



**Wednesday, April 1, 2020
Select Board Meeting Agenda**

Hadley Town Hall - Room 203 at 5:30 pm

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2020 MAR 30 PM 1:54
TOWN OF HADLEY
01036

1. Call to Order

1.1 Call to order

2. Consent Agenda

2.1 Consent Agenda

3. Public Comments: 5:30 - 5:45pm

3.1 Public Comments

4. Town Administrator Report

4.1 Town Administrator Report

5. Appointments

5.1 North Hadley Sugar Shack On- Premise Wine & Malt License Public Hearing -7:00 pm

5.2 Chipotle Change of Manager and Change of LLC. Managers - Multiple Amendments 7:15 pm

6. New Business

6.1 COVID-19 Update

6.2 Annual Town Election Date Change

6.3 Annual Town Meeting and FY 2021 Preparations

6.4 Human Resources - Dental Insurance Policy and Employee Policy

7. Old Business

7.1 Municipal Vulnerability Preparedness Grant Update

7.2 Marijuana Establishments

7.3 FLAP Grant Update

7.4 Library, Fire Substation, and Senior Center Updates

8. Other Items Not Anticipated 48 Hours in Advance

9. Announcements

10. Executive Session

10.1 Executive Session - Personnel -- DPW Director

10.2 Executive Session - Personnel -- DPW

10.3 Executive Session -- Litigation Inspections Department

10.4 Executive Session - Litigation -- HAP vs. Town of Hadley

11. Adjournment

11.1 Adjournment



**Wednesday, April 1, 2020
Select Board Meeting Agenda**

Hadley Town Hall - Room 203 at 5:30 pm

1. Call to Order

Subject **1.1 Call to order**

Meeting Apr 1, 2020 - Select Board Meeting Agenda

Category 1. Call to Order

Access Public

Type Action, Procedural

The Select Board will convene a meeting on Wednesday, March 25, 2020 at 5:30 p.m. in Town Hall, 100 Middle Street, Hadley, MA 01035 there and then to act on the following agenda.

ON-LINE AGENDA

The Select Board agenda is posted on-line at www.hadleyma.org

1. Bring up the Town website using the URL above.
2. Select "Select Board" from the drop down menu.
3. Select "BoardDocs LT"
4. Click on "Meetings" tab.
5. Select the appropriate meeting from the dates offered.
6. Click "View Meeting" and you can follow the progress of the meeting.

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

Zoom Meeting Information
Topic: Select Board Meeting
Time: Apr 1, 2020 05:30 PM Eastern Time (US and Canada)
Join Zoom Meeting

<https://zoom.us/j/858326639>

Meeting ID: 858 326 639
One tap mobile
+19292056099,,858326639# US (New York)
+13126266799,,858326639# US (Chicago)
Dial by your location
+1 929 205 6099 US (New York)
+1 312 626 6799 US (Chicago)
+1 301 715 8592 US
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US

Meeting ID: 858 326 639

Find your local number: <https://zoom.us/j/858326639>

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.

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

2. Consent Agenda

Subject

2.1 Consent Agenda

Meeting Apr 1, 2020 - Select Board Meeting Agenda
 Category 2. Consent Agenda
 Access Public
 Type Action (Consent)

Niedbala Federal Co-holder Agreement	Select Board Approval
Town Hall Exterior Column Award	Larochelle Construction
Most Holy Redeemer Lease Agreement for Council on Aging	Select Board signs

**TOWN OF HADLEY, MASSACHUSETTS
 SELECT BOARD
 CONSENT AGENDA**

Items on a Consent Agenda are exceptions to the general process of the Select Board’s Meeting. The Select Board identifies those business items that they believe should generate no controversy and can be properly voted without debate. These items are put on the Consent Agenda to allow motions under these items to be acted upon as one unit and to be passed without debate.

At the call of the Consent Agenda, the Chair of the Select Board will read out the business items, one by one. If one or more Select Board members object to any particular item being included in the Consent Agenda, they say “hold” in a loud voice when the item is called. The item will be removed automatically from the Consent Agenda and voted separately under the usual manner. After the calling of the individual items in the Consent Agenda, the Chair will ask for a motion that the Select Board pass all items remaining AS A UNIT on one vote. Use of the Consent Agenda process makes the Select Board Meeting more efficient by speeding up the handling of non-controversial items.

3. Public Comments: 5:30 - 5:45pm

Subject 3.1 Public Comments
 Meeting Apr 1, 2020 - Select Board Meeting Agenda
 Category 3. Public Comments: 5:30 - 5:45pm
 Access Public
 Type Discussion

The public comment period is a time for the public to bring their concerns before the Select Board. The Board will hear public comments for 15 minutes. Please limit your comments to 3 minutes so that other members of the public may have an opportunity to speak.

In general, the Board will take all items and issues raised under advisement. Requests that can be addressed administratively will be referred to the appropriate department head for action. Requests for public documents will be handled according to law.

If the Chair of the Select Board calls for public comments, and after all public comments are heard, and if there is still time available, the Chair may close that portion of the meeting agenda and move to other items on the agenda.

4. Town Administrator Report

Subject 4.1 Town Administrator Report
Meeting Apr 1, 2020 - Select Board Meeting Agenda
Category 4. Town Administrator Report
Access Public
Type Information

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

5. Appointments

Subject 5.1 North Hadley Sugar Shack On- Premise Wine & Malt License Public Hearing -7:00 pm
Meeting Apr 1, 2020 - Select Board Meeting Agenda
Category 5. Appointments
Access Public
Type Action

North Hadley Sugar Shack has applied for an On-Premise Wine & Malt License. The Sugar Shack is already the holder of an Off- Premise Wine & Malt License.

Subject 5.2 Chipotle Change of Manager and Change of LLC. Managers - Multiple Amendments 7:15 pm
Meeting Apr 1, 2020 - Select Board Meeting Agenda
Category 5. Appointments
Access Public
Type Action

Chipotle Grill is applying for a Change of Manager from Omar Massaih to Stephanie Diaz and a Change of LLC. Managers for their 334 Russell Street location.

6. New Business

Subject 6.1 COVID-19 Update

Meeting Apr 1, 2020 - Select Board Meeting Agenda

Category 6. New Business

Access Public

Type

The Select Board will review the Town of Hadley's response and plans for dealing with COVID-19. The Unified Command provides daily situation reports, which are posted to www.hadleyma.org

The Select Board will consider a request for a letter of support for the Hampshire Mall.

Subject 6.2 Annual Town Election Date Change

Meeting Apr 1, 2020 - Select Board Meeting Agenda

Category 6. New Business

Access Public

Type Action

The Select Board is asked to move the Annual Town Election from Tuesday May 12 to Saturday, May 16, 2020. The requested change of dates will allow classes to remain in session (assuming schools are allowed to re-open by then) and reduce the risk of exposure to the coronavirus. Voting can occur by mail-in ballot and is strongly encouraged. A ballot can be accessed through the Secretary of the Commonwealth's website, which can be accessed here: <http://www.sec.state.ma.us/ele/covid-19/covid-19.htm>

A revised election warrant is provided as an attachment below.

The change of election date is allowed per the provisions of Chapter 45 of the Acts of 2020 (see complete text attached).

File Attachments

Elections Chapter 45 of the Acts of 2020.pdf (140 KB)

Subject 6.3 Annual Town Meeting and FY 2021 Preparations

Meeting Apr 1, 2020 - Select Board Meeting Agenda

Category 6. New Business

Access Public

Type Action

The Select Board will discuss deferring the Annual Town Meeting to a later date due to the COVID -19 pandemic.

Legislation to allow towns to delay the Annual Town Meeting is pending in the State House, and results will be reported when available. Some provisions being debated include the ability to postpone the Annual Town Meeting to a date after July 1 and to allow municipalities to appropriate and expend 1/12th of an operating budget in July (with enhanced ability to make obligatory lump payments for such items as debt service, pension assessments, and state assessments).

Absent passage of legislation, the Select Board may declare a delay in Annual Town Meeting to a date no later than June 30, 2020, if the warrant has not been posted, which it has not.

Had the warrant been posted, a lengthier process requiring a declaration of the Moderator is to be followed as per the provisions of MGL Chapter 39, Section 10A. See town counsel's guidance here: https://41g41s33vxdd2vc05w415s1e-wpengine.netdna-ssl.com/wp-content/uploads/2020/03/KPLaw_ProcessToContinue_TownMtg_Updated_Mar2020.pdf

Subject **6.4 Human Resources - Dental Insurance Policy and Employee Policy**

Meeting Apr 1, 2020 - Select Board Meeting Agenda

Category 6. New Business

Access Public

Type Action

Ed O'Connor, HR Director offers drafts of the new ADA policy and Hiring and Onboarding policy and a new dental plan for Town employees.

File Attachments

Town of Hadley_720_REV.pdf (191 KB)

Draft P&P ADA.docx (85 KB)

Hiring and Onboarding DRAFT.docx (99 KB)

7. Old Business

Subject **7.1 Municipal Vulnerability Preparedness Grant Update**

Meeting Apr 1, 2020 - Select Board Meeting Agenda

Category 7. Old Business

Access Public

Type Discussion

MVP Listening Session UPDATE

The Town of Hadley received a planning grant through the State's Municipal Vulnerability Preparedness Program (MVP) to compile data for and conduct a Community Resiliency Building (CRB) workshop. The goal of the CRB workshop was to have community stakeholders work collaboratively to complete a climate change and natural hazard vulnerability assessment and develop prioritized actions to address vulnerabilities and improve strengths throughout town. Upon completion of the CRB workshop process, Hadley will become an "MVP Community" and will be eligible to apply for MVP Action Grant funding from the Commonwealth to implement prioritized actions. The full-day CRB workshop was held on January 7th, 2020. A copy of the draft final report summarizing workshop findings can be accessed at [here](#). A recorded presentation summarizing findings has also been posted to YouTube by Hadley Media. The general public is encouraged to review materials, listen to the recorded presentation, and complete the linked survey to provide feedback.

Chris Okafor, DPW Director, and David Nixon, Town Administrator, are working on a grant to continue the drainage and culvert cleaning and improvements. The Town is required to make a 25% in-kind

contribution. The Town is able to contribute at least \$90,000 in in-kind labor. This amount qualifies the Town of Hadley to apply for up to \$270,000 cash grant with an in-kind contribution of \$90,000.

Subject **7.2 Marijuana Establishments**

Meeting Apr 1, 2020 - Select Board Meeting Agenda

Category 7. Old Business

Access Public

Type Discussion

The Select Board will discuss the Marijuana RFQ and the two responses that were submitted. The Board is asked to select a business.

File Attachments HADLEAF HOLISTICS.pdf (825 KB) MINT RETAIL_.pdf (9,992 KB)

Subject **7.3 FLAP Grant Update**

Meeting Apr 1, 2020 - Select Board Meeting Agenda

Category 7. Old Business

Access Public

Type Action

The Select Board is advised that the Federal Lands Accessibility Program grant for the Silvio O'Conte Wildlife has been approved at the Federal level to proceed. The grant amount is \$223,000. A portion of Moody Bridge Road will be paved.

Subject **7.4 Library, Fire Substation, and Senior Center Updates**

Meeting Apr 1, 2020 - Select Board Meeting Agenda

Category 7. Old Business

Access Public

Type Action, Information

8. Other Items Not Anticipated 48 Hours in Advance

9. Announcements

10. Executive Session

Subject **10.1 Executive Session - Personnel -- DPW Director**

Meeting Apr 1, 2020 - Select Board Meeting Agenda

Category 10. Executive Session

Access Public

Type

The Select Board will convene an executive session as per the provisions of MGL Chapter 30A, Section 21 (a) (2): "To conduct ... contract negotiations with nonunion personnel...." -- DPW Director

Administrative File Attachments
EXECUTIVE SESSION STATEMENT.pdf (54 KB)

Subject 10.2 Executive Session - Personnel -- DPW

Meeting Apr 1, 2020 - Select Board Meeting Agenda

Category 10. Executive Session

Access Public

Type

The Select Board will convene an executive session as per the provisions of MGL Chapter 30A, Section 21 (a) (2): "To conduct ... contract negotiations with nonunion personnel...." -- DPW personnel

Subject 10.3 Executive Session -- Litigation Inspections Department

Meeting Apr 1, 2020 - Select Board Meeting Agenda

Category 10. Executive Session

Access Public

Type

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 ... litigation if an open meeting may have a detrimental effect on the ... litigating position of the public body and the chair so declares; " -- Inspections Department

Subject 10.4 Executive Session - Litigation -- HAP vs. Town of Hadley

Meeting Apr 1, 2020 - Select Board Meeting Agenda

Category 10. Executive Session

Access Public

Type

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 ... litigation if an open meeting may have a detrimental

effect on the ... litigating position of the public body and the chair so declares...." -- HAP vs. Town of Hadley.

11. Adjournment

Subject	11.1 Adjournment
Meeting	Apr 1, 2020 - Select Board Meeting Agenda
Category	11. Adjournment
Access	Public
Type	Action
Recommended Action	Motion to adjourn