



TOWN OF HADLEY  
SELECT BOARD  
April 2 2014  
Meeting Minutes

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

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

**Absent:** John Waskiewicz

**Also in Attendance:** David Nixon (Town Administrator); Peg Jekanowski, (Admin. Assistant); Richard Trueswell, (TV-5); Frank Aquadro, Howard Koski, Linda Sanderson, Lynn McKenna (Finance Committee); Gerry Devine (Town Moderator); Randy Izer, Glenn Brunetti (Wildwood Barbeque); David Elvin; Andy Morris-Friedman; Kristin DeBoer (Kestrel Land Trust; Tom Harris

Approval of Payroll #79:	<i>Motion: Chunglo</i>	<i>Second: Mooring</i>	<i>Vote: 4-0-0</i>
Approval of Warrants #42, 42-S 40-Z:	<i>Motion: Chunglo</i>	<i>Second: Mooring</i>	<i>Vote: 4-0-0</i>

**Appointments:**

**Wildwood Barbeque, LLC, Licensee under MGL Chapter 138, Sec 12, 235 Russell Street, Hadley - Application for Alteration of Premise (Extending Licensed premise with seasonal deck.)**

Glenn Brunetti, owner of Wildwood Barbeque presented an application to add an outdoor deck to his existing restaurant. Acting Police Chief Shanley has no objection to the modification. This deck will be partially enclosed.

*Motion to allow the extension of premise (outdoor deck) to Wildwood Barbeque for the sale and serving of food and all alcohol beverages: Chunglo      Second: Mooring      Vote: 4-0-0*

**First Church of Hadley - Request to use Town Common April 20th Easter Sunrise Service**

The Board reviewed an application to use the Town Common on April 20, 2014 for a sunrise service. *Motion to allow First Church use of Town Common for a sunrise service on 04/20/2014: Mooring Second: West      Vote: 4-0-0.*

**Old Business #1: Warrant for Town Meeting – Complete for legal review** Town Moderator Gerry Devine asked about the possibility of using “Consent Articles” which are those of a housekeeping nature that can be bundled together under one vote. This helps with efficiency in running Town Meeting. The Board was in agreement, and it was decided to list Articles 1, (Grants) 2 (Chapter 90), 3(Temporary Borrowing), 9(Water Filtration Stabilization Fund) and 16 (CPA Administrative) under Consent Articles. The Board offered their support on this method.

The Board began discussion of the warrant with motions that will be sent to Town Counsel for legal review. Discussion began about funding an unemployment shortfall and snow and ice transfer. It entails moving funds from one line item to another, with no impact on the budget. Discussion ensued with Mr. Koski asking for more detailed information, and was unhappy with the state of the budget and what he described as the use Free Cash as revenue. He asked how the Board could proceed with the warrant without agreement on the budget. The Board explained that the Warrant needs to be sent for legal review, in order to be posted no later than April 24<sup>th</sup>. Mr. West stated that the warrant review tonight is to get the articles and wording on the warrant for legal review, numbers can be adjusted. Mr. Aquadro asked the Select Board to consider postponing the financial portion of Town Meeting to later in the month of May. Mr. West stated that there is a need for a contingency plan if everything is not ready for the 1<sup>st</sup> of May. Mr. Mooring restated that the Board is discussing the mechanics of the article, not their positions on it.

Article 7 (Chief of Police Contractual Payment): Motion: Chunglo      Second: Dudkiewicz      Vote: 4-0-0  
Articles 10, 11 & 12 are still in front of the Capital Committee. (Some items were taken out of departments’ operating budget to capital.) Ms. Sanderson asked for an explanation of what each fund is and suggested separating out items that need 2/3 majority and simple majority. It was decided to break items out into separate motions: 1<sup>st</sup> motion 2/3 majority, second motion simple majority.

Article 11 is a borrowing and transfer article. (Two motions.)

Article 12 is a borrowing article. Mr. Mooring asked for more information on the levy and payment.

Article 24 (CPA North Hadley Dam): Mr. Mooring stated that as these are requests that go to a separate committee (CPA), and the CPA determines the validity of the terms of the requests, and then in goes to Town Meeting for the people to decide. Thus it is not up to the Select Board to recommend or not as a Board, and he recommended the Board take “no position” on CPA articles. In further discussion Mr. Nixon stated that Town Counsel has advised that



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if CPA money is used on a private entity, a restriction would be placed on it that it would have to be used as a dam, not for any other purpose. The second question regarding whether CPA funding create any liability for the Town, Town Counsel it can be structured so that the Town has no liability. Ms. Chunglo stated the Select Board has always taken a stance on warrant articles. ***Motion to take no position on CPA Articles: Mooring: Second: West: Vote: 2-2-0 (Chunglo and Dudkiewicz dissenting.) Motion fails.*** The Board went back to the original vote from their last meeting which was Select Board recommends 2-3 (against.) (The Select Board does not recommend.)

The Warrant will be sent out for legal review and returned to Select Board at their next meeting for final review and signature.

**Old Business #2: Budget:** The Select Board presented the following budget:

Revenue:

Taxation - \$9,936,924.00  
State Aid \$2,082,455 (up \$10,900.00 due to increase in local aid  
Local Receipts \$2,218,807  
Water Administration \$214,006  
Waste Water Administration \$153,868

Mr. Koski of the Finance Committee stated that the revenue figures used by the Select Board to balance the budget is not in agreement with what the TriBoard had originally agreed upon (\$14,592,394). Discussion ensued and it was agreed that with changes in state numbers, the current revenue number is \$14,606,060. The Boards reviewed the numbers, and it was stated that Free Cash was used to balance the budget. Ms. Sanderson stated that Certified Free Cash, even if used to balance the budget, should not be referred to as a revenue, as it becomes confusing when trying to compare revenues from year to year. The Boards were in agreement with this concept. Mr. West then stated the revenue is \$14,606,063, and \$134,582 in Certified Free Cash was used. The expenses were as follows: No change to budgets except for the following:

Reserve Fund: -\$20,000.00  
Accountant: -\$1,000.00  
Planning: -\$1,200.00  
LRP -1,500.00  
Property Insurance -\$4,400.00  
Police: \$63,400 (Full Time Officer)  
\$17,668 (Salary for Chief of Police)  
\$53,189 (Over Time)  
(Police Cruiser transferred to Capital.)

Chief Shanley had concerns with these cuts, including the fact that lowering one account is going to result in the increased overtime. Mr. West stated that one of the reasons for the cut to part time is that the Police Department historically has turned back from the Part Time account, although he has not had time to speak directly to Acting Chief Shanley. The Board will work closely with the Police Department to address the budget going forward. Discussion ensued regarding current fleet of cars in the Police Department and what the need is.

Mr. West stated that there was also a cut to the proposed school budget and OPEB was taken out until Fall Town Meeting. Discussion turned to budget impact on the ballot question. Mr. Koski asked for a three to five year budget projection going forward, Mr. Nixon will work on it and get it out beginning of next week. Mr. Koski also asked for a copy of the most recent wage study, job descriptions and union contracts. There was also discussion about the need to fund OPEB in the Fall and also the need to put \$250,000.00 back in Capital.

***Motion to accept the budget as presented (\$14,740,642 in expenses, with an additional \$6500.00 if the ballot question passes; \$146,606,060 in Revenue, and \$134,582.00-Free Cash to balance.): Chunglo Second: Mooring Vote: 3-1-0 (Dudkiewicz dissenting)***



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**Executive Session: 8:45 pm:** *Motion to move to Executive Session for the purpose of discussing a letter of complaint regarding personnel and to reconvene in open session: Mooring 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: Mooring – Yes: Dudkiewicz – Yes: Chunglo – Yes: West – Yes (Waskiewicz absent.)**

A discussion was held with a Town resident who had a complaint regarding Hadley personnel. The Board found no misconduct on the part of the Town.

**9:40 pm:** *Motion to adjourn Executive Session and reconvene in open session: Mooring Second: Chunglo*  
**Roll Call Vote: Mooring – Yes: Dudkiewicz – Yes: Chunglo – Yes: West – Yes (Waskiewicz absent.)**

**Old Business #3: New Liquor Licenses:** The Board made a public announcement that the State has allowed 12 additional on premise liquor licenses in the Town of Hadley, 6 wine and malt , 6 all alcohol.)

**New Business #1: Massachusetts Dept. of Agricultural Resources: Mitchell Family Farm Trust & Thomas F. Mitchell Family Trust (Montague Road/Sunderland Road/Route 116), Project ID #14C01:** The Board announced the above referenced notice of proposed acquisition as posted on the Select Board agenda in the office of the Town Clerk. ***Motion to consent to reduction of 120 day notice period: West Second: Mooring Vote: 4-0-0***

**New Business #2: Common Victualer License Application - Casual Concepts LLC dba Moe's Southwest Grill, 379 Russell Street** ***Motion to grant a Common Victualer license to Casual Concepts LLC dba Moe's Southwest Grill: Chunglo Second: Mooring Vote: 4-0-0.***

**New Business #3: Reserve Fund Transfer: COA:** The Board reviewed a reserve fund transfer request for the Senior Center to purchase an automated defibrillator – funds will be used in conjunction with grant funds. ***Motion to approve reserve fund transfer as allowed by Finance Committee: Chunglo Second: West Vote: 4-0-0***

**Announcements:** The Board thanked and congratulated Chair Daniel J. Dudkiewicz on his 6 years of service to the Select Board and 23 years of service to the Town of Hadley in many varied capacities. Mr. Dudkiewicz spoke of the privilege of serving, and stated that all of the boards he served on were always looking for solutions to problems, never dwelling on the negative. He thank everyone who supported him, especially his wife.

**Adjournment: 9:50 pm:** *Motion to adjourn: West Second: Chunglo Vote: 4-0-0*

Respectfully submitted,

Margaret J. Jekanowski  
Administrative Assistant