



**Wednesday, June 7, 2023  
Select Board Meeting Agenda**

Pursuant to notice duly filed with the Town Clerk, a meeting of the Select Board was held at 6:00 p.m. in the in Hadley Senior Center at 46 Middle St., Hadley MA, 01035.

Present were: Amy Parsons, Chair; Joyce Chunglo, Clerk; Randy Izer, Member; Jane Nevinsmith, Member; and Molly Keegan, Member.

Also present were Carolyn Brennan, Town Administrator; Jennifer Sanders James, Licensing Coordinator; Linda Sanderson, Town Treasurer; Alex Lamarche, Hadley Media; Dan Zdonek, Town Assessor; William Dwyer, Planning Board; Adam Costa, Town Counsel; Bruce Jenks, Maple Valley Creamery; Mike Mason, Police Chief; Lt. Mitch Kuc, Police Department; Mike Spanknebel, Fire Chief; Tom Quinlan, Building Inspector; DeDe Dibrindisi, Building Inspection; Tom Reidy, attorney; Sean Gould, president of the Young Men's Club; and Denise Devine, Fragile X.

## **1. Call to Order**

### **1.1 Call to order**

The Select Board will convene a hybrid meeting on Wednesday, March 7, 2023, at 6:00 p.m. at the Hadley Senior Center at 46 Middle Street, Hadley, MA 01035 and on Zoom Meeting ID: 845 3413 9154 there and then to act on the following agenda.

The public may access the meeting remotely by using a computer or telephone and follow the instructions below:

#### **Join Zoom Meeting**

<https://us06web.zoom.us/j/89937952594?pwd=TENuekRBbVI4NVZOSXBOOXFOWTJqZz09>

**Meeting ID: 899 3795 2594**

**Passcode: 140435**

**One tap mobile**

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**+13126266799,,89937952594#,,, \*140435# US (Chicago)**

## **2. Appointments**

### **2.1 Young Men's Club - Public Hearing 7:00 PM**

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The Select Board, as The Town of Hadley's Local Licensing Authority, hereby gives notice of a Public Hearing on Wednesday, June 7, 2023, at 7:00 p.m. at the Senior Center, 46 Middle Street, Hadley, MA, 01035, and on Zoom Meeting ID: 899 3795 2594 for the purpose receiving an update from the licensee and/or its representatives on the M.G.L. c. 138, § 12 All Alcoholic Beverages Club License No. 00003-CL-0482 of the Licensee Young Men's Club of Hadley, Inc., located at 138 East Street, Hadley, MA, with respect to the failure to conduct the licensed activity in accordance with G.L. c. 138, § 12, to allow a reasonable opportunity for the Licensee and/or their representatives to provide full and up to date information, including testimony and evidence, on the status of this All Alcoholic Beverages Club License.

Amy Parsons, Chair, explained that this hearing was to consider the modification, suspension, or revocation of the Young Men's Club All Alcoholic Beverages license, citing potential violations on April 21, 22, and 28, 2023.

Those who may testify included Tom Reidy, an attorney with Bacon Wilson, PC, Sean Gould, President of the Young Men's Club, Police Chief Mike Mason, Fire Chief Mike Spanknebel, Jennifer Sanders James, Licensing Coordinator, Tom Quinlan, Building Inspector, Lt. Mitch Kuc, Lt. Jesse Green and Deputy Chief Evan Briant as well as members of the public whose names were in audible as they identified themselves.

Joyce Chunglo disclosed that her spouse is a lifelong member of the Young Men's Club but that she would participate in this hearing in her elected role as a Select Board member.

An unidentified resident asked if this hearing would address the noise and traffic and litter associated with events held at the Young Men's Club.

Amy Parsons responded that this hearing would be solely about the alcohol license for the Young Men's Club and that all other concerns would be addressed as a separate agenda item at a future Select Board meeting along with the opportunity to express concerns during the Public Comments portion of each Select Board meeting in the future.

Atty. Costa reiterated what had been stated by Amy Parsons.

Randy Izer stated that no vote would be taken at this meeting regarding the modification, suspension, or revocation of the Young Men's Club liquor license. Hearing complaints from neighboring residents would be an agenda item at the Select Board meeting on June 21 before a vote is taken regarding the Young Men's Club liquor license.

Amy Parsons swore in all those who identified themselves as parties who may be providing testimony to this hearing.

Carolyn Brennan then proceeded to describe any concerns and background information in a way to provide context to the Young Men's Club liquor license before employees of Town departments would provide testimony.

Jennifer Sanders James stated what a club liquor license covers which allows liquor to be served to club members and introduced guests of the members. The club can sell liquor from licensed premises only. There should also be fencing around the area from which alcohol is being served.

Jane Nevinsmith asked if there was a cost differential between a club license and a full license.

Jennifer Sanders James stated that the liquor license is substantially cheaper.

Molly Keegan asked if the club can sell alcohol to anyone who enters.

Jennifer Sanders James stated that a club member must introduce a guest before alcohol can be served to that individual. Alcohol cannot be served to the general public.

Jane Nevinsmith asked if the club has to keep a record of the non-members being served.

Atty. Costa stated that there is no statute requiring such recordkeeping.

Amy Parsons asked if there were other locations other than the clubhouse and pavilions from which alcohol may be served and consumed.

Jennifer Sanders James stated that those are the only locations from which alcohol may be served and consumed under the club's current license.

Amy Parsons asked if there were patrons consuming alcohol in areas other than those licensed, to which Lt. Mitch Kuc responded in the affirmative.

Jane Nevinsmith asked if there were other sites other than those licensed for distributing alcohol, to which Lt. Mitch Kuc responded in the affirmative at the Grass is Greener event. Joyce Chunglo asked if the club was aware that this was happening.

Atty. Costa interjected that there was a list of Town witnesses who were prepared to testify and whom would be in a position to answer questions from the Select Board as well as counsel for the Young Men's Club, supporting the appropriate due process. Witnesses speaking to the alleged charges need to present what they saw, witnessed, or recorded.

Chief Spanknebel stated that at the Grass is Greener event there were satellite beer setups and improper fencing.

Tom Quinlan stated that when the Young Men's Club operate its own events, the events are much better in terms of compliance.

Chief Mason stated that he was not personally onsite at the Grass is Greener event. Chief Mason added that there are screenshots of event promoters selling tickets online to the public.

Chief Mason further stated more than once that the police department is willing to work with the Young Men's Club in keeping their events compliant with state and local regulations.

Lt. Kuc confirmed that sales and consumption of alcohol are not contained within the license-specific areas.

Atty. Reidy asked for suggestions to make the hearing quicker and more productive. Chief Mason responded by suggesting that a member of the Young Men's Club and a member of the Select Board meeting with Public Safety (Fire and Police) to work towards a compromise on the execution of future events at the Young Men's Club, which may result in the need to modify the alcohol license along with better communication.

Atty. Reidy responded by stating that a simple collaborative meeting of the parties as suggested by Chief Mason would be productive. Atty. Reidy also stated that the Grass is Greener event would no longer take place at the Young Men's Club.

Joyce Chunglo stated that the Young Men's Club has historically done good things for the Town and for the most part the events there, with the exception of the Grass is Greener, have been executed well without a lot of complaints from neighboring residents.

Atty. Costa expressed concern about proceeding as Chief Mason had suggested without all of the evidence being presented first. Atty. Costa further stated that if some kind of resolution is reached during the suggested collaborative offline meeting but a different or modified type of license is required, more work would have to be done towards that end including applications for such a new or modified license which would also need to be considered by the ABCC.

Jane Nevinsmith suggested that someone be appointed to further the suggested process. Atty. Costa advised against "appointing" members of the Board to such a process, as Open Meeting Laws could be potentially violated. With this said, Randy Izer and Jane Nevinsmith volunteered to work with representation from the Young Men's Club and Public Safety to move forward with a collaborative solution to the alcohol license issues.

Motion to continue the liquor license hearing with the Young Men's Club to July 5<sup>th</sup> at 6:30 p.m.

Moved: Chunglo  
Approved: 5-0-0

Second: Keegan

Jennifer Sanders James will coordinate the time and date for the collaborative meeting with Randy Izer, Jane Nevinsmith, Public Safety officials, and members of the Young Men's Club.

Public comment regarding the Grass is Greener event will take place on June 21st at 6:30.

### **3. Public Comments**

#### **3.1 Public Comments**

Bruce Jenks spoke about his perceived ongoing food truck issue with the Town. Mr. Jenks cited his legal expenses and related efforts to gain an understanding of the new food truck by-law. Mr. Jenks stated that he received a large email stream from the Town today (June 7), none of which responded to Jenks's emails to the Town. Mr. Jenks stated that relations with the Town's Health Inspector "have been strained at best". Mr. Jenks claimed that the (taco) food truck driver have been discriminated against in the Town Hall. Mr. Jenks further mentioned his perceived lack of professionalism by Town Hall employees. Mr. Jenks also mentioned the lack of diversity across the racist population of Town government employees.

With the Chair's approval, Carolyn Brennan assured the public that Town Hall employees are not racist and have performed with complete professionalism. In summation, Carolyn Brennan spoke in defense of Town employees and that Mr. Jenks stated things that are not true.

### **4. Consent Agenda**

#### **4.1 Consent Agenda**

Warrants	AP2346S, AP2346, PR2323, AP2347, AP2347S, AP2347-2; AP2348; AP2348S, AP2348V, AP23 Debt BANS
Minutes	June 29, 2022; July 13, 2022; August 3, 2022, September 7, 2022; September 21, 2022; October 5, 2022
Charity Wine Pouring	Fragile X- September 24, 2023
One Day Liquor License	Founder's Celebration - Hadley Public Library June 10, 2023
Ambulance Committee Resignation	Barbara O'Connor
Community Preservation Act Committee Resignation	Cassaundra Gonzalez
One- Day Liquor License	Leadfoot Brewing : June 10, 2023; June 18, 2023; July 2, 2023

## TOWN OF HADLEY

### SELECT BOARD CONSENT AGENDA

Motion to approve Consent Agenda with the removal of Fragile X request Charity Wine pouring.

Moved: Chunglo  
Approved 5-0-0

Second: Nevinsmith

Denise Devine spoke to the Fragile X request for the 11<sup>th</sup> annual wine-tasting event at the Esselon Café on September 24.

Motion to approve the Fragile X request for a Charity Wine Pouring license.

Moved: Chunglo  
Approved 5-0-0

Second: Keegan

## **5. Old Business**

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### **5.1 Town Administrator Goals**

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Carolyn Brennan, Town Administrator reviewed her goals for the upcoming fiscal year with the Select Board.

- 1) Propose an organizational chart that addresses both the immediate and long-term needs of the Town. The new org chart will address improved resource management, clearer accountability, and succession planning for key positions.
- 2) Improve the financial position of the Town through the promotion of revenue enhancement, exploration of service delivery options, and grant opportunities.
- 3) Develop a comprehensive communication improvement plan to promote transparency, community dialogue with various stakeholders, and timely information sharing with municipal employees, volunteers, and elected officials.

- 4) Lead effort to improve information technology access and security across all municipal departments.

Molly Keegan requested periodic updates to the Board by Carolyn Brennan regarding progress against the aforementioned goals.

## **6. New Business**

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### **6.1 Human Resources Director - Troy Brin**

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Carolyn Brennan, Town Administrator introduced Troy Brin, the new Human Resources Director. Jennifer Trovato vacated the position two weeks ago.

Motion to appoint Troy Brin to the position of Human Resources Director retroactively to June 5, 2023.

Moved: Keegan

Second: Izer

Approved 5-0-0.

### **6.2 Select Board Liaison Assignments**

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The Select Board discussed their committee and board assignments following the recent election.

New Assignments:

Amy Parsons, Chair: Schools, Park and Recreation, Russell School Committee (pending feasibility study and Town decisions), Agricultural Commission, Shade Tree Committee

Joyce Chunglo, Clerk: Public Safety, Education, Ambulance Oversight Committee  
Jane Nevinsmith, Member: Human Services ( COA, , Hadley Media), Town Hall (Non-Financial), Climate Change Committee, Cable Renewal Committee Liaison, Mosquito Opt-Out Committee

Molly Keegan, Member: Town Hall (Financial), Housing and Economic Development Committee, UMASS Liaison, Library, Historical Commission

Randy Izer, Member-: Municipal Building Committee, Committee for Diversity Equity and Inclusion, Capital Planning Committee, Dept. of Public Works, Conservation Commission

Any committees or departments that are not listed will be assigned as needed.

### **6.3 Board and Committees Appointment/Reappointment Update**

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The Select Board reviewed all boards and committees in preparation for reappointment as listed in 6.2.



## 6.4 Food Truck Regulations

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Move to establish the Food Truck Regulations pursuant to M.G.L. c 101 Section 3. The Select Board discussed the new food truck regulations provided by Town Counsel to be established pursuant to M.G.L c 101 Section 3.

Carolyn Brennan explained to the Board that the bylaw under consideration has been vetted by Town Counsel and it does not include food trucks servicing an event on private property.

Jennifer Sanders James also clarified that the Fire Department and the Board of Health would execute the appropriate inspections of the food trucks for any public events.

Town Counsel Adam Costa stated that food trucks have been addressed by (1) the recently Town-approved zoning bylaw which is now in the hands of the State Attorney General for approval regulates where food trucks can do business in Hadley, (2) the regulation under consideration by the Select Board in terms of having food trucks on public property, and (3) the Board of Health will review all food trucks whether on public or private property to ensure that all state food safety requirements are met.

With respect to the regulation under consideration by the Select Board, Randy Izer stated that the word “private” (locations) is included and that might not be the intent of the regulation.

Bill Dwyer suggested that there may still be a hole in the legislation covering food trucks. At issue is whether a food truck can be located and doing business in a residential driveway. Atty. Costa responded that food trucks on residential property would be regulated under the zoning bylaw as well as Board of Health inspections.

Bill Dwyer further stated that if a resident was renting his/her residential driveway to a food truck vendor to sell its products the Town would have no control over this scenario. Atty. Costa mentioned that this practice could be regulated by requiring a Hawkers and Peddlers license.

Bill Dwyer stated that a food truck may work on some residential properties in Hadley and not on others. Bill Dwyer then posed the question around regulating food trucks occupying private property to sell their product to avoid any hardship for the affected neighborhood. Atty. Costa responded by stating that there are ways that communities can regulate food trucks which may include a different approach to zoning.

Amy Parsons expressed that she did not see an additional hole in the approved and proposed food truck regulations.



In the interest of staying on the agenda's schedule for this meeting, the Chair decided to continue discussion and consideration on this agenda item at a future Select Board meeting.

## **6.5 West APR**

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Move to approve the final documents of completion for the West APR that was approved at the 2022 Annual Town Meeting.

The Select Board voted on the final documents for the completion of the West APR that was approved at the 2022 Annual Town Meeting.

Motion to approve the final West APR documents.

Moved: Chunglo  
Approved 5-0.

Second: Nevinsmith

## **6.6 PVPC Green Community MOU**

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As Hadley is about to be certified as a Green Community, I am writing to invite Hadley to collaborate with PVPC on the latest round of Green Communities assistance and other energy planning assistance to municipalities.

(Please see attached MOU for details on the varieties of assistance available. Check the services you would like to work with PVPC on over the next two years. Please check only the ones you and your colleagues will be able to work on as funding for our region is limited and we do hope to advance some regional energy planning while also meeting each municipality's specific needs.

We are collecting MOUs from all our member municipalities and will submit a regional application by June 23, 2023. Funding will be provided to PVPC by the MA Department of Energy Resources (DOER) to complete this work over the next 2 years.)

Jane Nevinsmith explained that the Town is to be awarded the Green Community designation. There are other options with which the Town may work with the Pioneer Valley Planning Commission (PVPC). Jane Nevinsmith had attended a Climate Change Committee to see what further work the Town might engage with the PVPC. With this said, the Committee suggested that the Town might engage the PVPC with grant application preparation and assist with the annual report.

Motion to accept the recommendations of the Climate Change Committee:

Moved: Keegan

Second: Izer

Approved 5-0.

## **7. Other Items Not Anticipated 48 Hours in Advance**

### **7.1 Other Items Not Anticipated 48 Hours in Advance**

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## **8. Town Administrator Report**

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### **8.1 Town Administrator's Report**

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Carolyn Brennan states that she has completed Design and Construction Contracting 5-week course towards final certification for the Massachusetts Certified Public Purchasing Official Certification.

Attended the Mass Association of Town Managers/Administrators Conference.

Bid is out for Senior Center Solar.

RFQ for Russell School Feasibility Reuse Study is in process.

Grant submitted for signage to help reduce fatalities.

Reminder: Zatyarka Park Ribbon Cutting Ceremony is 6/15 at 3PM.

Age Dementia Friendly Action Plan has been approved.

Susan Glowastsky is chairing a safety committee that finds ways to save on insurance costs.

### **9. Select Board Member's Items for Future Discussion**

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## **10. Select Board Members Liaison Report**

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## **11. Executive Session**

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### **11.1 Executive Session - Litigation -Valley Community Development vs. Hadley Board of Appeals**

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The Select Board will hold an executive session for the following purposes: Per M.G.L. c 30A, Sec. 21 (a) (3) To discuss strategy with respect to litigation, Valley Community Development vs. Hadley Board of Appeals.

Motion: To enter into Executive Session and to not return into Open Session..

Moved: Keegan                      Second: Izer

Roll call vote: Keegan: Aye; Chunglo: Aye; Parsons: Aye; Nevinsmith: Aye; Izer: Aye

## **12. Announcements**

Joyce Chunglo thanked everyone who participated in the Memorial Day parade including the American Legion and Denise Barstow-Manz.

Joyce Chunglo offers the Select Boards condolences to the families of Patricia Cole and Tommy Fill.

Molly Keegan mentioned the fire at J&J Farms in North Amherst and that it was great to see the outpouring of community support as the neighboring fire departments and then area farmers came together to support J&J after the fire at their farm.

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### **13. Adjournment**

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#### **13.1 Adjournment**

Meeting was adjourned to executive session and did not reconvene in open session at 8:00 pm.

Respectfully submitted,

Peter Lore and Jennifer Sanders James

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