



TOWN OF ADAMS

SELECT BOARD MEETING MINUTES

WEDNESDAY, April 15, 2015 – 7:00 PM
TOWN HALL MEETING ROOM, 1st FLOOR, ADAMS, MA 01220

On the above date the **Board of Selectmen** and held a meeting at the **Adams Town Hall** at 7:00 p.m.

Chairman Arthur Harrington presided the **Select Board Meeting**. Present were **Members Joseph Nowak, Jeffrey Snoonian, John Duval**, and **Vice Chairman Richard Blanchard**. Also in attendance were **Town Administrator, Tony Mazzucco** and **Town Counsel, Ed St. John III**.

The Select Board Meeting was called to order at 7:00 p.m.

The Pledge of Allegiance was recited.

A Moment of Silence was observed for the 2nd Anniversary of the Boston Marathon Victims.

READING OF MINUTES

- March 18, 2015
- March 25, 2015
- March 26, 2015

*Motion made by Member Snoonian to waive the reading of the minutes and accept them as written
Second by Vice Chairman Blanchard
Unanimous vote
Motion passed*

CITIZENS' CONFERENCE

Maple Grove Civic Club

Jeff Lefebvre of Precinct 2 announced that the Maple Grove Civic Club meeting will be held on Sunday, and the public is welcome to meet candidates for public offices.

Budget Process

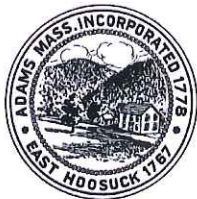
Jeff Lefebvre said there was confusion about the Finance Committee meeting on Monday, and people read the newspaper and don't understand what is going on. He requested the Town Administrator explain to the public what the next steps are for the Budget process.

Memorial School

Jeff Lefebvre suggests doing an RFP on the Memorial School. He said he will call the State to take a look at it to see if it is worth putting the money into it, since he had not gotten a clear answer on whether or not the building is structurally sound.

Town Administrator Mazzucco advised there is an RFP moving forward with the Memorial School and the Town is working to get grant money for it to sublet it. He noted that there are some developers showing some interest, so he is going down several paths at once.

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15 MAY 12 PM 2:28
TOWN CLERK
ADAMS, MASS.
CLERK



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NEW BUSINESS

Acceptance of M.G.L. Chapter 32b, Sections 21 – 23

Berkshire Health Group would like to move to *M.G.L. Chapter 32b* to lower the cost of health insurance for communities without affecting coverage. Municipalities and schools share the challenge of having high costs, and high splits. Last year there was a 10% increase and this year a 15% increase. *Berkshire Health Group* suggests the solution would be to have a contributory group for counties, cities, towns, districts and their dependents.

Town Counsel advised he had read it, and also what other towns have done when accepting M.G.L. Chapter 32b, and this has been done historically in the past at Town Meeting.

Town Administrator Mazzucco advised this acceptance doesn't alter anything but allows discussions to take place about plan changes, and creates a future opportunity for the Town to meet with bargaining units to talk about plan changes outside of the contract. The State has to make plan changes, and every year plan changes are necessary for the Affordable Care Act or to accommodate Federal or State adjustments. This agreement puts in place the mechanism for discussion, and is a long, convoluted process. It will have no impact on FY2016.

There is a process under the law where a Public Employee Committee (PEC) is formed to bargain with the Unions for health insurance changes. The Municipality meets with representatives from all of the bargaining units, and as a group they bargain for plan design changes. There would be retiree representation on the committee and has a 10% vote. The law requires that any savings thereof be split evenly between the parties. The Town may or may not go with the complex PEC process, but it allows it to be formed if desired.

Motion made by Vice Chairman Blanchard to accept Acceptance of M.G.L. Chapter 32b, Sections 21–23 for the Town of Adams

Second by Member Snoonian

Unanimous vote

Motion passed

Setting the Town Election

Chairman Harrington read a letter by *Haley Meczywor, Town Clerk*, informing those qualified to vote in elections of **Elections** at Precincts 1, 2, 3, 4, and 5 of voting to take place at the **Town Garage, 92 North Summer Street** beginning **7:00 a.m.** and ending **7:00 p.m.** on **Monday, May 4, 2014**. This was posted on April 15, 2015. There are a few Town Member elections that are contested, and one Cemetery Commission position. There may be some write-in campaigns.

Motion made by Vice Chairman Blanchard to approve Town Election on Monday, May 4, 2015 at 92 N. Summer Street, Adams Highway Garage, from 7:00 a.m. to 7:00 p.m.

Second by Member Duval

Unanimous vote

Motion passed



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Appointment of Temporary Town Clerk

Chairman Harrington read a letter from *Haley Meczywor, Town Clerk*, asking the Select Board to appoint a *Temporary Town Clerk* under the provision of *MGL Chapter 41*, during the time the Town Clerk is up for re-election. The Temporary Town Clerk shall be sworn in by the Chairman of the Select board. It was recommended to appoint *Timothy F. Rowley* as *Temporary Town Clerk* to perform the duties for the upcoming Election Day.

Motion made by Vice Chairman Blanchard to appoint Timothy F. Rowley as Temporary Town Clerk for Monday, May 4, 2015

Second by Member Nowak

Unanimous vote

Motion passed

SUBCOMMITTEE/LIAISON REPORTS

School Committee

Member Nowak attended a somber *School Committee* meeting. A number of layoffs will be taking place, but it still must go before Town Meeting Members for a vote. He thanked everyone who put forward their thoughts, whether pro or con, because having this input helps to make better informed decisions.

Cemetery Commission

Member Nowak attended the *Cemetery Commission* meeting. The *Greylock Glen* will be taken care of two times each week with Trial Court services to mow, take care of toilets and do other things necessary to keep things going. They are a valuable asset in Berkshire County, and do a good job.

Parks Commission

Member Nowak attended the *Parks Commission* meeting. The fields are being used to the maximum and the Town still has good youth leagues and the Parks Commission is doing their job well.

Roundabout Project

Member Snoonian will be attending the preconstruction meeting for the Route 8 Roundabout Project tomorrow so construction will begin soon.

TOWN ADMINISTRATOR REPORT

Town Budget

Town Administrator Mazzucco advised that the Community is facing fiscal challenges, such as how to adequately fund the school system. If the community feels that the Town needs to fund the school system at the level requested, the only option is to consider a Proposition 2 ½ Override. The validity of the request is not out of line, but the feasibility of making it happen is a challenge. He said the community is urged to consider the fiscal realities being faced. Shifting \$350,000 in expenses from one side of the community's balance sheet to the other, while ignoring the structural deficit that exists, is going to create the same situation next year, a situation which causes him great concern.



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Based on the projected need and the school district budget, there will again be a deficit exceeding several hundred thousand dollars, on top of further cuts being projected for next year at the Municipal level. No problems would be solved, and the same problem would be faced again in FY2017, FY2018, FY2019 and FY2020. The community needs to find a solution for those years as well, rather than give false hope to parents and teachers that all will be well after this year. The Municipal impact of shifting expenses from one side of the balance sheet to the other would be about 6 full-time job losses in addition to the 4 already cut this year. Doing this a second year in a row would result in roughly a 30% workforce cut in just 2 years. A third and fourth year of the same cuts would result in a Municipal workforce of roughly a third of its current size, permanent loss of services, and would only lead to further fiscal ruin. The Town will run out of employees to lay off and the schools will still be in the same situation, without enough money to adequately provide a good education. Shifting a shrinking pie to solve a long term structural problem is ignoring the fiscal reality the Town is facing. An Override is realistically, fiscally the only way to fund the school system at the level needed. Otherwise, the Town will be permanently shutting down sections of the community with no hope that they will come back. He advised that making decisions that benefit the community today will place a burden on future generations; the burden of maintaining the community and educating our children should fall on us today, and not on future generations. Planning for only today and not the future has led the Town and almost every community in Berkshire County, to where it is currently. Continuing to operate in this pattern will only lead to the same results.

Chairman Harrington said social media has created a rift, dividing the community between the municipality and the schools. The Board doesn't want to see this as a "we versus them" and everyone is in this together, sharing it. Those criticizing the process on Social Media were invited to Citizen's Conference to express their frustrations directly to the Board, and also to create ideas and solutions. The municipality has been depicted as not taking their share of the cuts, and the Town Administrator was asked to explain how much was cut from the proposed budget that came to his desk until it was proposed to the Select Board.

Town Administrator Mazzucco explained that the first budget was presented to him by Department Heads, and included no additional positions, increased services or service levels. It was just shifts in the operations budgets and increases in fixed costs, and was a half million dollar deficit. He pointed out that he closed that deficit by cutting \$500,000 from the municipal budget before he presented it to the Select Board, making hard cuts, and eliminating 4 full-time positions. These positions were well over \$200,000 in expenses. The Town cut retiree healthcare, cleaning services, and \$100,000 out of the operating budgets, from vehicle maintenance at Public works to office paper. Expenses were reduced in every department and were not cuts of proposed programs or positions, but were cuts from last year's expenses of approximately \$500,000 of a \$9 Million Budget.

It was noted that all communities in Berkshire County are seeing the costs of insurance becoming increasingly harder to budget. The State is also issuing fiscally unrealistic unfunded mandates and then fines for noncompliance.

The *Finance Committee* voted to support the Town Budget but did not support the Selectmen's vote on the school appropriation. The Selectmen's Warrant will be presented to Town Meeting with the budget that the Select Board voted on with the school number that the Select Board appropriated.



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The recommendation by the Finance Committee would be "no recommendation". There will be a separate article for the additional amount requested by the School Committee, contingent upon a Proposition 2 ½ Override. This is the recommended process by the Division of Local Services. Citizens' Petitions and changes on the floor of Town Meeting are possible.

There will be a Town Meeting Workshop several weeks before Town Meeting for new members to get acquainted with Town Meeting, and to go over the Warrant processes, but not to debate any Articles of the Warrant. This will clarify what a **Yes** or **No** vote means, and will avoid complications and misperceptions of what is being voted on. There will be additional clarification provided for Town Meeting. Town Administrator Mazzucco will be meeting with the School Committee Chair, ACRSD Superintendent Gordon, and Chairman Harrington over the next few weeks to have a discussion about Town Meeting to make sure everyone understands the process so there aren't any procedural errors made that could lead to later issues.

Town Administrator Mazzucco clarified that the perceived rift between the municipal and the schools is not at a professional level between the Superintendent and Town Administrator offices, or at the leadership level of both organizations. He recommended that Adams could start dialogues with other areas to talk about school consolidation in Berkshire County. He offered to host meetings and invite parties from all over the county and to start discussion as a county or region.

Consensus was reached by Select Board Members to go forward with this process.

Chairman Harrington pointed out that even with the budget the School Committee is asking for, the Town is just treading water and is going backwards by losing positions and services. Consolidation and growth will help with creating a bigger tax base. The State will not fully fund transportation and Special Education Departments for schools. He said it is important to understand the consequences of what happens and that it is time to do something different.

If the Town of Cheshire doesn't approve the school budget it is null and void. Both communities have to approve.

Intermunicipal Agreement

Town Administrator Mazzucco spoke with representatives of the *Fire District* about the Intermunicipal Agreement, and they would like the Town to go forward with the agreement and forego any payment. The agreement is needed for legal and liability reasons, and will be on the Warrant for Town Meeting.

DEPARTMENT OF PUBLIC WORKS

Executive Summary for Seasonal Employees

Deputy Director David Nuwallie gave recommendations for Seasonal Employees after conducting interviews. Due to the volume of work and the *Greylock Glen* all of the 11 people on the list are needed.



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Motion was made by Vice Chairman Blanchard to ratify the DPW Seasonal Employees appointments

Second by Member Duval

Unanimous vote

Motion passed

POLICE DEPARTMENT

Prescription Medication Roundup

April 25, 2015 from 10:00 a.m. to 2:00 p.m. the Hazardous Waste Roundup of prescription medications will take place. In October, 47 pounds of medications were collected and were disposed of properly. He recommends medications be left in their original prescription bottles, and they will be brought to Covanta for destruction. Needles and sharps should be put into an empty soda bottle with the cap duct-taped in place. There is a kiosk in the Police Station all year for sharps disposals.

TOWN COUNSEL REPORT

Town Counsel, Attorney St. John III reported he had researched a zoning question and provided a response. He attended meetings with Town Staff concerning various matters. He received, reviewed and forwarded the proposed *Intermunicipal Agreement* between the Town and the Fire District and forwarded the amended Agreement regarding the latest changes. He attended the Select Board meeting on April 8, 2015 to discuss the proposed Intermunicipal Agreement. He reviewed and responded to concerns regarding violence at or outside local bars, and he reviewed a potential Article for Town Meeting consideration.

Chief Tarsa was asked to clear up misinformation being shared in the community. If needed, Chief Tarsa would request a meeting of the Licensing Subcommittee. The Licensing Subcommittee would review the information with the Chief and make a recommendation to the full Board regarding any action necessary. When a meeting is done with the full Board, it must be posted so the bar owner would be able to be present for questions or information. The Chief would address any criminal complaints with the courts before bringing it to the Licensing Authority.

Chief Tarsa advised he cannot discuss an ongoing investigation. He advised he held a meeting with all 13 bar establishments with alcohol and entertainment licenses and addressed numerous concerns with them. He explained the Licensee has an obligation to work with law enforcement. He invited Board Members to speak individually with him with any questions they have. Chief Tarsa mentioned he has received numerous complaints and those living in a neighborhood with a bar need be tolerant. The neighborhood residents also have rights, which he addressed with the establishments. The Chairman of the Select Board and the Town Administrator were invited to the meeting to hear the same information and prevent miscommunication.

ANNOUNCEMENTS

Special Town Meeting

Special Town Meeting will be held on **April 30, 2015 at 7:00 p.m., at C.T. Plunkett School.**



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APPROVALS

Facility Use Request for Bike Safety Day

A Facility Use Request was received from the Council on Aging and the Police Department to use the Visitor' Center on **May 16, 2015** for ***Bike Safety Day***, from **10:00 a.m.** to **12:00 p.m.** This will kick off *Bike Safety Week* and Police Officers from the Bike Patrol will be there to check bicycle helmets and do overall safety checks on bikes.

Motion was made by Member Snoonian to approve the Facility Use of the Visitor's Center by COA and the PD on May 16, 2015 from 10:00 a.m. to 12:00 p.m. for Bike Safety Day

Second by Member Duval

Unanimous vote

Motion passed

Traffic Commission Recommendations

The Traffic Commission recommends the following be approved:

15-Minute Parking – Installation of two 15-minute parking spaces in front of Chaput Variety, 97 Summer Street, to alleviate problems with non-patrons parking in front of Chaput Variety and will allow patrons to run in and out. The same is in place for Val's Pipe & Package.

No Commercial Vehicles Allowed – Install signs on Winter Street, due to several Tractor Trailer Trucks jack-knifed on the hill.

Stop Sign – Placement of a Stop Sign on Walnut Street because there is a sign on one side of the street but not on the due to hedges. The landscaping is different now, so the sign is needed for safety.

15 Minute Parking – Remove signs from Traffic Regulations for specific Summer Street and Commercial Street locations

Motion made by Vice Chairman Blanchard to approve all recommendations by the Traffic Commission

Second by Member Snoonian

Unanimous vote

Motion passed

GOOD OF THE ORDER

Illicit Drugs

Member Nowak noted there was a woman and her son arrested in City of North Adams for selling heroin, and that heroin is getting into the schools. He said with this happening so close to Adams he is glad they were caught and he hopes the Police Force keeps an eye on the drug problem because it ruins lives and families.



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EXECUTIVE SESSION

#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;

Motion made by Vice Chairman Blanchard to enter into Executive Session

Second by Member Duval

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

Motion passed

The Select Board entered into Executive Session at 8:05 p.m.

ADJOURNMENT

Meeting Adjournment by Select Board

Motion made by Vice Chairman Blanchard to adjourn the Select Board meeting

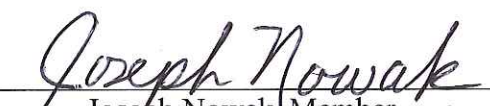
Second by Member Snoonian

Unanimous vote

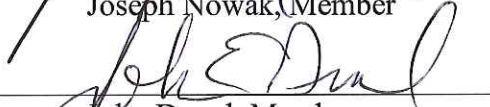
Motion passed

Select Board Meeting Adjourned at 8:25 p.m.


Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary.



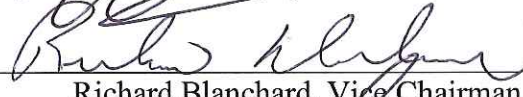
Joseph Nowak, Member



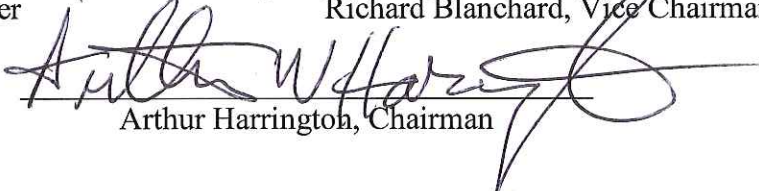
John Duval, Member



Jeffrey Snoonian, Member



Richard Blanchard, Vice Chairman



Arthur Harrington, Chairman