



TOWN OF HADLEY
SELECT BOARD
April 18, 2012
Meeting Minutes

Meeting convened at 7:00p.m., Room 203, Town Hall.

Present: Joyce Chunglo, Gloria DiFulvio, Daniel Dudkiewicz, David Moskin and Brian West

Absent: None

Also in Attendance: David Nixon (Town Administrator); Peg Jekanowski (Administrative Assistant); Richard Trueswell (TV-5); Dennis Hukowicz (Chief of Police); Ben Storrow (Daily Hampshire Gazette); John Kershlis; Linda Selleck; Mike Pequignot & Gary Girouard (DPW); Michael Spanknebel (Fire Department)

Approval of Minutes: *A motion made by Dan Dudkiewicz, seconded by Joyce Chunglo to approve minutes of 04/04/2012 passed unan. with a vote of 5-0-0.*

Approval of Warrants: *A motion made by Dan Dudkiewicz, seconded by Joyce Chunglo to approve the Payroll # 83 and Warrants # 44, 44-A and 44-S passed unan. with a vote of 5-0-0*

Reorganization of the Select Board:

Joyce Chunglo nominated Gloria DiFulvio to serve as **Chair of the Select Board**, nomination seconded by Dan Dudkiewicz. Brian West nominated David Moskin to serve as chair of the Select Board, seconded by Gloria DiFulvio. A vote was taken with the following results:

All in favor of David Moskin: one
All in favor of Gloria DiFulvio: three

The new Chair of the Select Board is Gloria DiFulvio.

Brian West nominated David Moskin to serve as **Clerk of the Select Board**, nomination seconded by Gloria DiFulvio. Gloria DiFulvio nominated Joyce Chunglo as Clerk, seconded by Dan Dudkiewicz. A vote was taken with the following results:

All in favor of David Moskin: one
All in favor of Joyce Chunglo: three

The new Clerk of the Select Board is Joyce Chunglo.

Joyce Chunglo thanked Brian West for his service as Chair over the past year.

The Select Board then discussed their upcoming meeting calendar. Dan Dudkiewicz stated that the next regularly scheduled meeting falls on May 2nd, which is the same day as the Hampshire Select Board Association meeting at the Hadley Senior Center, and it is only a day before Town Meeting. After discussion the following dates were set for Select Board meetings: May 9 and May 16; June 6th and June 20th, July 11th and July 18th, and August 1st and 15th.

Appointments:

7:10 PM Class 2 License Application – John Kershlis dba Riverside-371 River Drive, Hadley MA. The Board reviewed an application for a Class 2 License presented by Mr. John Kershlis. Mr. Kershlis was in business for over 30 years in Vermont but lost their business due to damage from tropical storm Irene. There is a 10 car limit on the lot, and the applicant stated he would probably never have even that many due to the way he does business. Mr. Moskin asked if there were any legal issues in the past, Mr. Kershlis stated he never had legal problems with his business. ***Joyce Moskin made a motion to issue a Class 2 License to John Kershlis dba Riverside, seconded by Brian West, and passed unan. with a vote of 5-0-0.***



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Old Business

1. 2013 Budget

Captain Michael Spanknebel presented the Fire Department budget. One request is for a 15-19 hour clerical assistant. He also stated that calls have increased and so they are requesting additional funds. (Copy of budget attached to these minutes.) Mr. Spanknebel went through line items and explained why certain items were increased over previous years.

Joyce Chunglo asked about status of application for grant money for protective equipment, which appears on the Fire Department budget. Mr. Spanknebel stated that the grant was applied for was rejected for this year (FY 2012) but they will apply for the grant again for next year. This will bring the department up to 10 sets of gear. Chair West stated that although this appeared originally as a Capital Request, it will now be a line item for protective gear on the Fire Department budget on a rotating basis.

He also stated that all paperwork has been submitted to FEMA for reimbursement for storm expenses, but there is no way to know when the Town will receive this funding.

Dan Dudkiewicz asked if the masks had been fitted, the answer is no, due to the fact that there are different types of mask. The goal is to have the same masks for everyone, but this is a big expense and may be a Capital item in the future. Ms. DiFulvio stated that this is something that needs to be fast tracked. It was agreed that this needs to be addressed as the Fire Department changes in the future. Another priority is to get the Fire Department updated software for better, detailed reporting. This information will also help with planning decisions.

Chair DiFulvio stated that she was uncomfortable with the 19 hour clerical position. She questioned whether that number was realistic, and if the position called for 20 (or more) hours it should be stated as such. Mr. Spanknebel stated that it is hard to know exactly what is needed. Discussion ensued and it was decided to start with a temporary 15 hour/week position, then reevaluate and adjust accordingly. The money for the clerical position will be put in the Fire Department budget under temporary wages.

Mr. West acknowledged that the changes in the Fire Department budget are warranted and other members of the Select Board concurred.

Gary Girouard, Director of the DPW, reported that there has been a change in budget due to work load shifts between divisions. The 2013 budget line items represent a level service budget. Overall the DPW budget is down \$47,728.00 from last year. Salaries do not include COLAs or step increases.

Chair West asked how the current budget is looking, response was all three budgets are doing well. Funds will be left over from snow and ice. Paperwork has been submitted for FEMA for last year's storms. Discussion ensued about Capital projects – Mr. Girouard explained that he will provide the Select Board an ongoing report on the assessment of Town Vehicles so the Board knows what needs are coming up.

Discussion of Police Department vehicles appearing on the DPW budget. The Board will look to placing the item back on the Police Department budget in FY2014.

Mr. Nixon then explained the Select Board budget as having 10 Components. Expenses have decreased by \$39,200.00 without COLA or step increases factored in; mainly because there are no special projects this coming year. Overall the Select Board budget was level funded. The House Ways and Means has come out with a new cherry sheet with a \$37,000.00 net increase from the Governor's budget.



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2. Town Meeting Warrant

The Board reviewed the Warrant in preparation for Town Meeting:

Article 1 (Grants): **Motion to approve** - Joyce Chunglo: **Second** - Brian West: **Vote 5-0-0 (Approved.)**

Article 2 (Chapter 90): **Motion to approve** - Brian West: **Second** - Dan Dudkiewicz: **Vote 5-0-0 (Approved.)**

Article 3 (Temporary Borrowing): **Motion to approve** - Dan Dudkiewicz: **Second** - Joyce Chunglo: **Vote 5-0-0 (Approved.)**

Article 4 (Revolving Fund) **Motion to approve** - Joyce Chunglo: **Second** - Brian West: **Vote 5-0-0 (Approved.)**

Article 5 (FY 2012 Shortfall) **Motion to approve** - Brian West: **Second** - Joyce Chunglo: **Vote 5-0-0 (Approved.)**

Article 6 (Omnibus Budget) **Motion to approve** - Brian West: **Second** - Joyce Chunglo: **Vote 4-0-1 (Approved.) (Dan Dudkiewicz abstaining)**

Article 7 (Water Filtration Membrane Stabilization) **Motion to approve** - Dan Dudkiewicz: **Second** – Brian West: **Vote 5-0-0 (Approved.)**

Article 8 (Waste Water Transfer) **Motion to approve** - Joyce Chunglo: **Second** – Dan Dudkiewicz: **Vote 5-0-0 (Approved.)**

Article 9 (GIS) **Motion to approve** - Dan Dudkiewicz: **Second** - Joyce Chunglo: **Vote 5-0-0 (Approved.)**

Article 10 (Capital) **Motion to approve** - Dan Dudkiewicz: **Second** – Brian West: **Vote 5-0-0 (Approved.)**

Article 11 (Park and Recreation) **Motion to approve** - Dan Dudkiewicz: **Second** – Brian West: **Vote 4-1-0 (Approved.)** David Moskin dissenting.

Article 12 (Manny's Abatements) **Motion to approve** - Joyce Chunglo: **Second** - Brian West: **Vote 5-0-0 (Approved.)**

Article 13 (OPEB) **Motion to approve** - Brian West: **Second** - Joyce Chunglo: **Vote 5-0-0 (Approved.)**

Article 14 (Fire Protection Gear) is off the Warrant and now appears as a Fire Department budget item

Article 15 (Collective Bargaining Ratification) is off the Warrant and will have to appear as a stand alone article at Fall Town Meeting.

Article 16 (CPA Administrative) **Motion to approve** - Brian West: **Second** - Dan Dudkiewicz: **Vote 5-0-0 (Approved.)**

Article 17 (CPA Library Chimney) **Motion to approve** - Dan Dudkiewicz: **Second** - Joyce Chunglo: **Vote 5-0-0 (Approved.)**

Article 18 (CPA Historic Building Study) **Motion to approve** - Brian West: **Second** – David Moskin:

Discussion included why this type of study is necessary. Mr. West stated that this type of study leads to an easier process in terms of grant writing and acquiring CPA funds because it is done to State standards. **Vote 4-1-0 (Approved.)** (Dan Dudkiewicz dissenting.)

Article 19 (CPA Land Preservation #1) **Motion to approve** - Brian West: **Second** - Dan Dudkiewicz: **Vote 5-0-0 (Approved.)**

Article 20 (CPA Land Preservation #2) **Motion to approve** - Dan Dudkiewicz: **Second** - Joyce Chunglo: **Vote 5-0-0 (Approved.)**

Article 21 (CPA Land Preservation #3) **Motion to approve** - Joyce Chunglo: **Second** - Brian West: **Vote 5-0-0 (Approved.)**

Article 22 (CPA First Church Steeple) **Motion to approve** - Dan Dudkiewicz: **Second** – Brian West: **Vote 4-0-1 (Approved.)** (David Moskin abstaining.)

Article 23 (CPA – Lake Warner) **Motion to approve** - Brian West: **Second** - Dan Dudkiewicz: Discussion ensued about whether tax dollars should be used to study Lake Warner, when private properties owners are abutters to the lake, and the Valley Land Trust owns the water. David Moskin stated that Lake Warner is an asset of the Town, and the Friends of Lake Warner is a group that meets regularly to study the lake and make recommendations to preserve it. **Vote 4-1-0 (Approved.)** (Joyce Chunglo dissenting)

Article 24 (Dog Bylaw) - (As amended by Town Counsel) **Motion to approve** - Joyce Chunglo: **Second** - Brian West: **Vote 5-0-0 (Approved.)**

Article 25 (Zoning – Solar) (As amended by Town Counsel) **Motion to approve** - Joyce Chunglo: **Second** - Brian West: **Vote 5-0-0 (Approved.)**



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Article 26 (Zoning Bylaw Signs) (As amended by Town Counsel) **Motion to approve** - Joyce Chunglo: **Second** - Brian West: **Vote 5-0-0 (Approved.)**

Article 27 (Zoning Codification Amendment) **Motion to approve** - Joyce Chunglo: **Second** - Brian West: **Vote 5-0-0 (Approved.)**

Vote to sign Town Meeting Warrant – Unanimous (5-0-0).

3. Atkins Detour

The Board reviewed a letter from Mass DOT that clarifies that they will not start the detour unless Hadley gives authorization. Mr. Nixon stated that the Town of Amherst has indicated they will provide stop signs and a traffic control officer (for a week) and then reassess the need for ongoing traffic control. The Town also wants to work with PVPC for a traffic count survey (no charge for traffic count). There will also be a truck route. **Brian West made a motion to authorize the detour and four way temporary stop sign at South Maple and Moody Bridge. Joyce Chunglo seconded the motion. Motion passed by a vote of 3-1-0 (Dan Dudkiewicz dissenting). (David Moskin not present at time of vote.)**

4. Senior Center Roof Project Update

The construction bond came in and the project will begin on Tuesday, April 24th. Due to delay in the start date, the contract needs to be extended by 58 days, the new deadline will be June 15, 2012. **Brian West made a motion to extend the contract date by 58 days to June 15, 2012, seconded by Joyce Chunglo, and passed unan. by a vote of 5-0-0.**

Verizon Wireless is waiting for permission from Mass Historical Commission, then they need to go to the Planning Board. Verizon Wireless has requested a lease with specifics based on events rather than calendar. Joyce Chunglo asked whether a letter has been sent to Mass Historic Commission. The answer was yes a letter has been sent, but we have had no response. Ms. Chunglo requested that another letter be sent to Mass Historic Commission that the site is not in the Historic District, and that there is a Town Meeting vote that says to put the tower up.

Mr. Moskin expressed concern about the signing a lease and wanted to seek counsel. Mr. Nixon stated that signing an event lease could lead to some trouble. Mr. Nixon clarified that there would be no costs associated with the town: construction would be at the expense of Verizon Wireless, the revenues would come to the Town. The removal would be a Verizon Wireless expense, or if they wanted to abandon it and the Town wanted it, Verizon would transfer it over. There was also discussion of how the tower will enhance communications. Mr. West stated that language in the contract should remain as is, and Mass Historical Commission needs to be contacted regarding the delay in response.

New Business

1. Dept. of Agricultural Resources: Rights-of-Way Management: Vegetation Management Plan and Yearly Operational Plan.

The Board reviewed a letter from the Comprehensive Environmental Incorporated regarding a plan for spraying herbicides in public rows. **Joyce Chunglo made a motion to support the plan, motion was seconded by Brian West. Motion passed unan. by a vote of 5-0-0.**

2. Application for Hawker/Peddle License – Spindle City Precious Metals

Joyce Chunglo made a motion to approve the License for Spindle City Precious Metals, seconded by Brian West. Dan Dudkiewicz confirmed with Police Chief Hukowicz that he signed off on the permit. Motion passed unan. by a vote of 5-0-0

3. Hampshire County Group Insurance Trust – 32B Implementation Report on Sections 21 through 23

Mr. Nixon stated that this is a requirement of Health Insurance Reform. Currently group health insurance plan is through Hampshire/Franklin Group insurance Trust, and the Town has to demonstrate each year that we are saving



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in excess of 5% of the GIC plan. The Board reviewed documents showing saving with the Trust in excess of \$100,000.00...and the benefits are better than GIC. **Brian West made a motion to stay with the Hampshire County Group Insurance Trust, motion seconded by Dan Dudkiewicz.** Mr. Moskin stated in his capacity as the HCOG representative, his observation is that the Trust looks stable. Ms. DiFulvio asked if there were any issues with the insurance, none were known. **Motion passed unan. by a vote of 5-0-0.**

4. IFB – Plumbing, Gas, Electrical Invitation for Bids

The Board discussed bidding out for Electrical, Plumbing and Gas services. In light of the upcoming building maintenance projects, this is a new way of looking at how we do business. This would be a bid for the year with known rates for emergencies and holidays. **Dan Dudkiewicz made a motion that the Town bid out for Electrical, Plumbing and Gas services, motion seconded by Joyce Chunglo.** David Moskin asked for more time to read the bid. He further expressed concern that the low bidder might not be the best contractor. Mr. West stated that bidding out is better because it is a known cost, it is no longer arbitrary. Mr. Moskin stated that if the low bidder does not know our buildings, we lose experience and knowledge of Town Buildings. Dan Dudkiewicz stated that it is worth a chance due to the fact that even if the winning bidder does not know our buildings, they will get to know them quickly as they will be licensed professionals. Matter was continued to next meeting to look into some random bills and gather more information. Motion was tabled to next meeting.

5. Vicious Dog Hearings – Set hearing date(s)

The Board acknowledged receipt of the two complaints and orders of restraint of vicious dogs from Dog Officer Mitchell Kuc. The Board will set hearing dates at their next meeting.

ANNOUNCEMENTS:

Dan Dudkiewicz announced that the Hadley Young Men's Club will be holding their annual Fishing Derby on Saturday, April 21st at the Lower Reservoir on Bay Road. This event is free and prizes will be available. Brian West thanked all the volunteers that make this event a success for the Town.

On April 23rd the Young Men's Club will begin their car shows which will run every Monday through the summer. Mr. Dudkiewicz asked permission of the Board to hang a sign on the fence in front of Russell School for the duration of the event, that runs through the summer months. Brian West made a motion to approve the sign, seconded by Joyce Chunglo. Motion passed with a vote of 4-0-1. (Dan Dudkiewicz abstaining.)

Joyce Chunglo offered condolences to the family of Sally Jekanowski who recently passed away.

Hadley Mothers' Club will be holding their recycling day on Saturday, April 28th from 8am – 1:00pm.

Executive Session:

At 9:00 pm Joyce Chunglo made a motion to move to Executive Session for the purpose of discussing litigation and contract negotiations, and not to reconvene in open session. Motion was seconded by Brian West. Chair DiFulvio read the following statement: "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 the discussion of the matter in open session would have an adverse effect to the Town of Hadley."

Roll Call Vote: West=yes; Chunglo=yes; DiFulvio=yes; Dudkiewicz=yes; Moskin=yes

A discussion was held in regard to litigation: A motion was made and seconded, and passed by roll call vote: DiFulvio=yes; Chunglo=no; Dudkiewicz=yes; West=yes; Moskin=yes

A discussion was held in regard to litigation.



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A discussion was held in regard to contract negotiations A motion was made and seconded, and passed by roll call vote: DiFulvio=yes; Chunglo=yes; Dudkiewicz=yes; West=yes; Moskin=yes

A discussion was held in regard to Contract Negotiations.

At 10:07 pm Joyce Chunglo made a motion to adjourn Executive Session, seconded by Brian West; Motion passed unan. by a Roll Call Vote: West=yes; Chunglo=yes; DiFulvio=yes; Dudkiewicz=yes; Moskin=yes

Executive Session adjourned at 10:07 pm

Meeting adjourned at 10:07 pm

Respectfully submitted,

Margaret J. Jekanowski
Administrative Assistant

Approved 05/09/2012