



Wednesday, March 1, 2017
Tri- Board/Select Board Meeting Minutes
Town Hall Room 203 - 6:30 pm

Pursuant to notice duly filed with the Town Clerk, a meeting of the Select Board was held at 6:30 p.m. in the in Room 203, Town Hall, 100 Middle Street, Town of Hadley.

Present were: Molly Keegan, Chair; Joyce Chunglo, Clerk; Gerald Devine, Member; John Waskiewicz, Member Donald Pipczynski, Member

Also Present were: David Nixon, Town Administrator; Amy Fyden, Finance Committee; Tim Neyhart, Building Inspector; Jane Nevinsmith, Resident, Gabriel Owen, Finance Committee, Michael Mason, Police Chief; Gary Broughman, Town Adminsistrator, Belchertown; James George, Mobilitie; John Mieczkowski, Resident; Tom Pitta, Finance Committee; Michael Sarzynski, Resident; Adrina Sarzynski, Resident; Rorie Woods, Resident

1. Call to Order

1.1 Call to order

Meeting was called to order at 6:30 pm by Chair Molly Keegan.

Molly Keegan introduces 2 new Finance Committee Members Tom Pitta and Gabriel Owen. Welcome and thank you for your willingness to serve. With these 2 additions that brings us to a full Finance Committee.

2. FY 2018 Budget Discussion

2.1 Public Safety Budgets (200 Budget Series) and Partial General Government Budgets (100 Budget Series)

Molly Keegan states that we will begin with the Building Inspector Tim Neyhart.

Tim Neyhart presents his budget stating that there are 3 line items that have changed. One is office supplies for inspection services, that has been reduced by 1,000 dollars. It was increased for the purchase of new license material last year and is going back down this year. The other 2 line items that are increasing in for the Plumbing and Gas Inspector we have increased his tuition costs because of an increase in the cost of certification. Secondly, we have increased his mileage by \$85.00 he was short last year on mileage.

David Nixon makes a recommendation to reduce the part time wages by \$1,000.00 because it was not used.

Tim Neyhart disputes that idea that there will be a need for it again, because they need to get all the files back in order again. It is a tremendous effort to keep the filing room in order, and we have hired someone to help with the clerical work.

Molly Keegan states that we have never really utilized the offer from the university in the matter of internships and would this be something that you would be interested in?

Tim Neyhart states that he would be, it would need to be set up, but we do have a lot of mundane work. If we can set that up that would be great.

There was further general discussion of the building department budget, the state of buildings of town, and the negative effect of the gas moratorium.

Molly Keegan states that there is no generalized inspection services, that there are 3 separate inspectors and they all work individually. Would it be better to have them all together and have them organized under Tim.

Tim states the inspections work fine how they are now with open communication, the major problem is organizing with fire department. However, that is due to lack of time for the fire department. There is better software available but we are waiting for a better IT solution. Then we will be able to move more efficiently.

David Nixon asks that the Select Board move to the Police Department budget.

Chief Mason states that he will do the police and dispatch together. The police budget has a .87% increase this year. This is because the decrease in overtime. This program has decreased overtime by \$6,000 in 7 weeks so far, if we had to pay over time it would have been about \$15,000. The difference of about \$9,000.

The full time wage line has been decreased by \$17,000 the reason for that is because we loss some high salaries and replaced with low salaries. Part time has increased that is due to raises, and shifts in scheduling.



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I would like to change to line item of overtime training to just training, that is how we have always used it. The other main is the IT line, I know that all departments have beaten this to death but the it costs are through the roof. These are things that we have to pay for. Legal services also increased a bit due to recent history I would like to raise this budget to be prepared for the future.

General discussion over the use of NARCAN between the Police Chief and the Select Board over the feasibility of the officers carrying it.

Donald Pipczynski asks if we can defray the cost of the officers going to school by hiring more special officers? Chief Mason states that the limits due to the bargaining of the contract.

Further discussion of the staffing level of the police department.

Chief Mason also discusses the Communications budget, another small increase of .74%.

David Nixon states that there is a discrepancy in the budget and that is due to a mistake in the taking of a maintenance line. Chief Mason however returned that \$2,600 to communications maintenance line.

The increase in the budget is due to CPA and raises. There is a significant increase is for training, and that it is because of mandated training. There have been difficulties with the 911 grant with the transition between Hukowicz, Shanley, and myself but we are still working on it with them.

Molly Keegan thanks Chief Mason for his budgets and time.

This part of the meeting was postponed to for 2 appointments, and was taken back up a 7:45. The topic was the 100 series of the budget.

David Nixon starts the review of the budget on page 42, with the moderator budget and then the Select Board budget. There is only on reduction in this budget because of pypc budget since we do not use it.

The Town Administrator there was a contractual increase and decreased the mileage account.

Moving to the Legal budget increased by almost 10%, in response to the new public records law.

Further general discussion of the legal budget and to remove the increase. The Select Board would like to level fund this budget.

Property insurance budget is level funded. The safety committee is doing a good job and it is allowing us to level fund this budget.

Donald Pipczynski thanks John Allen former Selectman, who helped bring all of this around.

Gerald Devine states that we should also remember Susan Glowatsky who worked in the industry and brought all of her expertise to the town.

David Nixon moves to the next budget, which is the Senior Center's operational budget, this budget has been decreased by 22%, these decrease have been transferred to the 490 budget.

Moving to the Town Hall budget which has been decreased by 11% and again these are transfers to the 490 budget.

These are all due to consolidating our building maintenance budget to the DPW.

The North Hadley Village Hall budget has been decreased by 100%, we are mothballing that building. There is no need to spend any money on that building. We are speaking specifically on the North side of that building.

Finally the Russell School budget has been decreased by 20%, because we have mothballed that building except for the operational office for ET&L.

David Nixon then states that the final budget to be discussed is the ambulance budget and the \$5,000 dollar increase, and this is by contract, through the Town of Amherst. Further discussion of the ambulance budget.

3. Consent Agenda

3.1 Consent Agenda

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| Minutes | February 1, 2017 and February 15, 2017 |
| Warrants | AP1434S, AP1735, AP1736, AP1736S |



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| One Day Liquor License | Pyramid Mall of Hadley - 03/15/17 |
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Motion to accept the Consent Agenda
Motion: Chunglo Second: Devine
Vote: 5-0-0

4. Public Comments

Donald Pipczynski states that there will be a retirement party for Michael Klimoski, the date will April 1, 2017. Dinner/dance. He would like any money that is used for the after the dance be given to a charitable organization. David Nixon states that this is not for board to decide up to organizers. John Mieczkowski inquires if there will be any infrastructure items on the town warrant this year.

5. Town Administrator Report

6. Appointments

6.1 7:15 Continuance of Mobilite LLC- Pole Hearing

This is a continuance from the January 25th pole hearing.

James George states that he want to provide an update, stating that he has met with David and Dan, the assessor, and believe that we are all on the same page for the contract negotiations for my project. The utility pole that I am proposing for your town. I have a couple of questions, I have looked at your warrants and found that this sort of thing is happening with a lot of towns that I am involved in. It will take about 2 weeks to kick out of legal and looking at these this item with a solar pilot agreement. So it would be a pilot agreement in the since of the Massachusetts law. I have given it to my legal, and looking at your warrants is this something we enter into discussions before the agreement goes out?

David Nixon responds we had the conversation with the assessors and our approach with pilot agreements is a win/win situation. We always want to make sure that the taxpayers of Hadley are well represented and the business community also benefits. The first question that we approached was whether a pilot agreement under Massachusetts law with a utility pole or communications pole was allowed and we still don't have that answer. With Pilot agreements we typically work with solar because they are specifically allowed under Massachusetts Law. PILOT agreements are payments in lieu of taxes agreement. So rather than paying property tax solar companies work out an agreement where they make a payment to the town that is beneficial to the town and allows a more manageable income flow over the life of the project. So we have done 5 of these with solar developers. However, we have not been able to find in MGL a process that would allow us to use this for your communications tower devices. There are 3 levels of approval- 1st the Select Board, 2nd the Town Meeting, and 3rd with the Department of Revenue.

James George responds that he feels that we are moving in the right direction and that this very interesting and other towns are in the same quandary because I came in with a pretty straightforward right of way access agreement that in my world. You brought up PILOT program when you look at the 2 together they are very similar in nature one is the assessed value of the channel and the other is based on more of landlord/ tenant sort of thing. I am seeking access to the right of way space. Would it be my action to seek counsel from the Attorney General and the DOR on my side because I can do that to, with my designation as a CLEC -Competitive Local Exchange Carrier, as Mobilite. I have the right to be in that space thru the state. I understand what you are saying through the telecommunications piece but it is more of an advancement of the utility with a wireless tenant on top of that. So I need to seek counsel from the state and the DOR to see if we can be presented as a PILOT agreement.

David Nixon states that the conversation that we had was that you are looking for an exemption from taxation as a utility pole or a communication device that would be put up on town property would be taxed as personal property. So we take the value of the construction and multiply it by the mill rate and that would be your tax bill. You indicated that you did not want a tax bill and you wanted to make a payment to the town instead. This is the fundamental problem we do not know of any law that allows us to enter into that agreement with a telecommunication tower.



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James George states that maybe there is a hybrid there that will allow us to pay the fee for the right to be in your right of way space and you tax my chattel.

David Nixon states that may work.

James George then offers an example of a cell tower and his chattel payments made for it. States that he would pay the chattel and the real estate tax for the ground.

David Nixon states that we have to discuss this with the assessors.

Gerald Devine states that he wants to see the numbers. John Waskiewicz concurs.

James George states that he does not want to advance something to the town meeting, and have something that he cannot be contractually bound by it.

David Nixon recommends to the Select Board to either continue the hearing or close the hearing and take no action.

James George asks if this must go on the warrant.

Molly Keegan states that the warrant is already closed but it is up to the Select Board to reopen.

David Nixon states that the drop dead date on the warrant is April 12th.

John Waskiewicz states that appears that all parties need to be advised by the AG's office.

Don Pipczynski has concerns about the pollinators, this is a farming community.

James George responds that he has provided information about pollinators and that they are going to hire a certain group of people, RF engineer to study the data.

Don Pipczynski states that the height affects the pollinators lower is worse and the higher is better.

James George responds that it depends on the research, and 55ft. is allowed in this area, but would like to have 75ft.

Molly Keegan asks if there are any public comments.

Rorie Woods from West St. states that I am beekeeper and that there is a lack of information. I think that we need to look at all the data and who produced it, was it energy groups, beekeeper groups.

We barely have any pollinators left in Hadley, and we are a farming community and we need pollinators. She suggests that you speak to Dan Coughlin, from Franklin County.

Further discussion of pollinators and more research needs to be done.

Motion to close the hearing

Motion: Devine

Second: Chunglo

Vote: 5-0-0

6.2 7:30 p.m. Hampshire Council of Governments

Todd Ford is here to make a brief presentation and the 2016 annual report fresh off the press.

David Nixon states that the Town of Hadley is a member of HCOG and how we participate in their purchasing program.

Todd Ford thanks the Select Board for having them and asks Ellen to introduce herself.

Ellen Batchelder introduces herself and states that she is the new Director of Procurement Services.

Todd Ford explains the reason for HCOG and the mission of the council. They have created a suite services and to look at future services. Including the electrical service provided and the net metering services.

Ellen then discusses the procurement services that are provided to the Town of Hadley. She also provides a comparison sheets between the years of 2015 -2016, and then provides an estimated percentage of a discount for bids.

Molly Keegan inquiries about the overall discount of about 3.6%.

Todd Ford then states that Hadley does participate in the IT service with Paragus IT.

Gerald Devine inquiries about the overall response to Paragus, the response time and customer satisfaction.



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Todd Ford states that they are great and have been working on opening up a better dialogue between all of the towns that they work with. He knows that there have been hiccups with them but they are working on it and that they met with David and Paragus yesterday to discuss these problems.

Gerald Devine says that he has heard multiple complaints about the response form Pargus and their service. He further wants to make sure that the problems were highlighted.

David Nixon says that we addressed the need for clear communications, and better response time.

John Waskiewicz asks that in response to the new public records law, if HCOG could help with grants from the Commonwealth.

Todd Ford responds that he knows that several law firms held forums to help cover that and that we have a master plan. He has further asks Paragus to see how they can support this and Ellen to look at ways for procurements to support this.

Molly Keegan asks Todd Ford to discuss the overall health of the COG, and that one of our concerns is that the cog is not growing with participating municipalities.

Todd Ford wants to further discuss other services and then address Molly's question. He then provides further information about services that are available. He then discusses the health of the cog, he provides the numbers but states that the numbers are not available from the auditor yet. There was an increase in expenses for FY16 of 76,000, but there was also an increase in the Hampshire Power revenue increased by 442%, that is 572,000 dollars and you can see that the cog finished in the black with almost \$90,000 dollars. The numbers shows that all the previous years were a loss but FY16 will show a gain. They are looking to diversify the income stream and hopes that this provides information that you were requesting. We make up most of our income for our fee for services and we always start about \$600,000 in behind. Our goal is to be net neutral.

Molly asks about this year's budget.

Todd Ford says that he fills that they will come in about the same.

Donald Pipczynski states that he would like to thank Mr. Sarzynski for his years of service to the HCOG and for bringing me up to speed with the COG.

Todd thanks for Mike, for his service and welcomes Donald.

John Mieczowski asks how many towns are participating in the COG. And how many towns are in the county?

The response is 15 participating and about 20 in the county.

Further general discussion about HCOG.

Molly Keegan spoke other needs that the town has and services that we would be interested in - accounting, human resources.

Gerald Devine asks that we forward the list of our needs to Todd Ford.

Molly Keegan asks for any further speakers.

Gary Brougham, Town Administrator form Belchertown states that he has a long history with the COG and there has been successes and more failures. The COG cannot be everything for every town, and no one should be criticized for the participation or lack thereof in the COG. He then requests that the Select Board look closely at the information that they were provided tonight. You have been given some materials tonight; I suggest that you look at them very closely. The Municipal Electrical program that had been offered is not a competitive deal if you do your homework there are much better deals out there. The residential program is similar. Belchertown had a meeting on Monday night where we also discussed withdrawing and that has not been decided at this time. There are problems in the COG with accountability, and I suggest that you look into this matter closely. Further general discussion on Mr. Brougham's statement.

7. Old Business



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7.1 Route 9 and Route 47 Intersection Signage

This is in response to a request from the Senior Center to return the signs for "NO TURN ON RED"

Chief Mason states that he received an inquiry from David Nixon about the intersection in front of town hall and that his understanding was that the intersection was under the control of DOT, so they would be the ones deciding if the signage would be coming back. Chief Mason continues that the DOT has turned over the jurisdiction of the intersection to the Select Board and you can make the decision for signage. I can provide information for the intersection, and we have no measurable data for car accidents there. Chief Mason states that he does not have a preference at this intersection at this time.

Further general discussion over the signage.

Molly Keegan asks if the Select Board would like to take up this matter tonight or put on the agenda for another night?

Motion to leave them as they are

Motion: Devine Second: Pipczynski

Vote: 5-0-0

7.2 Fire Substation and Senior Center RFQ finalists

Motion to approve the list for the 3 finalists for the senior center and approve the building committee to negotiate price

Motion: Chunglo Second: Devine

Vote: 5-0-0

Donald Pipczynski inquires about the businesses locations.

Jase Nevinsmith responds and then requests to be on agenda for next week.

John Mieczkowski speaks about the 2 applicants for the Fire Substation and then asked them for 9 more references. One of the applicants stood out from all of the rest.

Motion to approve the ranking of the architects and approve the building committee to negotiate the price.

Motion: Devine Second: Chunglo

Vote: 5-0-0

John Mieczkowski asks when the next time for him to come back with the results.

Select Board responds that there are place holders on the agendas for each item at every meeting.

David Nixon states that for both projects there are 2 bids for Geo-Tech Services and Soil Analysis. For the fire substation and the senior center for geo tech they recommend Costa Consulting Engineers and for the soil analysis ATC Group. David Nixon recommends that the bids be awarded to these 2 companies.

Motion: Chunglo Second: Devine

Vote: 5-0-0

8. New Business

8.1 Water and Sewer Abatement - 3 Scott Lane

David Nixon states that this is to abate an estimate that was over the actual reading.

Motion to approve the water and sewer abatement

Motion: Devine Second: Chunglo

Vote: 4-0-1

John Waskiewicz abstains



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8.2 ATM Consent Agenda Articles

David Nixon suggests that the Select Board put the following Articles on the Consent Agenda
Article 1, 2,3, 7 and 15

Motion to approve the ATM Consent Agenda Articles of 1, 2 , 3, 7,15

Motion: Chunglo Second: Pipeczynski
Vote: 5-0-0

8.3 Opening of Warrant for CPA Articles

Motion to open the warrant for the following articles for the Haryn property and the West property
Gerry Devine states that he would like to have conservation and CPA to come in to discuss before the Haryn articles
put on the agenda

Motion to accept the 2 West Property to put on the warrant

Motion: Chunglo Second: Waskiewicz
Vote: 5-0-0

Motion to accept the 2 Haryn articles for the warrant

Motion to close the warrant:
Motion: Waskiewicz Second: Chunglo
Vote: 4-1-0

9. Other

10. Announcements

Gerald Devine there is a Corn hole Tournament to benefit Riverside Industries. On Sunday, March 26th at the
American Legion.

Joyce Chunglo offers the condolences of the Select Board to the family of Larry Kelley. And offers condolences to
the family of Amelia Szafir. The town bought the property from her and her family for our school and safety
complex.

11. Executive Session

12. Adjournment

Motion to adjourn

Motion: Devine Second: Chunglo
Vote: 5-0-0

Meeting was adjourned at 8:30 pm

Respectfully submitted,

Jennifer Sanders James