



TOWN OF HADLEY
SELECT BOARD
March 07, 2012
Meeting Minutes

Meeting convened at 7:00p.m., Room 203, Town Hall.

Present: Joyce Chunglo, Gloria DiFulvio, Daniel Dudkiewicz, David Moskin and Brian West (Chair).

Absent: None

Also in Attendance: David Nixon (Town Administrator); Peg Jekanowski (Administrative Assistant); Richard Trueswell (TV-5); Dennis Hukowicz (Police Department); Gary Girouard (DPW); Molly Keegan, Robie Grant (School Committee); Humera Fasihuddin, James Lee, Matthew Corcoran, Hyunkyung Kim, David Yi, Ben Storrow (Daily Hampshire Gazette)

Approval of Minutes: A motion made by Joyce Chunglo, seconded by Dan Dudkiewicz to approve the Select Board minutes from February 15, 2012 passed unan. with a vote of 5-0-0. A motion made by Dan Dudkiewicz, seconded by Joyce Chunglo to approve the Executive Session minutes from February 15, 2012 passed unan. with a vote of 5-0-0.

Approval of Warrants:

A motion made by Dan Dudkiewicz, seconded by Joyce Chunglo to approve Payroll # 67, 69, 71 and Warrants # 36, 36S, 36A, 38, & 38S passed unan. with a vote of 5-0-0.

7:05 PM Appointment – Hearing: Hyun Jin Enterprises dba Gohyang Korean Restaurant – Application for On Premise Wine and Malt License

Representatives from Hyun Jin Enterprises were present to answer questions from the Board regarding their application for an on premise wine and malt license for Gohyang Korean Restaurant. Chief Hukowicz stated that he did not want to comment on the application as he owns property adjacent to the restaurant, but he did state that there are no legal issues with the restaurant. Joyce Chunglo stated that the Town currently has 3 open licenses for On Premise Wine and Malt only. Dan Dudkiewicz asked how long the restaurant has been in business in the current location, the answer was just under 8 years. *Joyce Chunglo made a motion to grant an On Premise Wine and Malt License to Hyun Jin Enterprises, dba Gohyang Korean Restaurant, motion was seconded by Gloria DiFulvio and passed unan. by a vote of 5-0-0.*

Old Business

2. Remote Participation in meetings (taken out of order)

The Attorney General has made revisions to the Open Meeting Law and there was formerly ambiguity regarding remote participation in meetings throughout the state. The AG has promulgated regulations that allow for remote participation, the first step is for the Select Board to vote to allow remote participation and stipulate in what situations remote participation would be allowed. Discussion ensued regarding pros and cons of remote participation, and whether there is “full participation” when someone is on speaker phone or on participating via “Skype” or other method. It was discussed that it may be helpful, especially in an emergency situation. The Board asked Mr. Nixon to research the AG Regulations in depth and come up with some possible language that would be relevant to the Town of Hadley.



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New Business

1. Application for APR Program – Walter & Janet Wanczyk Farmland in historic Great Meadow. (Map 4G Parcel 25)

Joyce Chunglo made a motion, seconded by Dan Dudkiewicz, to approve the APR application for Walter & Janet Wanczyk Farmland in historic Great Meadow. (Map 4G Parcel 25). Motion passed unan. by a vote of 5-0-0.

2. Request for electronic speed limit displays on North Lane approaching the West Street turn

The Board reviewed a letter received from a Town resident Patricia Brill from 1 West Street, requesting an electron speed limit sign on North Lane near the West Street turn. Concern was raised regarding the expense of this type of sign and the fact that this is a historic area. Dan Dudkiewicz stated that his opinion is that the Town would be better served with a portable unit that could be moved to different areas in Town, and that the best enforcement of the speed limit involves a police officer monitoring the corner and ticketing speeders. Gloria DiFulvio stated that a stop sign may be more effective. Chief Hukowicz has been monitoring the traffic in this area and reported that the average speed was 35 mph in the posted 30 mph zone. 10% were 40 mph or more. He stated that the cost for an electronic sign and installation is very expensive, over \$5,000.00 for one sign, and there is no money in the budget.

Joyce Chunglo made a motion not to have a sign installed in this area at this time, seconded by Dan Dudkiewicz. Motion passed unan. by a vote of 5-0-0.

3. Girl Scout 100 year Anniversary Proclamation

Chair West read the following proclamation:

***WHEREAS**, this week, the Girl Scouts of the United States of America mark 100 years of inspiring girls and young women with the ideals of courage, confidence and character, and*
***WHEREAS**, the Girl Scout Promise was brought to America on March 12, 1912 by Juliette Gordon Low, the Founder of the Girl Scout movement in the United States, and*
***WHEREAS**, by taking the Girl Scout oath, Girl Scouts agree to serve God, country, to help others, and live by the Girl Scout law,*
***NOW, THEREFORE**, We, the Select Board of the Town of Hadley, Massachusetts, on behalf of the inhabitants, do recognize the valuable contribution made to the well-being of our community by the Girl Scouts and hereby do proclaim the week of March 11 through 17, 2012 “Girl Scout Week”. We have no doubt that Girl Scout achievements serve as an example to others, and we take great satisfaction that the Girl Scouts have had such a successful and distinguished career.*
Congratulations. Given this 7th day of March in the year two thousand and twelve.

The Scouts also asked to use the Town Hall for their event on Sunday, March 11, 2012 from 2:30 – 3:30. Brian West made a motion, seconded by Dan Dudkiewicz, to accept the proclamation and allow use of the front steps of Town Hall. Motion passed unan. by a vote of 5-0-0.

4. North Star – proposal for a garden at Russell Street School

Joyce Chunglo made a motion to allow a garden at North Star on the Russell Street school property, seconded by Dan Dudkiewicz. Motion passed unan. by a vote of 5-0-0.



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Ms. Chunglo also stated that the Boisvert family asked permission to hang a sign on the fence on Russell School property advertising the North Hadley Sugar Shack.

Joyce Chunglo made a motion to allow North Hadley Sugar Shack sign on the fence of the Russell Street school property, seconded by Dan Dudkiewicz. Motion passed unan. by a vote of 5-0-0.

5. Appointment of new member to Cultural Council – Ken Jacobson

Joyce Chunglo made a motion to appoint Ken Jacobson a member of the Hadley Cultural Council, seconded by Gloria DiFulvio. Motion passed unan. by a vote of 5-0-0.

6. Appointment of new associate member to Conservation Commission – Jennifer C. Parsons

Dan Dudkiewicz made a motion to appoint Jennifer C. Parsons an Associate Member of the Hadley Conservation Commission, seconded by Joyce Chunglo. Motion passed unan. by a vote of 5-0-0.

7. Transient Vendor License – Spindle City Precious Metals

Joyce Chunglo made a motion to approve the license for Spindle City Precious Metals, seconded by Dan Dudkiewicz. Motion passed by a vote of 4-0-1. (Gloria DiFulvio abstaining.)

8. Top of the Campus Alcohol License – reissue with revised language clarifying licensed premises.

Peg Jekanowski explained that this is a revision in language only that specifies that the licensed premise on this license is the Mullins Center (which is in the town of Hadley). Discussion ensued regarding the fact that this is a license issued to the Top of the Campus (in Amherst) for use at the Mullins Center only, and the *on premise description* on the license was modified to specifically say Mullins Center in Hadley, and kept the other language regarding the specific areas within the Mullins Center where alcohol is allowed. Dan Dudkiewicz asked if council had reviewed this and David Nixon explained that it is not a legal issue as there is no change-only clarification.

Joyce Chunglo made a motion to approve the clarification in the on premise description for the Top of the Campus alcohol license, seconded by David Moskin. Motion passed by a vote of 4-0-1. (Gloria DiFulvio abstaining.)

Old Business (taken out of order):

1. Water Abatements (taken out of order)

Steven Barstow, 20 Barstow Lane:

-water abatement of \$21.47 *Motion: Joyce Chunglo Second: Dan Dudkiewicz - Vote 5-0-0*

HAP Community Housing Service Inc., 21 Campus Plaza

-sewer abatement of \$2,585.28 *Motion: Joyce Chunglo Second: Dan Dudkiewicz - Vote 5-0-0*

HAP Community Housing Service Inc., 21 Campus Plaza

-water abatement of \$2,384.55 *Motion: Dan Dudkiewicz Second: Joyce Chunglo - Vote 5-0-0*

Carl Gustafson, 8 Hillside Drive

-water abatement of \$393.77 *Motion: Joyce Chunglo Second: Dan Dudkiewicz - Vote 5-0-0*



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Paul Ciaglo, 270 Russell Street

-water abatement of \$160.49 *Motion: Dan Dudkiewicz Second: Gloria DiFulvio - Vote 5-0-0*

Mark Sadlowski, 18 Chmura Road

-water abatement of \$32.50 *Motion: Dan Dudkiewicz Second: Joyce Chunglo - Vote 5-0-0*

Wendy's International, 376 Russell Street

-water abatement of \$4,447.10 *Motion: Joyce Chunglo Second: Brian West - Vote 5-0-0*

Wendy's International, 376 Russell Street

-sewer abatement of \$4,852.32 *Motion: Dan Dudkiewicz Second: Joyce Chunglo - Vote 5-0-0*

Jonathan Meek, 209 River Drive

-water abatement of \$66.05 *Motion: Dan Dudkiewicz Second: Joyce Chunglo - Vote 5-0-0*

Sue Glowatsky, Town Collector, was present and stated that most of the larger errors having to do with billing software errors have now been fixed and this should not happen in the future with these accounts.

Budget (FY 2013) Discussions:

Chair West stated that these discussions are to be able to present a balanced budget to the Finance Committee, but in no way were these budget numbers final as the Select Board has not yet met with departments. Dan Dudkiewicz asked if FEMA reimbursement funds could be used to restore Veterans' Benefits back to \$19,000.00. Brian asked DPW how their budget currently stands after all of the storms earlier this year (Hurricane Irene & the October 2011 snowstorm.) Due to the mild winter, the DPW budget is in good shape, at this time. Mr. Nixon cautioned that we have not yet received FEMA funding.

There was discussion as to whether departments included cost of living increases, as it seems some departments put in and others did not. Chair West reminded the Board that they asked for level service budget, not level funded, so some departments may have included a cost of living raise. This needs to be looked at more closely.

Chair West stated that we have \$120,000.00 certified in Free Cash, and we anticipate \$400,000.00 in Free Cash in the fall. If the certified Free Cash is allocated to the School, it brings the Town's contribution up to roughly \$5.4 million, and make up the approx. \$300,000.00 short fall with Free Cash in the fall. Ms. Chunglo asked about the balance of school choice funds. Molly Keegan stated that the balance in school choice funds, after expenses, roughly \$500,000.00/\$600,000.00. Ms. Grant stated that the currently the school is spending more money than they are bringing in, in terms of school choice funds. Ms. Keegan also stated that if they (the School Committee) find they have more money when they know the realities in the fall; that money would be returned to the Town.

Chair West reiterated that he wants to add the \$120,000.00 of certified Free Cash to the school, and make up the short fall with the Free Cash at the end of the year. David Nixon cautioned that we may not have enough Free Cash in the fall, that meals' tax has to go toward capital. Gloria DiFulvio asked what happens if we don't have enough funds to cover the shortfall in the fall.



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Brian West made a motion accept the budget request as presented, except for the School, and to fund the School at \$5.5 million by using the current certified Free Cash in the amount of \$120,000.00, seconded by Dan Dudkiewicz, and passed unan. with a vote of 5-0-0.

ANNOUNCEMENTS:

Congratulations to the Hopkins Academy Girls Basketball game on an excellent season.

Girl Scout Sunday, celebrating the 100th Anniversary of scouting in the United States, is this coming Sunday at 2:30 on the front steps of Hadley Town Hall.

Richard Trueswell stated that the problem with the TV-5 broadcast of the Select Board meeting was with Charter digital transmission, any one with basic cable was able to see the show. He will talk to Charter about the problem with digital.

Executive Session:

At 8:20 PM Dan Dudkiewicz made a motion to move to Executive Session for the purpose of discussing collective bargaining agreements and litigation, and not to reconvene in open session. Motion was seconded by Joyce Chunglo. Chair West read the following statement: "As Chair of the Hadley Select Board I state that the Board has moved and seconded to enter into Executive Session and I state that the discussion of the matter in open session would have an adverse effect to the Town of Hadley."

Roll Call Vote: DiFulvio=yes; Chunglo=yes; West=yes; Dudkiewicz=yes; Moskin=yes

A discussion was held in regard to collective bargaining.

A discussion was held in regard to litigation matters. A motion was made and seconded, and passed by roll call vote: DiFulvio=Yes; Chunglo=yes; Dudkiewicz=yes; West=yes; Moskin=yes

At 9:10 PM Gloria DiFulvio made a motion to adjourn Executive Session, seconded by Joyce Chunglo; Motion passed unan. by a Roll Call Vote: DiFulvio=yes; Chunglo=yes; West=yes; Dudkiewicz=yes; Moskin=yes

Executive Session adjourned at 9:10 PM.

Meeting adjourned at 9:10 PM.

Respectfully submitted,

Margaret J. Jekanowski
Administrative Assistant