



Wednesday, May 17, 2017  
 Select Board Meeting Minutes  
 Town Hall Meeting Room 203– 7:00 pm

Pursuant to notice duly filed with the Town Clerk, a meeting of the Select Board was held at 7:00 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; Donald Pipczynski, Member; John Waskiewicz, Member

Also present were: David Nixon, Town Administrator; Cathy Zatyryka, P&R Coordinator; Tom Pitta, Finance Committee; Gabriel Owen, Finance Committee; Diane Kiara- Ciolkos, P&R Commissioner; Andy Klepacki, P&R Commissioner; Marianne Noonan, Resident; Michael Mason, Chief of Police

**1. Call to Order**

**1.1 Call to order**

Meeting was called to order at 7 p.m., by Molly Keegan, Chair.

**2. Consent Agenda**

**2.1 Consent Agenda**

Minutes	March 8, 2017, March 15, 2017, March 29, 2017
Warrants	AP1746, AP1746A, PR1744
Letter of resignation	Catherine Zatyryka - Park & Recreation Program Coord.
Request for reappointment	Edwin Matuszko - CPA, Andrew Morris-Friedman - CPA
Letter of resignation	Jackie Lapenski - Police Dept.
Transient Vendor, Hawker, Peddler License	Brian Galas, Vivint Solar

Motion to accept the consent agenda

Motion: Devine Second: Chunglo

Vote: 5-0-0

Donald Pipczynski states that we will miss you Cathy and that you did a tremendous job on the news article last night talking about Zatyryka Park.

David Nixon asks that you just acknowledge the 2-appointment request but do not appoint, the Select Board will handle all of the reappointments on June 21st.

Gerald Devine asks what are the rules and regulations for Hawkers and Peddlers, I have 2 people at my house in the last few days selling solar.

David Nixon states there are 2 issues, one is making door - to - door sales and they are not registered that allows people not to pay taxes. IF they have a license through the town then there is a record, for sales taxes to be collected through vendor. The other issue is a public safety issue, if you have a salesperson that has not been vetted by the Police Department, this is a concern. If anyone has a vendor at their door, please ask them to demonstrate that they have been in front of the Select Board and have the proper permit. If not the next call is to the Police Department.

Donald Pipczynski states that the HCOG ask him to provide the Cog with a list of all Hadley residents with solar panels from the assessors. I have not done this yet, because I am unsure how to move on it.

David Nixon states that the DOE has a list available online, but you could also contact the building department.

**3. Public Comments: 7:00 - 7:15 pm**

**3.1 Public Comments**

**4. Town Administrator Report**

**4.1 Town Administrator Report**

**Projects**



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Town Hall Parking Lot Repaving Update: Town Meeting secured funding, and procurement documents are being prepared. Project is expected to take place in summer.

Bay Road Bridge Update: MassDOT work is progressing at the bridge. The project is expected to take 16 weeks to complete (weather conditions permitting). Complete bridge replacement is scheduled for 2020.

Route 9 Widening 2016-2017 Update: Only punch list and cleanup items remain to be done. Project will be wrapped up in spring 2017. The Legion parking lot is cleared and ready for the Memorial Day parade, but repairs are needed to restore the parking lots.

Route 9 Widening 2021 Update: MassDOT has outlined their plans to widen Route 9 from Middle Street to South Maple Street in 2021. We will invite MassDOT to give a presentation to the Select Board to expand on their previous presentation about a much smaller project.

The Town has sent a letter expressing interest in becoming a partner with the state to replace water and sewer lines within the project area. Initial conversations with the engineering firm are underway.

This project represents an opportunity for the Town to improve miles of its water, sewer, and storm water infrastructure at a discount. The scale of the project will pose challenges to affordability and project management capacity, and we are meeting to plan for the best approach.

The Town has requested a meeting with MassDOT to review the expanded scope of work.

Public Safety Complex Roof Update: The project is progressing well, and should be completed soon.

Public Safety Complex HVAC: Emergency repairs are authorized. Procurement of non-emergency work is underway. Bid specifications have been received from designer, and will be incorporated into final bid package, once a final scope of work and a funding sources are identified.

Designer Selection (Fire Substation) Update: The design of the proposed fire substation is underway, and site survey, geotechnical survey, and the Phase I soil analysis completed.

The Select Board approved the bid for estimator services.

The Hadley Historic Commission has raised questions about the status of the site, and legal review has been received. The issue is about whether the former ballfield constitutes protected recreational land under Article 97 of the Massachusetts Constitution. A court case involving the City of Westfield's plan to develop a school property will be heard by the Massachusetts Supreme Judicial Court this summer (see SJC-12243 Virginia B. Smith & others vs. City of Westfield & others) and may provide a clearer and more relevant case law than currently exists.

In addition, a survey has revealed an inaccuracy in the delineation of the flood plain. Corrective work has been approved, and the results are not expected to impact the project materially.



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Designer Selection (Senior Center) Update: The design of the proposed fire substation is underway, and the site survey, geotechnical survey, and the Phase I soil analysis are complete.

The Select Board approved the bid for estimator services.

Two public forums are scheduled to present the preliminary design: May 25 at 3:00 p.m. and 6:00 p.m. at the Hopkins Academy.

Gas Moratorium Update: The Town presented written testimony to the Massachusetts Department of Public Utilities public hearing on March 8. The Town's testimony documents the impact of the moratorium on local businesses. The Town met with Berkshire Gas Company and representatives of the business community to explore short-term and long-term solutions.

A possible short-term solution is being explored, and more information will be presented as it becomes available.

Commonwealth Compact IT: The Town applied for an information technology grant, due on April 1. A scope of work was proposed by the Select Board at their last meeting and includes (1) a SCADA system for the wastewater treatment plant and (2) implementation of the Town's five-year strategic IT plan.

Direct Local Technical Assistance Grant Update: Related to the financial management best practices supported by the Commonwealth Compact Grant, the Town has been awarded a Direct Local Technical Assistance Grant to conduct a feasibility study of a shared finance director with the Town of South Hadley. The Pioneer Valley Planning Commission will begin work June 1.

Electricity Net Metering Credit Agreement (Phase 2) Update: The second solar installation on Mill Valley Road is now complete and was made operational on October 25, 2016. The developer, Nexamp, is implementing the net metering credit agreement under SREC 2 for 30% of our municipal electrical load, resulting in a 16% discount on many municipal electrical accounts. (We already have a net metering credit agreement under SREC 1 resulting in a 21% discount for 70% of our municipal electricity.) Future savings over 20 years is estimated to be \$150,000 to \$300,000.

Payments have begun under this program.

Electricity Aggregation Project Update: Good Energy made their final submission to the Massachusetts Department of Public Utilities, and the Town has been providing documentation as needed. Once DPU gives their approval, Good Energy will conduct a bid process for electric rates. Assuming a favorable outcome, Hadley residential electricity users should start seeing a discount on their electricity bills.

The Select Board completed its public outreach on May 3.

Sewer Clarifier Update: The Board awarded the base bid and alternate #1 to Weston and Sampson Engineers for a total price of \$250,950. The project budget is \$290,000.

A pre-construction meeting was held on May 17. The notice to proceed was sent May 3. The project is due to be completed no later than October 31.



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Special Town Meeting Update: Work is progressing on the Fall Special Town Meeting.

A preliminary warrant is under development.

The Select Board will be asked to approve a schedule of action items to prepare for the town meeting.

**Departmental Functions**

Quarterly Water and Sewer Billing Update: The Select Board approved rate increases for water and sewer usage. Quarterly billing will begin with the summer billing.

End of Year Update: Departments have been advised as to end-of-fiscal-year procedures regarding encumbrances, reserve fund transfers, and other budgetary matters.

Safety Committee Update: The Safety Committee will meet shortly to review loss runs for FY 2017 and start working on new initiatives for FY 2018.

In light of the Town's excellence in loss control, MIIA has offered a 0% renewal for insurance rates for FY 2018.

Five-Year Capital Plan Update: The updates to the five-year capital plan have been sent out to the departments with a due date of June 30.

Communication Plan: The draft Communication Plan will be edited and presented to the Select Board for adoption.

MS4 Storm Water Permit: The voters approved funds for MS4 compliance, and the Select Board is asked to sign the contract with CEI to perform the work. The Town should be in good shape to file the required Notice of Intent by September 2017.

The Town also received the Governor's Commonwealth Compact Regional Efficiency and Regionalization Grant to help review all of Hadley's codes (zoning and general bylaws) for compliance with MS4 requirements. Hadley is scheduled for code review, July through December 2018. The Town will prepare articles amending our codes in time for the May 3, 2018 Annual Town Meeting.

The Town has been awarded a grant/loan through the State Revolving Loan Program that is specifically geared toward storm water management under the MS4 Permit. The terms of the loan are being evaluated.

The Town has hired an engineering firm to prepare the Notice of Intent in advance of the September 2017 deadline.

Financial Management Team: The Financial Management Team (FMT) will meet shortly to review financial information.



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Audit Update: The FY 2016 audit is expected to be completed by May 26. A presentation of its results is tentatively scheduled for June 7.

OPEB Actuarial: The biannual OPEB actuarial report has been received, and Hadley's unfunded liability has dropped by \$487,000.

**Upcoming Town Actions and Community Events:**

Tractor Pull Contest, North Hadley Sugar Shack:	May 20
Strawberry and Asparagus Supper, First Congregational Church:	May 20
Public Forum on the Senior Center Preliminary Design:	May 25 at 3pm and 6p.m.
Asparagus Festival:	June 3
Chicken to Go, Friends of Council On Aging:	June 11
Polish Dinner, Most Holy Redeemer At the Young Men's Club:	July 30

We should include an insert-telling people that we have gone to quarterly billing, and a request to DOT for changing the signs for pedestrian signs, by the flashing lights by superintendent's office, and we wanted to remove the no turn on red signs. We voted not to have them anymore.

**5. Appointments**

**6. Old Business**

**6.1 Fire Substation & Senior Center Update**

Gerald Devine for the Senior Center, states the COA will be holding a public forum for May 25th one at 3 and one at 6 at Hopkins Academy. The design of building is done and they want to share the information, and to receive people's input on the design of the building. The COA is also offering Chicken -to - go on June 11th, there are still tickets available.

Joyce Chunglo for the Fire substation states that they have not met since the last meeting. They will be meeting next Thursday at 6:30.

**7. New Business**

**7.1 General Strategy and Planning Session**

David has provided information for the Select Board; we have been very aggressively looking at our finances, our strategies and functions for a long time, starting back in 2007, of the original review of the sewer commissions, and the water and sewer department, which were independent at that time. We have implemented several of the recommendations from the review, such as the unification of the 2 separate bodies of sewer and water into a unified DPW and to codify our bylaws which we have done. We have also looked other processes such the



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quarterly billing. There are still some outstanding goals in the town offices, such as treasurer, collector, assessor, Select Board. We should feel good about the things that we have accomplished such as the OPEB strategy, the Tri-Board, the policy for financial management, but the Community Compact Charter study see room for improvement in areas such as IT, Finance Director, and a Human Resources Director. WE have also prepared a Service Delivery Plan for each department. We have opportunities for improvement, and we have had long discussions during the budget process with where are deficiencies are in particular public safety, IT, HR, and Finance management.

Molly Keegan states that we were all in agreement that there is work to be done in advance of the STM in the fall, and there are many of other things that have come up during the budget process. I have put together a list of topics to help coordinate our discussions, and who we would invite in to discuss these topics, all of these topics are for information and fact gathering. These are not recommendations

For general information - override options, Terry Williams from the DOR, Sandy Puehler from Arlington for options of an override, Also, follow up on the charter discussion that we had about a Town Manager, instead of Town Administrator. We have also discussed people related costs specifically cost savings and mitigating the budget line items, speaking specifically to that we had discussed inviting in Joe Shea from Hampshire Franklin Trust to discuss our health insurance and how that is going. Then having Parker Elmore, through the OPEB evaluation and managing the liability. Finally reviewing the board and committee stipends, and who receives stipends and does not, how often they are meeting. We have staffing request for police and fire, and to discuss the thought of regionalizing dispatch and the ambulance contract is due to expire. Then there is the administrative costs, I would like to look at staffing. We have issues with how we are structured. The planning board has been very vocal that we need to come up with a long rang plan for planning.

Then in general are there any possibilities of consolidation, such as the assessor's office, inspections. I will share this around to all of you, so that you can weigh in with these items. Then we can all come back to this with a prioritized list of these items.

Further general discussion of the list of priorities for the Select Board. The Select Board agrees that they will work on this list of the priorities before the next meeting.

## **7.2 Park & Recreation**

The Park and Recreation Commission would like to discuss with the Select Board the resignation of its members, location, and services.

In addition, the Park and Recreation Commissioners have notified the Select Board that a vacancy exists on the Commission, due to the resignation of one of its members. As per the provisions of MGL Chapter 41, Section 11, the Select Board and the Park and Recreation Commission are asked to schedule a joint meeting after giving one week's notice.

MGL Chapter 41, Section 11 states: "As used in this section, the term "vacancy" includes a failure to elect. If a vacancy occurs in any town office, other than the office of selectman, town clerk, treasurer, collector of taxes or auditor, the selectmen shall in writing appoint a person to fill such vacancy. If there is a vacancy in a board consisting of two or more members, except a board whose members have been elected by proportional representation under chapter fifty-four A, the remaining members shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be



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necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next annual meeting or until another is qualified."

Diane Kieras-Ciolkos states that they have received a letter of resignation from Sarah Palmisano and we would like to officially recognize that letter. We have also received a letter of intent from Marianne Noonan that was submitted to Town Hall and get everything on the record.

David Nixon states that MGL requires that whenever you have a vacancy where there are elected officials, you have to send a notice to the Select Board within 30 days of when the vacancy happened, which you did, then the Select Board had to give one week's notice and then the 2 bodies get together and then by roll call vote they appoint the person from whatever submissions they have received. The term is for one year till the next election. Donald Pipczynski ask are we required to advertise.

David Nixon states that we will advertise on the board downstairs and it is being broadcast right now.

Gerald Devine states that we will go forward for the process and we acknowledge that we have a person here that is interested.

Diane Kieras-Ciolkos inquires what do we do if I am the only one here for Park and recreation?

Andy Klepacki will be out of the country, and we need to act on this.

David Nixon states that we should post this and then go from there.

Motion to start the week of public notice to fill the vacancy in the Park and Recreation Commission

Motion: Chunglo                      Second: Devine

Vote: 5-0-0

Molly Keegan states that with the resignation of Kathy Zatyryka on June 30, there are some nuances with hiring and how we move forward.

David Nixon explains that this is a department head so it must be posted downstairs and published in the newspaper and the Select Board is the hiring authority. The P&R would make their recommendation and the Select Board would vote on it.

Diane Kieras-Ciolkos asks about hiring someone in a temporary role until a successful candidate is found.

David Nixon suggests a temporary for the interim position. That would be a vendor relationship.

Diane Kieras- Ciolkos suggest that since Cathy has given us ample turnaround time by giving us extra notice, we would like to take advantage of that by having overlap between her and the interim. This will allow time for them to learn the ropes.

Molly Keegan asks that because of the budget problems that we have, I think that this is a good time to look at the position that is current, the programs, and see where we want our P&R to go from here. I would recommend that we do not post this position immediately and spend some time learning what the needs are for the department.

## **8. Other**

## **9. Announcements**

Joyce Chunglo offers the Select Board's condolences to the families of Marjorie Fydenkevez and William Pelissier. They were both lifelong residents of Hadley and they will be missed.

Gerald Devine states the following upcoming events-

Tractor Pull at the North Hadley Sugar Shack this weekend

Asparagus and Strawberry Supper at the First Congregational Church on the 20th in the evening

Senior Center Public Forum at Hopkins Academy on May 25 at 3 and 6 for the design of the new senior center

Memorial Day Parade on May 28 at 2 pm



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June 23rd Town Department Corn hole Tournament at Goodwin Library  
June 3rd is the Asparagus Festival on the Commons  
June 11th is the COA Chicken to go  
July 30th is the Polish Dinner at the YMC for the Most Holy Redeemer.

**9.1 Boards and Committees Update Request**

Molly Keegan states the Select Board and the Town Clerk are requesting that all boards and committees update their members list. We will reappoint boards and committees as needed at the end of June for the upcoming fiscal year, to make this a smooth reappointment year. We will be sending all boards and committees letters and emails asking for the following information - the reorganization of the committees, resignations, new members, vacancies, or other appointments made to other board, and best point to contract. We will mail all information out tomorrow, and ask for them to be returned by June 14th.

**10. Executive Session**

**10.1 Personnel- Police**

Joyce Chunglo makes a motion that the Select Board will convene an executive session as per the provisions of MGL Chapter 30A, Section 21(a)(3): "To discuss strategy with respect to collective bargaining ... if an open meeting may have a detrimental effect on the bargaining ... position of the public body and the chair so declares;..." Police Department

Molly Keegan declares as the Chair of the Select Board that holding any discussion related to this in open session could have a detrimental impact on the Town of Hadley.

Motion to enter executive session

Motion: Chunglo

Roll Call Vote: Waskiewicz: Aye; Devine: Aye; Keegan: Aye; Chunglo: Aye; Pipczynski: Aye

**11. Adjournment**

**11.1 Adjournment**

Motion to adjourn

Motion: Second:

Vote: 5-0-0

Meeting was adjourned at 8:06 p.m.