



TOWN OF HADLEY  
SELECT BOARD  
July 17, 2013  
Meeting Minutes

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

**Present:** Chair Daniel Dudkiewicz, Joyce Chunglo, Guilford Mooring, John Waskiewicz, Brian West

**Absent:**

**Also in Attendance:** David Nixon (Town Administrator); Peg Jekanowski, (Admin. Assistant); Richard Trueswell, (TV-5); Dennis Hukowicz (Police Chief), Daniel H. Zdonek, JR. (Assistant Assessor); Susan Glowatsky (Collector); Gail Weiss (Accountant); Gary Girouard, Matt Inhelder, (DPW); Linda Sanderson, Matthew Lustig (Finance Committee), Margaret Freeman (Historical Commission); David Moskin;); Tony Lastowski

**Approval of Minutes from June 19, 2013 & June 26, 2013:**

**Motion:** *Mooring*      **Second:** *West*      **Vote** 5-0-0

**Approval of Warrants: Payroll # 5 & Vendor Warrant 4**

**Motion:** *Chunglo*      **Second:** *West*      **Vote** 5-0-0.

**Appointments:**

**7:05 pm: Melanson & Heath: Presentation of FY2012 Audit:**

Tanya Campbell & Patrice Squillante of Melanson and Heath Auditors presented their summary of the FY 2012 Audit. Ms. Campbell presented the financial statements. Melanson and Heath use Government Auditing Standards, and typically go beyond these standards.

There are five components of the financial statements: the audit opinion, the management discussion, two sets of financial statements and footnotes. They found no issues with the Town of Hadley and that the Town is in accordance with generally accepted accounting principles. Regarding Government Wide Financial statements, some key numbers were reviewed. Unreserved Fund Balance: \$680,000.00 or 5% of the Town's annual budget. It is a little low but not concerning because stabilization is at \$2.5 million or 18% of the annual budget. Free Cash for general fund is at \$525,000.00 which is lower than prior year but still okay because money was put into stabilization. Free Cash for water fund is \$790,000.00 and sewer fund is close to \$725,000.00. These are considered very substantial and healthy. Expenses were under budget by about 1%. Property tax receivable balances are very small (less than 2% of annual levy.) The Town has started a trust to fund OPEB and this is looked on favorably. Ms. Campbell ended by stating the auditors always have full cooperation from the Town financial team.

Ms. Squillante addressed the Management Letter. She stated that the Town finance team is fully cooperative and all indicators for the Town are good. Most of the points in the Management Letter have been addressed or are in the process of being addressed. She explained there are three levels of classification of comments that they could possibly find. A *material weakness* is a type of deficiency that is a "very large hole" that is so large that the financial statements could be misstated. They did not find any *material weakness* with the Town. A significant deficiency is less severe than a material weakness but the governing board needs to be made aware. One significant deficiency was found having to do with the Treasurer's Office and how the cash books are being handled. At the time of the audit the cash books were still done manually, which leaves room for human error. They suggest moving to an Excel spreadsheet or software program such as "QuickBooks." It was reported that this may already be happening.

25 Invoices and 25 Payrolls were also picked to test at random. They did find overall this year was much better than last year, and they no real concern. There are other recommendations / comments made for strengthening internal control, but these were not considered a matter of concern overall. They are beginning the FY 2013 Audit and will be back in Town Hall to begin their work.

**7:25 pm: Verizon Wireless Public Safety Complex Tower (Presentation): Passed Over**



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**New Business #4: Conservation Commission - Resignation of Jenn Parsons as Associate Member**

Mr. Dudkiewicz read a letter of resignation from Jenn Parsons, stating that she did not have the time to devote to this position. **Motion to accept letter of resignation: West: Second: Chunglo Vote: 5-0-0.** Mr. West asked that a letter of thanks be sent out to Ms. Parsons for her service on the Council.

**Old Business #Finance Committee: Transfers:** Linda Sanderson and Matthew Lustig were present to discuss budget transfer request that had been previously approved by the Select Board. Mr. Nixon stated that if the transfers in question were not approved in a very short time frame. If this does not happen, the amount will need to be raised on the recap sheet, and then deducted from Free Cash the first year, and then deducted a second time, so the taxpayer is impacted 3 times. He stated these are not reserve fund transfers, that there is money in the budget to support these transfers. Ms. Sanderson stated that these are not line to line transfers within the same department; they are transfers from one fund to another, such as from Health Insurance to Highway. She stated that the Finance Committee is seeking more information and clarification on the transfers. Discussion ensued as to process and clarification of law pertaining to year end transfers from one department to another. Ms. Sanderson asked to have procedures in place for the Finance Committee to be able to work through these requests simultaneously with the Select Board, to avoid confusion and delay in the process. Mr. West suggested that in the future, toward the end of the Fiscal Year, the Finance Committee be invited to come to a Select Board meeting to discuss Transfer Request, and that this will be a posted meeting of both Boards in order that information is heard on by both Boards, and there is an opportunity for question and clarification. This will be a June meeting when these request typically come in.

Mr. Dudkiewicz asked that the Finance Committee meet with David Nixon as soon as possible to address this year's request. He asked Select Board member West attend this meeting if schedule allows.

**Old Business #2A - Water Discussion:** Mr. Girouard read the following letter sent to DEP regarding Hadley Water and response to a violation regarding coliform levels:

Dear Mr. Paine,

*This correspondence is in response to the Administrative Consent Order issued on May 3, 2013 that required the Town of Hadley to submit a report within 30 days after learning of an additional violation of the Total Coliform Rule. On June 21<sup>st</sup>, 2013, during regularly scheduled water testing, the Town of Hadley's Water Division was informed by Premier Laboratory of 2 positive Total Coliform bacteria samples taken in the North Hadley area on June 19<sup>th</sup>. Upon notifying Rick Larson at MADEP, the Town resampled those locations and all pertinent upstream & downstream sites. They all tested positive for Total Coliform bacteria. On Sunday, June 23<sup>rd</sup>, 2013 the Town of Hadley started chlorination of its public water supply. (Subsequent repeat samples taken at these sites after chlorinating all tested negative.)*

*In our investigation into the likely cause of the bacteria detections we looked at the following:*

- 1) Water Storage Tanks. The location of the positive coliform sample at 26 Mt. Warner Rd (our representative sample of the 1 million gallon Mt. Warner storage tank) and its upstream and downstream locations led us to suspect the storage tank. In May of this year our telemetry System was struck by lightning which temporarily interrupted the remote observation of the tanks water levels. It was noted at that time that the tank level at Mt. Warner was between 12 and 15 feet. On June 27<sup>th</sup> the Water Superintendent and other DPW personnel inspected the water tanks and found that the Mt. Warner tank was at 14 feet. The conditions inside the tank were extremely hot. (During this period the precipitation was high and the temperature was extremely warm.) The Town had been fluctuating the tank levels to address water age problems. Since our investigation occurred after chlorination we couldn't confirm the tank as a factor but we speculated it could be a source of the bacteria detection.*
- 2) Transmission Main from the Mt. Warner Pumping Station. There is a 1/4 mile transmission main from the #1 Mt. Warner well to the main on Mt. Warner Road. Since we aren't pumping from the Mt. Warner well, we suspected there could be water age problems in the transmission line. The hydrant near the end of the transmission line was flushed during our spring flushing program. On July 2<sup>nd</sup> we took a sample at this hydrant and it tested positive for total coliform. We believe this may also be a cause of the bacteria detections.*
- 3) Cross Connections. Hadley has a formal DEP approved cross connection program. All the devices were tested in May and June of 2013 and no cross connections were found.*



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4) *Water main breaks. No water main breaks have occurred in the past year. Town wide leak detection was completed in 2011.*

*Our investigations have led us to believe that the likely cause of the bacteria detections are the low water levels at the Mt. Warner storage tank during the unusually hot wet months of May and June and possibly the water age in the transmission line to the Mt. Warner Pumping station. Our proposals to prevent further violations are as follows:*

- 1) Keep tank levels during the hot months at higher levels to prevent the conditions for bacteria growth. Currently water levels are being maintained between 20 and 28 feet at the Mt. Warner Tank.*
- 2) Continue having water tanks cleaned & inspected every two or three years. On July 16 & 17<sup>th</sup> we have contracted with Underwater Solutions to clean and inspect our water tanks. Once inside they will photograph, inspect walls, clean & dispose of sediment that has collected in the bottom of either tank. They will also provide the water division with a comprehensive written report, with photographs depicting their investigative observations. This report will be copied and forwarded to DEP if requested.*
- 3) Monthly flushing of the hydrant on the transmission main from the Mt. Warner Pumping station. This should help correct any water age issues that may be a factor in the bacteria detections.*
- 4) Continue with our aggressive Unidirectional flushing program in the spring and our dead end flushing in the fall. We also will reevaluate how we conduct this flushing program by checking chlorine residuals in North Hadley when we do our spring flushing and double checking valve closing and hydrant order for maximum effect.*

*Since the actual determination of the coliforms source is speculative, I will be addressing these and other issues to remediate its cause with the Town's Water Commissioners and Matthew Inhelder the Town's Primary Water Treatment Operator. This public meeting will take place at Hadley Town Hall on Wednesday, July 17<sup>th</sup> at 7:00pm. The issues slated to be discussed are as follows;*

- The scheduled cleaning of both well heads.*
- The purchase and the installation of "tank mixing systems" for both water storage facilities to address water age issues.*
- The power washing of the tank(s) exteriors.*
- The purchase and the installation of permanent water sampling stations.*
- The continued practice of our recently designed and instituted Uni-directional flushing program.*
- Discuss the Engineered Capital Improvement Program. This to possibly recommend the reprioritization of system wide distribution pipe replacement.*

*Please review the aforementioned activities and recommendations. Once complete please contact my office with your questions, concerns and what future direction from the MA DEP can be expected.*

*Sincerely,  
Gary E. Girouard  
Director DPW  
Hadley, MA 01035*

One immediate fix to improve the water is a water mixing system. This will be discussed at the August 7, 2013 Select Board meeting. DPW will investigate pricing and the possibility of getting power up to the tanks.

Mr. Girouard also stated that he would like to purchase three permanent sampling stations to avoid problems with unsanitary sampling.

Future discussions will include looking at current infrastructure of the water system, and upgrades to the system which will require a long term plan.

**Old Business #2B - Water Truck Specifications:** Mr. Girouard presented the Board specification on the new water truck (2013 Ford SuperDuty F-350 XLT 4WD Reg Cab 141" WB 60" CA) being considered for purchase. This purchase has already been approved and in the DPW budget, this is just informational for the Select Board.



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**Old Business #2B – Chapter 90**

Mr. Dudkiewicz read the following projects proposed by DPW for Chapter 90 funding, cost of project work totaling \$211,767:

- Bituminous Concrete (Shim): South Maple Street, East Hadley Road, Highland Circle, Silvia Heights, Bay Road, East Street (from Route 9 to Rocky Hill Road).
- Stone Seal 20% Rubber Asphalt (Bay Road, Highland Circle, East Street)

***Motion to approve Chapter 90 projects as presented: West Second: Chunglo Vote: 4-0-1  
(Waskiewicz abstaining)***

**Old Business #3: Cable License Update:**

Mr. Nixon stated that the Town is in the process of renegotiating the contract/ license renewal with Charter. As this is a highly technical area of Mass General Law, it is in the best interest to have legal representation. Mr. Nixon and Mr. Trueswell have been in touch with an attorney specialized in this process, and would like to hire Attorney William Solomon. His charge will be \$160.00 per hour and no travel. The Town can pay for this out of cable money that we currently have so there is no impact on the legal or general fund. ***Motion to allow Town Administrator to pursue agreement with Attorney William Solomon in relation to proceeding with license renewal process with Charter: Chunglo Second: West Vote: 4-0-1 (Waskiewicz abstaining).***

Discussion ensued regarding a cable advisory committee that was once in place in town. There is a TV-5 Advisory committee presently but this is separate from the cable advisory committee that was once in place but is no longer active. The Town will pursue activating this committee.

**Old Business #4: Historic Building Preservation Funding Plan**

Mr. Nixon presented a plan for the Board to consider. Olde Mohawk completed a study of historic building and recommended 9 projects over 8 years with a total estimated cost of \$1,798,242. His proposal is to go to CPA for funding for projects under \$200,000.00. For projects larger than that, the most financially responsible is to borrow and keep money in CPA for other initiatives. If the funds are not borrowed, the CPA balance will drop from 1.3 Mil to \$800,000.00. If we borrow, the balance goes from \$1.3 Million to over \$2 Million in a five year period. You can borrow and increase CPA.

Mr. Dudkiewicz asked Mr. Nixon to attend a CPA meeting to discuss this funding plan. He also stated that there should be a special meeting dedicated to the future of town buildings and funding, other than Fall Town Meeting. There needs to be public meetings and material to educate the public, including making building studies accessible at the library and on the town website. It will be important to have the DRA building study before making a plan.

Mr. Nixon stated there is immediate work that needs to be done regardless of future, and these assets need to be maintained in terms of structural restoration. There is room on the warrant for Special Town Meeting for these types of projects. Mr. Nixon also made a list of borrowing recommendations and asked the Select Board to review these in order that firm guidelines are established. Mr. Dudkiewicz stated that he still wants to meet with CPA before any guidelines are established. Other discussion included timing of borrowing in that interest rates are still low, but may be going up in the near future.

Mr. Mooring stated that due to the cost of these projects there are going to be complex procurement processes and asked to get guidelines for procurement strategies from Kopelman and Paige.

The DRA study should be available in mid-August. It will be made available.

**Old Business #5: Senior Center Concrete Steps Contract:**

***Motion to authorize Select Board Chair to sign the contract with Hadley Concrete: West Second: Chunglo  
Vote: 5-0-0***



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**Old Business #6: HCOg / Hampshire Power Agreement:** Passed Over until next meeting at HCOg's request.

**New Business #1: Cleaning Bid:** This is for a three year contract for cleaning service for Hadley Town Hall, Senior Center, and North Hadley Hall. 3 bids were received; the lowest responsive and responsible bidder was S. J. Services, Inc. out of Danvers, MA, with a bid of \$55,392.12 (\$1,538.67/ month). ***Motion to award cleaning contract to S.J. Services of Danvers, MA: West Second: Mooring*** Discussion: Mr. Dudkiewicz asked if the Town would be better served by hiring a part time person rather than contracting with an outside company. It was looked at in the past but the expense would be higher as the materials and equipment would need to be purchased. ***Vote: 5-0-0.***

**New Business #2: Wildwood Barbeque, 235 Russell Street: Application for Common Victualer License**  
***Motion to approve Common Victualer License under MGL Ch. 140 Sec. 2 to Wildwood Barbeque: West Second: Mooring*** ***Vote: 5-0-0.***

**New Business #3a: Hadley Cultural Council Proposed Mission Statement:** Mr. Dudkiewicz read a list of projects funded by the Hadley Cultural Council for several Hadley projects and stated the current Chair, Ken Jacobson, has done a good job. He also stated the Cultural Council is looking for new members, and suggested they reach out to other Town entities such as the library and senior center. ***Motion to accept the mission statement of the Cultural Council as presented: Chunglo Second: West*** ***Vote: 5-0-0.***

**New Business #3b: Hadley Cultural Council: Resignation:** Mr. Dudkiewicz read a letter of resignation from Cultural Council Member Nancy Craker-Yahman effective June 30, 2013. ***Motion to accept letter of resignation: West: Second: Chunglo*** ***Vote: 5-0-0.*** Mr. West asked that a letter of thanks be sent out to Ms. Craker-Yahman for her service on the Council.

**Announcements:**

Mr. Dudkiewicz stated he would like to have a Select Board meeting dedicated to the DOR Management Report. He would like someone for DOR to make a presentation. A date of September 11, 2013 was selected for this special meeting.

Regarding the 7:35 pm Shelburne Falls Coffee Roaster hearing (continued from 06.19.2013) on an application for New On Premise Malt and Wine License, Ms. Jekanowski stated that the applicant has requested an extension in order to complete some necessary work: ***Motion to continue above referenced hearing until August 7, 2013 at 7:30 pm. Waskiewicz Second: West*** ***Vote: 5-0-0***

Ms. Chunglo offered condolences to Mr. Wilfred Danylieko and his family at the passing of his mother, Mrs. Leola Danylieko.

**Executive Session:**

***9:02 pm: Move to Executive Session for the purpose of labor negotiation / contract negotiations and not to reconvene in open session: West Second: Chunglo***

Chair Dudkiewicz 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: Waskiewicz – Yes: Mooring – Yes: Dudkiewicz – Yes: Chunglo – Yes: West – yes***

A discussion was held regarding a DPW Contract Negotiations. No action taken

A discussion was held regarding a DPW Grievance. No action taken.



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A discussion was held regarding a personnel issue. The employee waived his rights to notice of Executive Session. A motion was made and seconded and a vote was taken:

**Roll Call Vote: Waskiewicz – Yes: Mooring – Yes: Dudkiewicz – Yes: Chunglo – Yes: West – yes**

A discussion was held regarding a Police Grievance. A motion was made and seconded and a vote was taken:

**Roll Call Vote: Waskiewicz – No: Mooring – Yes: Dudkiewicz – Yes: Chunglo – Yes: West – yes**

A discussion was held regarding a Police Contract Negotiations. No action taken

**Adjournment**

**10:20 pm Motion to adjourn: Dudkiewicz Second: West**

**Roll Call Vote: Waskiewicz – Yes: Mooring – Yes: Dudkiewicz – Yes: Chunglo – Yes: West – yes**

Meeting adjourned at 9:58 pm.

Respectfully submitted,

Margaret J. Jekanowski  
Administrative Assistant

Approved 07.24.2013