



TOWN OF HADLEY
SELECT BOARD
September 5, 2012
Meeting Minutes

Meeting convened at 7:00 pm, Room 203, Hadley Town Hall

Present: Gloria DiFulvio, Chair; Joyce Chunglo, Daniel Dudkiewicz, David Moskin, Brian West

Absent:

Also in Attendance: David Nixon (Town Administrator); Richard Trueswell (TV-5); Patrice Squillante, Tanya Campbell (Melanson & Heath), Joan Zuzgo, (Assistant Treasurer), Gail Weiss (Town Accountant), Ed Dudkiewicz (Assistant Fire Chief), Daniel H. Zdonek, Jr. (Assistant Assessor), John S. Mieczkowski; Thomas Quinlan; Wilfred Danylieko (Electrical Inspector); Tim Neyhart (Building Inspector); Frank Aquadro, Glenn Clark (Finance Committee); Susan Glowatsky (Collector); Dennis Huckowicz (Police Chief); Atty. Steve Samolewicz, Jennifer Carleton (Paralegal); Paul Ciaglo, Martin Amaya Barraza, David Windoloski, Maritza Amaya-Branche

Approval of Minutes: Joyce Chunglo made a motion to approve minutes from August 1, 2012, August 15, 2012 & August 22, 2012, seconded by David Moskin and passed unan. by a vote of 5-0-0.

Appointments:

7:05 pm: Melanson & Heath 2011 Audit Report

Patrice Squillante and Tanya Campbell of Melanson & Heath presented their findings from the 2011 Financial Audit of the Town. There are audit standards that are used and primarily high risk departments (accountant, treasurer, collector) are evaluated. Internal controls are evaluated as well as substantiating numbers. Ms. Campbell presented an overview of the Financial Statement for the 2011. The auditors stated they found the financial statements to be in the category of "clean opinion." The four components of the Financial Statement are the Management Discussion Analysis, the Fund Basis Financial Statement, the Government Wide Financial Statement, and the Notes of the Financial Statements. Changes from prior year, as a result of GASBY, is (1.) the water fund is not being reported as an enterprise fund as it does not meet GASBY criteria. (2.) Fund basis classification is shown differently to show the level of restriction on fund balances.

She noted that the auditors found the Town's numbers to be accurate and reliable.

Audit found the unassigned fund balance at \$1.1 Million or 9% of the total budget, which is "very respectable." Stabilization fund balance was \$1.8 Million or 13% of the budget which is considered to be healthy. Revenues were budgeted conservatively and expenses were tighter. Receivable balances were noted to be extremely low.

Ms. Squillante presented the Management Letter for the Year Ended June 30, 2011 (attached to these minutes for review) explaining terminology and a point by point overview of the finding. She stated that many of the finding are being dealt with already by financial staff. Discussion ensued regarding the Town's response to each item.

7:45 pm: Discussion:-Departmental Administration and Financial Policies:

The Board reviewed formal written policies developed by the Town in response to the Audit. Dan Dudkiewicz stated that emergency checks requiring approval of Select Board might not be realistic. It was explained that this is a rare occasion and that it serves as a process in the event of an emergency. The second paragraph on page 39 was of concern in regard to reporting, and it was agreed that the policy would be changed from the "Town Administrator will notify the Chair of the Select Board..." to "the Town Administrator will notify the Chair of the Select Board and the Chief of Police." *Joyce Chunglo made a motion to accept the Financial Policies and Administration as a working document, with noted changes, motion seconded by David Moskin.* Further discussion of the document discussed the timeframe of turnovers to the Treasurer from individual Town Departments. It was decided to incorporate a further change to the document to read turnovers are due to the Treasurer every two weeks at minimum. It was further decided that any purchases of supplies over \$500.00 must be accompanied by an authorization form. The Select Board will review this document annually. *Motion passed with a vote of 5-0-0.*



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8:15 pm Paul Ciaglo: Seven Sisters Bistro

- **Hearing: Application for new All Alcohol License and Pledge of License
Seven Sisters Market Bistro: 270 Russell Street, Hadley**

Mr. Paul Ciaglo was present to discuss his plan for a new restaurant, Seven Sisters Market Bistro, and asked the Board to approve his application for an all alcohol restaurant liquor license. Mr. Nixon also stated that due to timing, assuming the approval process goes through, there may be a fee paid for the new license and then an immediate renewal and subsequent fee owed in December for 2013. *Joyce Chunglo made a motion to approve an all alcohol on premise license to Seven Sisters Market Bistro Inc. and to prorate the new license fee for one month with payment of full renewal for the 2013 license, motion seconded by Brian West. Motion passed with a vote of 5-0-0.*

- **Sewer Impact Fee** – Mr. Ciaglo stated that his business will generate revenue for the Town and that it is complicated to deal with all the fees and that although he understands the Sewer Impact Fee, it has caused him to have to scale back his restaurant business plan. Joyce Chunglo offered that the Town negotiate a payment plan with Seven Sisters. Mr. West stated that the Sewer Commissioners can rule to reduce or waive Sewer Impact Fees on a case by case basis by law. Mr. Ciaglo further stated that the rate is high; especially considering that he has put the entire system in and the system will benefit the Town.

Tim Neyhart stated that his opinion the rate is high and may be preventing businesses from coming to Town. Discussion ensued regarding whether the rate is impacting business coming to Hadley. However the funds from the fees will be used to offset sewer infrastructure upgrades when the Town hits the 80% threshold set by DEP.

Brian West made a motion to approve a 4 year payment plan for Seven Sisters Market Bistro Sewer Impact Fee, first payment due upon issuance of occupancy permit and authorize the Town Administrator to negotiate the terms of payment, motion seconded by Joyce Chunglo. Motion passed 5-0-0.

8:30 pm: Martin Amaya Barraza: MMAAB, Inc.:

- **Hearing: Transfer & Pledge of License Foodscapes dba Carmelina's to MMAAB, Inc.: 96 Russell Street, Hadley**
Brian West made a motion to approve the application for transfer and pledge of license from Foodscapes dba Carmelina's to MMAAB, Inc., Martin Amaya Barraza manager. Motion passed by a vote of 5-0-0.

Old Business

1. **Close Special Town Meeting Warrant** – Joyce Chunglo made a motion to close the warrant for Special Fall Town Meeting, motion seconded by Brian West and passed unan. by a vote of 5-0-0-. The Board will review the draft of the warrant and discuss at the September 19, 2012 Select Board meeting.
2. **Select Board Priorities:**
 - **Buildings:** There will be a public meeting on buildings on the 12th of September, 2012.
 - Russell School (East and West Portico)
 - Senior Center Roof (Design and Bid of Senior Center Roof)David Nixon stated that he met with the Historical Commission re: the proposed change in the roof from a flat roof to a sloped roof on the East end of the Senior Center, and the Commission had no objection to the change. Mr. Nixon asked the Board if they want to move forward to go out to bid, which requires Select Board approval. Mr. John Mieczkowski asked the Board if they considered double stacking the roof and possibly provide more office space for the Town. Tim Neyhart stated that the current roof could make it through the winter with some patching. Mr.



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Nixon stated that there is a quarter of a million dollars tied up in this article, but it is not moving forward with plans that have been identified as priorities. Chair DiFulvio stated that the matter can be put off until after the public meeting regarding buildings, and decisions can be made at the September 19, 2012 Select Board meeting.

(At this time Select Board member Dan Dudkiewicz left the meeting due to potential conflict.)

- **Fire Department**

Ed Dudkiewicz, Assistant Fire Chief for the Town, stated that none of the command staff has been involved in decision making regarding the future of the department and he wants to know why. The Select Board stated that they have talked to the Chief and that Mr. Ed Dudkiewicz was interviewed by the Fire Study consultant. In regard to talking to Mr. Ed Dudkiewicz directly about the job description for the Fire Chief position, it could present a conflict. Discussion ensued about the Fire Department study. Ms. DiFulvio stated that the only decision that has been made is to hire a Full Time Chief when the present chief retires, and currently the Board is developing a job description utilizing language from other various towns. Chair DiFulvio read a draft of the policy (attached here for review.) David Moskin suggested an edit from “knowledge and experience with Emergency Medical Service from *preferred to required.*” Various aspects of Chief’s duties were discussed and where those items fall in the language of the job description. Ms. DiFulvio stated that other comments should be emailed to Town Administrator David Nixon.

Regarding a search committee, Gloria DiFulvio stated that she was in favor of hiring an outside consultant to screen initial applicants and narrow down to five finalist. Joyce Chunglo stated that she felt the Town has the resources to do it within the Town Structure and that someone from outside could help with the process, such as a Chief from a neighboring town. Brian West stated that an outside consultant is not necessary; there are people with fire experience who have offered to help. David Nixon stated that this is an important hire and this person will report to Select Board. Since we are still in process of finalizing the job description, he recommended the Board may take all comments under advisement and decide how to move forward with the process. Chair DiFulvio stated that people should let the Board know if they have interest in serving on a search committee.

- **Economic Development (No discussion)**

(At this time Select Board member Dan Dudkiewicz rejoined the meeting.)

3. **“Selva’s Swamp” - Purchase and Sale Agreement (Ratify Signature) & Sign Acceptance of Deed**

Brian West made a motion that based on the Town Meeting vote to purchase Selva’s Swamp, to ratify the Select Board signature of the purchase and sale agreement for Selva’s Swamp, and to sign the Acceptance of the Deed, motion seconded by David Moskin. Motion passed by a vote of 4-0-1. (Dan Dudkiewicz dissenting.)

4. **Forms for Town Administrator Evaluation**

Discussion ensued regarding forms to be used and setting goals and objectives for Town Administrator. It was decided that goals will be stated going forward, but for now Select Board members should forward their evaluation of the Town Administrator to Chair DiFulvio by September 26 and the evaluation will be complete for the October 3, 2012 meeting. At that time goals and objectives can be established. Further discussion was regarding a mechanism for setting goals and objectives for Select Board, such as setting an hour aside on an agenda to have a discussion.



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New Business

1. One Day Liquor License Request – Top of the Campus Inc.
BBQ Event 09/13/2012

Brian West made a motion to approve the one day liquor license for the event on the South Concourse of the Mullins Center on 09/13/2012, motion seconded by Dan Dudkiewicz, and passed by a vote of 4-0-1 (Gloria DiFulvio abstaining.)

2. Reappointment to Cultural Council

The Board reviewed a letter from a former Cultural Council member who has moved to Amherst, stating she would like to serve on the Council. Mr. Nixon explained that it is legal for the Select Board to appoint a nonresident to the Council. Discussion ensued regarding whether to have nonresidents serve on Hadley committees. The Board recognized Ms. Shank's previous service and thanked her. It was decided that at this time to post the vacancy to see if Hadley residents are interested and table discussion on whether or not to appoint Ms. Shank to a later date.

3. Girl Scout Gold Project: Permission to promote cook book at Town Hall and on Town website.

The Board granted permission for Lauren Robinson, a Girl Scout completing her Gold Project, to post a link to her cook book on the Town website.

4. Moody Bridge Road – Federal grant opportunity for paving

Mr. Nixon explained that the Silvio Conte Wildlife Refuge is planning to install handicap accessible trails and they have offered to apply for a federal grant to pay for paving 7/10s of the dirt portion of Moody Bridge Road. Mr. Dudkiewicz stated that he is against this as this is a pristine area, and paving would take away from that...plus it would need to be maintained. The Select Board declined the opportunity.

Announcements

Joyce announced that there is a Household Hazardous Waste Collection on September 29, 2012; preregistration is required, forms can be found at Hadley DPW or Town Hall, or online at hadleyma.org.

David Moskin thanked Young Men's Club staff and Hadley Police for help provided when a branch fell on his wife's car.

John Mieczkowski suggested the Town investigate holding a "Taste of Hadley" on the Town Common sometime in the fall of 2013.

Executive Session

At 9:52 pm Brian West made a motion to move to Executive Session for the purpose of discussing labor negotiations and litigation, and stated that the Board would not reconvene in open session. Motion seconded by Joyce Chunglo. Chair DiFulvio stated "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 discussing the matter in open session will have an adverse effect on the Town of Hadley."

Roll Call Vote: Moskin – Yes: Dudkiewicz-Yes: DiFulvio – Yes: Chunglo – Yes: West – Yes

A discussion was held regarding the labor negotiations. A motion was made and seconded, and did not pass (Vote 1-4-0).

A discussion was held regarding litigation regarding the Dike. A motion was made and seconded, and passed unan. (5-0-0).



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A discussion was held in regard to labor negotiations.

At 10:40 pm Brian West made a motion to adjourn Executive Session, seconded by Joyce Chunglo.

Roll Call Vote: Moskin – Yes: Dudkiewicz-Yes: DiFulvio – Yes: Chunglo – Yes: West – Yes

Adjournment

Meeting adjourned at 10:41 pm.

Respectfully submitted,

Margaret J. Jekanowski
Administrative Assistant

Approved 10/17/2012