



Wednesday, December 6, 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, John Waskiewicz, Member

Also present were: David Nixon, Town Administrator; Jennifer Sanders James, Licensing Coordinator; Gabriel Owen, Fin Com; Amy Fyden, Fin Com; Dan Zdonek, Asst. Assessor; Marlo Warner, DPW Director; James Channing, Pride; Marsha DelMonte, Pride

1. Call to Order

1.1 Call to order

Meeting is called to order at 7 pm by Molly Keegan, Chair.

Joyce Chunglo asks for a moment of silence for Montgomery Fire Chief Steven Frye who passed away. A moment of silence was observed in his honor.

2. Consent Agenda

2.1 Consent Agenda

Minutes	October 4, 2017, October 5, 2017, October 18, 2017
Warrant	AP1821S, AP1821, AP1821V, PR1821
2018 License Renewals	Please see attached list for businesses up for renewal
Common Victualler	Pride Stores LLC - 25 Russell Street

Motion to accept the minutes and the warrants, for the license renewals and common victualler to be removed.

Motion: Chunglo Second: Devine
 Vote: 3-0-1

John Waskiewicz abstains.

Molly Keegan asks Jennifer Sanders James about difficulties in getting information from Namco. Jennifer Sanders James states that we are having difficulties with Namco, the arcade in the mall doing business as Timeout. They do not have a business certificate and we are enforcing the policy this year that you have to your business certificate for your license to be renewed. They have turned in everything but the business certificate, and I have built in the 13th for approval for licenses too. This will allow people a little more time to get their business certificates before the end of the year.

Molly Keegan asks about the Pride license for the Common Victualler and the Beer & Wine license, there have been no problems yet because they have not opened.

John Waskiewicz states that there is a problem with some of these licensees not having the grease traps cleaned in a timely manner or following their schedule. This needs to be addressed.

Molly Keegan asks David Nixon if it is possible to vote on these licenses and then hold them.

David Nixon states that the alcohol license must be approved by December 31, but when can approve and hold the licenses until the Certificate of Occupancy has been issued.

Gerald Devine asks if all of these issues have been resolved, in particular a communication issue.



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Tim Neyhart states that there are still ongoing problems we are working on it with them.

The Select Board decides to approve the licenses for Pride but not to issue them until they have receive their certificate of occupancy.

Motion to approve the licenses for renewal as is except for Steve Lewis, and approve both licenses for the Pride but hold until they receive CO.

Motion: Chunglo Second: Devine

Vote: 4-0-0

James Channing, lawyer for Pride asks about an additional Common Victualler license for the Subway that they will have in store.

The Select Board states that they should have a separate license for the Subway.

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

3.1 Public Comments

4. Town Administrator Report

4.1 Town Administrator Report

5. Appointments

5.1 Steve Lewis Subaru - 7:15 p.m.

Molly Keegan states that we have an appointment at 7:15 with the manager of the Steve Lewis Subaru Dealer at 7:15.

Jennifer Sanders James states that the manager confirmed that they would be attending.

No one present at 7:15 so the Select Board takes up the Hoynoski Property Closing Agreement.

Joe Clark, General Manager and Tracy Sterns, arrive at 7:24 to discuss the Steve Lewis license.

Tracy Sterns apologizes for being late, she thought the meeting was at the Senior Center.

Molly Keegan wants to recap a few things, we did pull your license from the 2018 renewals that we just voted on. In December of 2016 there was a request made for temporary parking of automobiles at the Pulse property, this was supposed to be temporary and then you asked for an extension. We took that vote based on the facts that were presented to us, that this was an over delivery from the dealer and that they do not always respect the floor plan, but that you were slowly whittling them down. They were also supposed to be gone by April and the property would be open again.

Tracy Sterns states that a magical thing happened we hired a lot of new people.

Joe Clark states that we requested the additional inventory because we were hoping that we would purchase the land next door. That deal fell through, and Subaru was helping us by increasing the inventory, helping us get our numbers up. Everything has fell apart with the land deal. What happened with the additional inventory is that we sold them and what happens is the more that we sell, the more they send. We haven't been able to shrink it down and the number is not going down. The land deal is gone but we are going to continue to grow. We are asking you now for forgiveness what happened and we hope that you will allow us to continue to the relationship with Pulse. We do not retail any cars out of there, if there is a customer they went there on their own. The good thing about more vehicles is



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that we have been able to bring on more staff and created some great things for us at the dealership. I know that this goes against what we originally asked you for in the beginning.

Molly Keegan asks the original agreement expired in April, it is now December 6, so what effort did you make to communicate with Town Hall or to town personnel? Why did we have to reach out to you to come in tonight?

Joe Clark states that he doesn't have an answer for that and he is sorry. When we were invited to this meeting I looked at this as an opportunity to ask to expand our license with the Planning Board. We looked at this as a way to continue to do the right thing.

John Waskiewicz states that we told you we did not think that it was a big deal to have a few extra cars, but you should go through the proper permitting.

Tracy Sterns states that the more vehicles that we are able to put on the road the larger our service inventory increases that includes parking, we have doubled the number of employees. We have our job and you have your job and our lack of communication is not due to a lack of respect for what you do, it is more that we are reacting how we have to react to our needs.

Molly Keegan states we are happy to stipulate that of course we want your business to do well, a business succeeding in Hadley is only good for us. We want more people to be employed, we want you to sell more cars, we want the increase of excise tax. That is all well and good, but you have to follow the rules. Successful businesses cannot decide that they aren't going to go back to planning board, everyone has to go back to planning board.

Joe Clark states the reason is due to poor communication. Until someone was on the lot counting the cars, I was under the impression that we were ok. It is not an excuse and I have to own this.

David Nixon states that they need to the Planning Board and then come back to the Select Board for an alteration of their license.

Joe Clark states that I understand that there is an opportunity in the spring time to work with licensing to change our license.

Joyce Chunglo states that you can amend your license at any time, just go see Jennifer.

David Nixon states meet with Tim and then go before the Planning Board.

Molly Keegan asks can we issue a temporary license till they meet with the Planning Board?

Joyce Chunglo states that you need to attend the December 19th meeting to find out next steps with planning board.

David Nixon agrees with temporary license.

Molly Keegan suggest 3 months extension - December, January, February, for a temporary license.

The Select Boards states that we are happy to have Steve Lewis in town and that you have been a good business. We must have consistency with businesses in town though.

Joe Clark states that all communication from now on will be done directly by me.

Motion to approve a Class I on the condition that all of the rules are met for a 3 month period until the end of February.

Motion: Chunglo

Second: Devine

Vote: 4-0-0



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5.2 Tax Classification Hearing - 7:30 p.m.

Dan Zdonek each year you have to vote on four different options - first is the allocation of the tax levy, if you have a split rate, if we have a single rate for 2018 it will be \$12.09, if you were to shift to maximum split residential would shift to \$ 8.898 and business would go to \$18.14. At the single rate of \$12.09 the average homeowner would \$3,384. If you spilt to the max amount the average homeowner would pay \$ 2,856 and commercial at single would be \$3854 would go to \$5828.

Joyce Chunglo asks if this takes in the new assessments.

Dan Zdonek states that this is the new assessments and the 95 dollar override going on this year. We have used the same 5 properties for the last 5 years for our assessments, some changed but not a lot, we are still in our normal range. The second option is the open space discount we don't have anything classified as open space, in 2002 the DOR recommended that we shift the 2 parcels that we have out of open space. This would be an option if we went to a split rate we could put chapter land in to open space. The residential exemption is the 3rd option - we would exempt 35% of the value from any owner occupied dwelling. The final option is the small commercial exemption - and that is to grant a 10% reduction to small retail properties. There are 52 properties in town that would qualify for this exemption. The Board of Assessors recommending that a single factor of 1 be adopted, this would keep the single rate, that no open space discount be granted, that no residential discount be granted, and no small business exemption be granted.

Molly Keegan states that the Planning Board voted on this last night as well and they recommend a single rate too.

Motion to accept the recommendations of the Board of Assessors.

Motion: Chunglo Second: Waskiewicz

Vote: 4-0-0

5.3 Tree Hearing -- 7:45 p.m.

Marlo Warner has provided the Select Board a list of 11 trees that need to be removed.

Motion to remove the trees recommended by Marlo Warner

Motion: Chunglo Second for Discussion: Devine

John Waskiewicz asks about the stumps that are left? We need to remove the stumps or ground them down.

Gerald Devine ask that Marlo look into purchasing or renting a grinder.

Marlo Warner states that we need to meet with the Shade Tree Committee and then we will look into it.

Vote: 3-0-1

John Waskiewicz abstains.

6. Old Business

6.1 Lake Warner Dam - Historic Preservation Restriction



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David Nixon asks that in order for a private entity to receive CPA funds they must grant to the Town the Historic Preservation Restrictions, the purpose of the restriction is to make sure that the structure being supported with public dollars stays a public structure. For this purpose it is a restriction that the dam remain a dam.

Joyce Chunglo inquires who carries the insurance and has legal counsel approved this agreement.

David Nixon states that the Friends of Lake Warner Dam carry the insurance and it has been approved by counsel.

Motion to sign the Historic Preservation Restriction agreement.

Motion: Devine Second: Chunglo

Vote: 4-0-0

6.2 Hoynoski Property Closing Documents

David Nixon states that there are 2 items that need to be done here for the closing of the Hoynoski property, the schedule is for December 14th. We need to sign the documents for the closing and there has been a request from Mr. Zykoswski who has 2 agreement to farm the land and use the barn, with the Hoynoski. He is asking that these agreements continue to next August. As we think about the development of the project we will not be breaking ground until next August or September, so the property will remain unutilized by anyone until we have an ATM vote for raise additional funds for the project.

Motion to continue lease agreement for use of property.

Motion: Devine Second: Chunglo

Vote:4-0-0

Motion to sign closing documents for Hoynoski Agreement.

Motion: Chunglo Second: Devine

Vote: 4-0-0

6.3 Senior Center and Library Construction Updates

Gerald Devine states that the Senior Center is progressing.

Molly Keegan states that the library and the senior center are communicating and working together.

John Waskiewicz states that we need to find a place for Hadley Media and the Planning Board.

6.4 Ambulance Subcommittee Update

Molly Keegan offers the update on the Ambulance Committee we extended the date for the RFP, so we did receive 1 bid from Action EMS, and the subcommittee invited them in. We spent an hour with them and the unanimous vote of the committee was that we were very impressed with them. We gave them the highest ranking, then David opened the bid. It would double what we are currently paying, but we must negotiate with our current contract. We are going to meet with Action EMS again.

6.5 FY 2019 Budget Discussion

David Nixon states that there have been a couple of changes to the draft warrant. The Select Board took the steps to join the Mosquito control district so that will be an article and the assessors have added an



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elderly exemption to real estate taxes. That will help give elderly a break on their taxes of \$175 dollars a year.

Molly Keegan states that she would like to add an article for discussion. She would like to discuss having the collector and the treasurer as an appointed position instead of the elected position. The DOR continues to recommend this.

General discussion of the potential warrant articles.

David Nixon states that the budget numbers are due from Boston today and we will be able to adjust our local receipts.

7. New Business

7.1 Water Abatement - 111 Rocky Hill Rd.

Motion to approve the Water Abatement for 111 Rocky Hill Road.

Motion: Devine Second: Chunglo

Vote: 3-0-1

John Waskiewicz abstains.

7.2 Select Board Meeting Schedule for 2018

January 3: Tri-Board;

January 9 (Tuesday): All boards meeting.

January 17: Regular

February 7: Tri-Board;

February 14: Warrant closes;

February 21: Regular;

March 7: Tri-Board;

March 21: Regular;

April 4: Tri-Board;

April 18: Regular;

April 25: Sign the ATM warrant;

April 26: Public Forum ATM;

May 2: Tri-Board

May 3: Annual Town Meeting;

May 16: Regular

David Nixon presents the Select Board schedule.

8. Other



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9. Announcements

David Nixon announces the first Annual Festival of Lights at Gazebo and the Firefighter's Association is holding there comedy night.

Joyce Chunglo thanks Tom and Janine Giles from the Hadley Garden Center for the lovely wreaths on Town Hall.

10. Executive Session

11. Adjournment

11.1 Adjournment

Motion to adjourn

Motion: Devine Second: Chunglo

Vote: 4-0-0

Meeting was adjourned at 8:24 pm.

Respectfully submitted,

Jennifer Sanders James

APPROVED 02.15.2018