

TOWN OF HADLEY

SELECT BOARD

MINUTES

Meeting of November 1, 2016

- I. Meeting convened at 7:00 p.m., Room 203, Town Hall, 100 Middle Street, Hadley, MA 01035.
Present: Joyce Chunglo, Gerald Devine, Molly Keegan (Chair), Donald Pipczynski, and John Waskiewicz.
Absent: None.
Also in Attendance: Amanda Drane (Daily Hampshire Gazette), David Nixon (Town Administrator), Katherine Pipczynski, Richard Trueswell (HPAT).

- II. Complaint: J. Chunglo moved and G., Devine seconded that the Select Board enter into executive session as per the provisions of MGL Chapter 30A, Section 21 (a) (1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual and not to reconvene in open meeting.

Chair Keegan stated the matter has been moved and seconded, and the Chair declares that she has determined that it would be detrimental to the interests of the Town to discuss the matter in open session.

Motion approved 4-1-0 by roll call vote (Chunglo = yes; Devine = yes; Keegan = yes; Pipczynski = no; and Waskiewicz = yes).

Mr. Pipczynski, who is the subject of the complaint, insisted on his right that the Select Board hold the executive session in open meeting and in accordance with his counsel's advice. D. Nixon asked if D. Pipczynski was requesting to have the matter discussed in open session. D. Pipczynski stated that he wanted the matter discussed in open session. D. Nixon advised D. Pipczynski that he has retained an attorney, who was not present, to provide him with legal advice and even knowing that, did he wish to proceed in open session? D. Pipczynski stated that he understood and that he wanted the matter to be discussed in open session. D. Nixon advised D. Pipczynski that the meeting will occur in open session, which means that all information discussed in the meeting will be public. D. Pipczynski stated that he understood and that he wanted the matter to be discussed in open session. D. Nixon advised D. Pipczynski that he has a right to have the matter discussed in closed session, and any information discussed in closed session would be protected from disclosure by law. D.

Pipczynski stated that he understood and that he wanted the matter to be discussed in open session.

The members proceeded with an open session as requested by D. Pipczynski as per the provisions of MGL Chapter 30A, Section 21(a)(1).

Chair Keegan stated that the Select Board called the executive session, originally scheduled for October 26, 2016, and at the request of Mr. Pipczynski, the Board deferred action until tonight. The Select Board called the session as a result of multiple complaints received subsequent to the last executive session with Mr. Pipczynski.

The Select Board is concerned that delaying this matter further could lead the public to believe that the Board is failing to take action in response to reports of apparent abuse of authority and efforts to use an official position to intimidate the public.

The Board has received a request from Mr. Pipczynski's counsel to postpone the matter for another meeting. The Board will grant the request by rescheduling to November 9th.

J. Chunglo moved and G. Devine seconded to postpone the meeting until November 9, 2016, the next regularly scheduled Select Board meeting date. Motion unan. approved 5-0-0.

D. Pipczynski stated that he wanted the matter to be discussed in open meeting because he was concerned about a possible open meeting violation, he wanted to avoid legal costs, and he had heard that there was an illness in the Chair's family.

Meeting adjourned at 7:07 p.m.

Respectfully submitted,

David G. Nixon
Town Administrator