeffrey Snoonian** and **Town Administrator Tony Mazzucco**. Also in attendance were **DPW Director Joe Bettis** and **WWTP Superintendent Joe Fijal**. **Chairman Arthur Harrington** arrived at 6:42 p.m.

Meeting called to order at 6:32 p.m. by Vice Chairman Blanchard.

OFFICAL BUSINESS

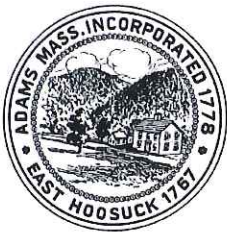
BRPC Discussion on Upcoming Stormwater Regulations

Member Duval advised BRPC has been talking about Stormwater Regulations and the fact that they will impact Adams. He introduced Melissa Provencher, who spoke with the Board to inform them about the timing, the impact both with manpower and financially that it will have on Adams as it is implemented.

Melissa Provencher gave the Board an overview of the Stormwater Regulations, and what requirements the Town will have to meet. She advised once regulated, the Town will need to obtain coverage under the general permit that the DEP and EPA finalize. The first step is to submit a notice of intent and to prepare a Stormwater Management Plan. The plan needs to address 6 minimum control measures. The Massachusetts permit draft has been released for public comment and is expected to be finalized by the end of this calendar year or the beginning of 2016. The permit will go into effect 6 months after it is published, which will kick off a chain of events which need to be accomplished. The notice of intent will have to be filed within 90 days of the published time. The Stormwater Management Plan would need to be completed within 6 months after the permit goes into effect, or 1 year after publication.

The 6 minimum control measures that need to be addressed with the notice of intent and Stormwater Management Plan and the activities conducted after that are

1. Public education and outreach
2. Public participation and involvement
3. Elicit discharge protection and elimination
4. Construction site runoff
5. Post-construction runoff
6. Pollution prevention good housekeeping



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Public Education and Public Participation will require the Town to deliver 8 messages to 4 audiences; 2 messages to each audience. The same message cannot be delivered to the same audience in the same year. The Town will need to create a proposal for how to evaluate the effectiveness of the education program and adjust it to improve its effectiveness, and report it back to the EPA in annual reports.

Elicit Discharge Detection and Elimination will require an ordinance or by-law to be developed. An inventory will need to be developed, identification of responsibility, map the system, rank the catchments, develop a written elicit discharge detection and elimination program, track the project, and conduct wet and dry weather screening.

Construction Site Runoff requires an ordinance or by-law to be created, site inspection procedures, sediment control, requirements to control waste, and site plan review.

Post-Construction Runoff requires an ordinance. The Town must retain and retreat the first inch of runoff for any project that is greater than or equal to one acre. Street design and parking requirements will need to be evaluated within three years and incorporate or evaluate the Town's ability to incorporate green infrastructure and the ability to use rain gardens, rain barrels, cisterns and other items. The Town will be required to track impervious areas to estimate the increase or decrease in each year. Zoning assessments every 4 years are required and all other reports are required annually to the EPA.

Pollution Prevention Good Housekeeping measures are required with operation maintenance procedures, catch basin planning, street sweeping, and development of a Stormwater Pollution Prevention Plan, separate from the Stormwater Management Plan.

Some of this has already been started in Adams through grant funds, but the rest needs to be worked on to prepare for implementation. Nothing is grandfathered and all non-compliant issues need to be addressed. In 2003 the permit went into effect for Phase 2, which affects Adams. Since then a new census came out and urbanized areas have been identified. This is an unfunded mandate, requiring already financially strapped communities to come up with millions of dollars needed to implement these requirements. A letter is being submitted by BRPC to outline this substantial financial burden on communities, and will be sent to the representatives as well. They plan to include suggested alternative measures to be employed to reasonably handle the burden. Those not making an effort or not in compliance will receive fines as high as \$150,000, so the Town has to make an effort to show it is incrementally striving to come into compliance. Any communities that were given a waiver for having under 10,000 people will be required to comply and BRPC is doing what they can with their resources to help. They are currently looking at which communities may have an argument for getting a waiver, hope to have a discussion with the DEP and EPA to entertain the possibility of



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giving certain areas a waiver, but don't anticipate knowing this result for at least a year. BRPC is encouraging towns to start appropriating small amounts of funds for FY16 and FY17 to comply with the Stormwater Management Plan. December is the next round of grant money and BRPC can look into state funding and local funding assistance to see if a few dollars can be squeezed out to help fund this enormous project. Dalton is currently budgeting \$10,000 per year in their budget to manage it.

Pittsfield is currently working within the requirements and doing its best to comply. BRPC is working with Dalton to establish a Stormwater Management Commission, and is assisting Lanesborough with reporting. They have recently been contacted for assistance by Cheshire as well. A regional approach may help find cost savings for multiple communities. It was suggested that local community tracking of costs incurred with these compliance requirements should take place.

Member Snoonian advised he would reach out to local representatives regarding this after reviewing the literature on it.

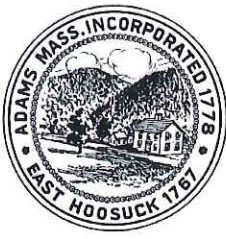
DPW Director Bettis estimated it would cost at least \$100,000 annually to comply with the requirements. The Stormwater Management Plan was initially done in 2005, but urbanized areas don't seem equal. Grass clippings in the road go into the catch basin and nitrogen is a big concern.

Wastewater Treatment Plant Superintendent Fijal inquired what the problem was that was trying to be solved. He said if the Town has no fish floating, oil slicks, or algae blooms then the town should be given a waiver.

Melissa Provencher added that river segments such as Hoosic River and its tributaries would be listed for bacteria. Most of the other communities affect the Housatonic, draining into and adding to the total maximum daily load for Long Island Sound. These communities will have additional requirements to comply with for nitrogen loads.

Public Discussion on Meals and Lodging Tax

Town Administrator Mazzucco gave an overview of the meals and lodging tax. The Chairman of the Board and the Town Administrator visited as many businesses as they were able and sent letters regarding this topic to those they were unable to visit. The proposed tax would be the Town's choice to implement, and would add $\frac{3}{4}$ percent to the current meals tax. The State would remit that amount back to the town. The Local Option tax is currently being used by Williamstown, Lanesborough, and other local towns. If the Town receives this revenue stream it could become a permanent source for economic development. Lodging Tax is similar to Meals Tax, and is already being collected from the consumer. People in Adams are not likely to stay in lodging in Adams.



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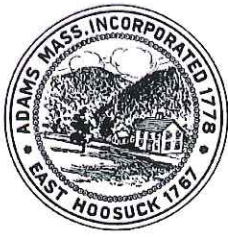
Local business owners addressed the Board with their concerns.

Dennis Knapp of *Chick's* referenced the letter he received that said the Town would expect \$80,000 in additional revenue if this tax was implemented. He said he did the math and the Town must make \$10 Million in sales in order to achieve this amount. He noted that he was against the increased tax, and he felt that the Town was taxing people who cannot afford any more taxes.

The numbers were provided by the State from revenues reported by Adams businesses from taxes paid on food sales. A few more cents in meals tax will ease the burden to those who live here. There is a loyal following of restaurant customers in town, and less than 1 cent on the dollar will not likely turn away patrons.

Tony Scieszka of *Turn Hall* expressed concern that taxation is getting out of hand since wages don't go up but bills do. He said the forefathers of the town nonchalantly raise taxes to offset incomes but businesses in town are struggling. He said the Town should try to make the Greylock Glen sustainable and develop it but he felt Adams is pre-emptively striking to raise taxes before any developers are interested. He said he doesn't feel he should have to pay for the mistakes of other business owners who have not made good choices in the past. Mr. Scieszka also noted that he saw there would be layoffs of town employees but also an increase in taxes and didn't understand how this was happening. He suggested the Town combine services using one administrative person to support several departments as a solution. He said just because the Town is a municipality it doesn't mean they can raise taxes to offset their budget.

Adams has given businesses TIF agreements in the past and is not much different than any other town in New England. Taxes are high, but there are a number of services given to the community as a result, such as elder services. Cynicism in the community is hurting it. Improved transportation networks and tourism could bring more people into the community. Reviewing the State website will show that though the rate is high, the column for the average tax bill puts Adams at the bottom. The \$80,000 in proposed revenue would likely fund advertising to support local businesses including hiring a position for economic development for the Town as a whole. No decision is made until the Town sees if it passes through the Board first, and then through Town Meeting. Over 40% of communities in state have the increased meals tax. There is no retooling of cash registers or business equipment needed to handle an increase in meals tax. The current State meals tax is .0625.



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Eric Pizani and **Nathan Girard** of *Adams Ale House* said anytime they change their prices by a few cents people complain on the internet and it affects the bottom line of their business. They noted that businesses in Adams are surviving but not thriving and they felt the meals tax increase would impact business and perhaps push some to close their doors. They said they are against the tax increase but if there had to be a tax they would prefer a property tax increase instead. Since the year 2000 37 restaurants in Adams have closed for various reasons. There are currently 24 restaurants in Adams. Their POS system manages inventory and the added tax would require edits to 2700 restaurant items. They don't want to pass on additional tax costs to the consumer, and the meals tax is targeting a fragile industry which is not strong enough to support it. They shared research they had done and said larger communities like Worcester and Milford had added the tax increase but local business owners said they felt it was detrimental. They said if they felt some direct benefit from the revenue generated it may be more palatable, but this tax would target only one industry. If it targets one industry that industry should get the return investment. The margins are at 2% to 3% and they cannot afford to lose customers.

If the State raised the tax instead of the town there would be no difference. In this case the revenue benefits the Town, not the State. The Town is trying to help businesses to come in and doesn't want to target one industry. If the Town continues the same direction it is going there will be more of a burden with taxes for the community with less services and businesses. More businesses will close and the tax rate will go up. If this tax goes forward the \$80,000 in revenue would be reinvested back into helping market current businesses to make them better and to help lower the tax rate. The Town is not anti-business, and this money could also be used to help market the Greylock Glen. The Town is doing what it can to help reduce the tax rate.

Dan Paciorek of *The Grille* said he was in support of the tax because it will help the Town. If distributors increase pricing they have no control over that and will have to pay it anyway. He said if people feel comfortable in the business they will come back if treated well. The meals tax was brought up in the past, makes sense and will help the town.

Tom Rotolo of *Rascal's* said the tax increased to 6.25 percent a few years ago and now the State is raising minimum wage. The electric bills went up, liquor license fees went up twice in 7 years and a lot of things keep increasing amounting to zero profit. He said he is against the tax increase and in his opinion if the price changes in Adams it will hurt businesses until everyone else follows suit. Small businesses serving food and beverages are impacted and liquor liability insurance requirements are financially hurting businesses, so the Town should not think they can afford it, with other increases coming.



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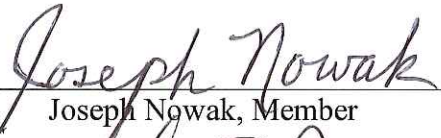

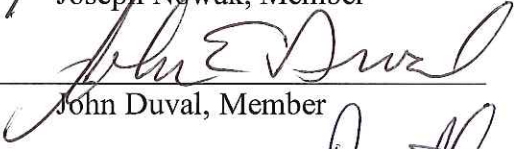
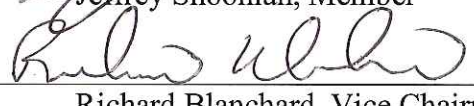
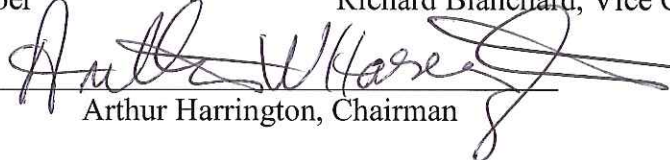
Vice Chairman Blanchard noted he had received a letter from **Rick Solomon** from *Izzy's Diner* indicating he also was against the increase.

The public was thanked by the Select Board for coming to express their concerns and opinions.

Motion made by Member Snoonian to adjourn
Second by Member Duval
Unanimous vote
Motion passed.

Meeting adjourned at 8:23 p.m.

Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary.

 _____ Joseph Nowak, Member	 _____ Jeffrey Snoonian, Member
 _____ John Duval, Member	 _____ Richard Blanchard, Vice Chairman
 _____ Arthur Harrington, Chairman	