



Wednesday, May 12, 2021
Select Board Meeting Minutes – DRAFT
Zoom Meeting ID: 917 3131 1398 – 6:00 pm
NOT APPROVED

Pursuant to notice duly filed with the Town Clerk, a meeting of the Select Board was held at 6:00 p.m. via Zoom as a virtual meeting for the Town of Hadley.

Present were: David J. Fill, II., Chair; Christian Stanley, Clerk; Joyce Chunglo, Member; Jane Nevinsmith, Member; John Waskiewicz, Member
Also present were Carolyn Brennan, Town Administrator, Jennifer Sanders James, Assistant Procurement Officer; Tony Fyden, Resident; John O'Rourke, Good Energy; Mark Britton; Kay Sherwood, Resident; Rob Baranowski; Johnny Miezowski, Jr., Resident; Hayley Wood, COA Director; Chris Okafor, DPW Director; Dan Zdonek, Assistant Assessor; Susan Glowatsky, Town Collector; Ed O'Connor, HR Director; William Dwyer, Planning Board; Linda Sanderson, Town Treasurer

1. Call to Order

Topic: Select Board Meeting
Time: May 12, 2021 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://zoom.us/j/91731311398?pwd=eWhqTk5abjRwZmh4RzlBUGY4aDVudz09>

Meeting ID: 917 3131 1398
Passcode: 163320
One tap mobile
+19292056099, 91731311398#,*163320# US (New York)
+13017158592, 91731311398#,*163320# US (Washington DC)

3/13/20 BOSTON – The Baker-Polito Administration announced an emergency order temporarily modifying the state's open meeting law in order to allow state, quasi and local governments to continue to carry out **essential functions** and operations during the ongoing COVID-19 outbreak.

This emergency order suspends the requirement for public access to the physical location where a public meeting is taking place, **provided there are other means of access available. This includes the use of a phone conference line for members of the public, social media or other internet streaming services, on-line meeting services, or methods of access.**

Both the federal Centers for Disease Control and Prevention (CDC) and the Massachusetts Department of Public Health (DPH) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.



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Additionally, the order relieves the requirement that a quorum of members be physically present at a public meeting. During this period, members may all participate by remote or virtual means. This order is applicable to meetings of public bodies including commissions, boards, and committees that engage in policy making at the state, quasi and local level, and it **does not apply to Town Meetings** or judicial and quasi-judicial hearings. It follows Governor Baker's declaration of a State of Emergency on Wednesday, March 11, and it will remain in place until rescinded or the State of Emergency is terminated.

The full text of the Governor's order may be found here: https://41g41s33vxdd2vc05w415s1e-wpengine.netdna-ssl.com/wp-content/uploads/2020/03/OpenMtgLaw_ExecOrder_Mar32020.pdf

David Fill, Select Board Chair called the meeting to order at 6:35 pm.

David Fill states that all members of the Select Board were present: Amy Parsons, Joyce Chunglo, John Waskiewicz, Jane Nevinsmith and himself. This meeting is being recorded and that all votes will be taken by roll call vote.

2. Public Comments

2.1 Public Comments

Mark Britton states that he met with conservation for 5 trailers and docks on his property and he feels that he is being treated differently than other applicants and that Conservation Commission's demeanor is different than how they treat others.

Joyce Chunglo asks Mark Britton to email the Select Board all of his problems and that the Conservation Commission is supposed to be helpful.

John Waskiewicz states that he watched a couple of Conservation meetings.

Joyce Chunglo states that she wants people to send in their concerns about ConCom and the Select Board will need to make some decisions.

John Waskiewicz states that he feels that this committee should go down to five like the Select Board to help make decisions easier.

Rob Baranowski states he finds that the delays are really difficult; it takes 2 weeks after each meeting.

Johnny Mieczkowski states that he has been watching the Conservation Commission meetings and he finds it disheartening how Mark seems to be continuously pushed back.

John Waskiewicz states he is concerned that the boards and committees are not running their meetings correctly.

Tony Fyden states he supports all of the people on the river and we have had very few problems. I also want to discuss the split tax rate that I read about in the paper. I am not in favor of it at all and I think that this rate becomes a burden to businesses.

Dan Zdonek states that a split tax rate does not raise any additional revenues for the town, this is to prevent a major jump in the residential rate and it is not to be permanent.

3. Consent Agenda



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3.1 Consent Agenda

Warrants	AP2146, AP2146S
Minutes	None
Ambulance Oversight Committee Resignation	Hank Barstow
Melanson -Town Accountant	Reappointment

Motion to approve the consent agenda with the removal the Ambulance Oversight Resignation.

Motion: Chunglo Second: Nevinsmith

Roll Call Vote: Fill: Aye, Nevinsmith: Aye; Chunglo: Aye; Waskiewicz: Aye; Parsons: Aye

David Fill thanks Hank Barstow for his service to the town and now that he has moved out town he had to resign.

Motion to accept Hank Barstow's resignation.

Motion: Chunglo Second: Waskiewicz

Roll Call Vote: Fill: Aye, Nevinsmith: Aye; Chunglo: Aye; Waskiewicz: Aye; Parsons: Aye

4. Town Administrator Report

4.1 Town Administrator Report

The Town Administrator will report on special projects, departmental functions, and community events.

5. Appointments – No appointments

6. New Business

6.1 Community Electricity Aggregation Program

John O'Rourke from Good Energy will present the Community Electrical Aggregation renewal Electric Service Agreement for Town of Hadley. The Select Board will vote to designate Carolyn Brennan as the Bid Day Representative for the town.

John O'Rourke presents the new Electric Service Agreement for the renewal stating that the contract doesn't end until November but it is a good time to go out for renewal because of the good rates right now.

Motion to make Carolyn Brennan the signatory and to continue with the standard option.

Motion: Chunglo Second: Waskiewicz

Roll Call Vote: Fill: Aye, Nevinsmith: Aye; Chunglo: Aye; Waskiewicz: Aye; Parsons: Aye

6.2 COVID 19 Update

Carolyn Brennan gives an update on how the opening is going for town hall and it is going well, completely manageable amount of traffic.

Susan Mosler states that there are 3 cases in the school and 1 student in the school.

COVID-19 Policy



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David Fill states that the Town of Hadley is not going to prevent someone from attending a town meeting if they are not vaccinated. We are not going to prevent someone using town buildings, property based on their vaccine status and we are not going to enforce a vaccine policy.

Susan Mosler states that she just saw this a few hours ago and she has a few comments and then you can all do what you like. I was wondering why the Select Board would be making this kind of policy in other words it's being made from a political instead of a public health perspective.

The other concern treating the circumstances about the COVID-19 vaccine like all vaccines this could impact future vaccines. This seems very anti-vaccine police not just COVID-19. Here in Hadley we have 2 vulnerable communities, our seniors and our schools and they have committees who are charged with making decisions. Where the schools and the senior center are concerned it seems that they should be involved before the Select Board makes such a broad policy. Also, issues that concern public health seem to me that they should involve the Board of Health, which is charged with keeping the public healthy and I think we should have been involved.

Amy Parsons states that she doesn't feel that this is political that we are just following state guidelines and that for legal reasons we can't deny people access to public buildings.

David Fill states the reason I put this on here for the Select Board is because our hiring policies, building use policies that all falls to the Select Board.

Susan Mosler states that the vaccines are required for students to be in school and you don't think should have some input in this.

Susan Mosler states that she thinks that this is broader than it needs to be.

Jane Nevinsmith states that when she brought the Senior center reopening plan to the Select Board last month it was very specific that we were not going to open unless people had vaccines because the population is so vulnerable and there are so many strains going around.

David Fill stated that is the problem that we are starting to re-open; we are starting to hear from members of the public that they are not happy with that and that taxpayers can't use a particular building, program because of this.

Edward O'Connor states that we are opening ourselves up to a lawsuit if we limit people who can access our services.

Hayley Wood states that she is concerned about this because the Select Board did already vote on an approve the reopening plan of the Senior Center that included verifying vaccine status of users of the building and all of our planning has been based on this plan. If this passes we will need to recreate all of our programs and none of our essential services have been denied to anyone this is only for recreation purposes. I would like to know from the Select Board and the Board of Health if they would support our current level of programming with a lifted vaccine requirement.



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Motion to approve the Vaccine Policy.

Motion: Parsons Second: Chunglo

Roll Call Vote: Fill: Aye, Nevinsmith: No; Chunglo: Aye; Waskiewicz: Aye; Parsons: Aye

7. Old Business

7.1 Annual Town Meeting Warrant

The Select Board will vote to sign the warrant and divide the motions.

Motion to allow Randy Izer to lower the amount from 100,000 to 25,000.

Motion: Chunglo Second: Parsons

Roll Call Vote: Fill: Aye, Nevinsmith: Aye; Chunglo: Aye; Waskiewicz: No; Parsons: Aye

Motion to sign the warrant for posting.

Motion: Chunglo Second: Waskiewicz

Roll Call Vote: Fill: Aye, Nevinsmith: Aye; Chunglo: Aye; Waskiewicz: Aye; Parsons: Aye

The Select Board divides the motions as follows.

Article 1- CPA

Article 17- Carolyn Brennan and Chris Okafor

Article 2- CPA

Article 18- Joyce Chunglo and Michael Spanknebel

Article 3- Planning Board

Article 19- CPA – Conservation

Article 4- Planning Board

Article 20- CPA – Conservation

Article 5- Tommie Quinlan

Article 21- CPA – Conservation

Article 6- Consent Agenda

Article 22- CPA – Conservation

Article 7- Consent Agenda

Article 23- CPA – Conservation

Article 8 – Consent Agenda

Article 24- CPA – Conservation

Article 9- Consent Agenda

Article 25- Planning Board

Article 10- Consent Agenda

Article 26- Jane Nevinsmith

Article 11 – Consent Agenda

Article 27- Randy Izer

Article 12- John Waskiewicz

Article 28- Joyce Chunglo and Michael Mason

Article 13- David Fill

Article 14- Carolyn Brennan and Rich Niles

Article 15 – Amy Fyden – Finance Committee

Article 16- Finance Committee

8. Other Items Not Anticipated 48 Hours in Advance

8.1 Use of the Town Commons

Jane Nevinsmith asks for use of the town commons for the Senior Center of May, 21st for the a small concert.

Motion to approve use of the town commons for May 21, 2021.

Motion: Chunglo Second: Waskiewicz

Roll Call Vote: Fill: Aye, Nevinsmith: Aye; Chunglo: Aye; Waskiewicz: Aye; Parsons: Aye

9. Announcements



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9.1 Select Board seeks new Ambulance Committee Member

9.2 Annual Town Meeting Warrant Public Forum

Jane Nevinsmith announces a drive by thank you for Veteran's on May 28th with coffee and donuts.

Joyce Chunglo states that we are going to the cemeteries on Memorial Day.

The Public Forum for the Annual Town Meeting will be next Wednesday night with other business at 6:30 and the public forum to begin at 7:00 pm.

Motion: Chunglo Second: Nevinsmith

Roll Call Vote: Fill: Aye, Nevinsmith: Aye; Chunglo: Aye; Waskiewicz: Aye; Parsons: Aye

10. Executive Session

10.1 Executive Session - Litigation

The Select Board will enter into Emergency executive session pursuant to M.G.L. c. 30A s 21 (a) (3) to discuss litigation regarding the matter of Heronemous, Peter vs. Town of Hadley where discussion in open session would have a detrimental effect on the Town's litigation position and the chair so declares.

Executive Session was cancelled.

11. Adjournment

11.1 Adjournment

Motion to adjourn.

Motion: Chunglo Second: Parsons

Roll Call Vote: Fill: Aye, Nevinsmith: Aye; Chunglo: Aye; Waskiewicz: Aye; Parsons: Aye

Meeting adjourned at 7:32

Respectfully submitted,

Jennifer Sanders James