

Board of Selectmen Meeting
Memorial Town Hall
Chairman:

Edmund E. Jaworski

Oct 23, 2018 @ 6:00pm
Approved: January 23, 2019

Selectman Brian Moriarty, Selectman Cindy Doty, Selectman Edmund Jaworski, Marlene Michonski,
Town Administrator

Selectman Jaworski opened the meeting at 6:00pm. The meeting will not be taped.
It was announced that the Open Space Committee will have 3 new designs for the Smith Academy Park pavilion. Residents will be able to choose the design by voting on November 6. More information is on the town website. He announced the Red Sox play tonight and advised everyone to be careful at Halloween.

Public Forum-

Kerry Flaherty came before the Board with 2 items. First, as the Board of Health Chair, she requested a meeting of the Board of Selectmen and Board of Health regarding a complaint from 3 Prospect Street. This is a matter of pending court proceedings. Selectman Moriarty asked what the two boards could accomplish. Ms. Flaherty said the complaint did not come to the Board of Health but it could be discussed at a joint meeting. Selectman Jaworski asked to have Ms. Michonski follow up.
Secondly, Ms. Flaherty, as Council on Aging Chair asked to have the Memorial Town Hall renovation considered as a whole and not continue to try to do it in phases, as she believes this is costing more money.

Approval of Minutes

Selectman Moriarty moved to approve executive session minutes of June 20, 2018. Selectman Doty seconded. This motion was approved.
Selectman Moriarty moved to approve the meeting minutes of July 10, 2018. Selectman Doty seconded. Selectman Jaworski asked for an edit to say under accounting services – 3rd year and he has yet to come up to speed. The minutes were then approved with one edit.
Selectman Moriarty moved to approve the executive session minutes of July 10, 2018. Selectman Jaworski seconded. The motion was approved.

Property Release from Chapter 61a - Mike Mendyck – Selectman Jaworski said once we get the recommendation from the boards then we will proceed. The town has the opportunity to negotiate with the owner. Ms. Michonski said past practice is the Board of Selectmen hear from the Conservation and Planning Boards. Selectman Jaworski said we'd like to stick with this precedent. Mr. Mendyck said he would like to close on December 15. Ms. Michonski said the owner is required to notify the boards. The town has 120 days to respond. Ultimately, the decision is up to the Board of Selectmen. Ms. Michonski said we will follow up with the boards. Selectman Jaworski said this will be done before December 14.

Planning Board Resignation-

Selectman Jaworski read that a vacancy exists on the Planning Board for a seat previously held by Rick Bertram. Mr. Bertram should be sent a thank you for his time on the Board.
Selectman Moriarty moved to accept the resignation of Rick Bertram. Selectman Jaworski seconded. The motion was approved.

Selectmen's Open Hours-

Selectman Doty reported on her open hours. She said few people came but they had good ideas. A resident requested the Board of Selectmen meetings be at the same time/day of the week so people can

plan. Also, interaction between residents and the Board at the public forum portion of Board meetings was discussed. It was suggested that Board of Selectmen members should report additional meetings they've been to.

It was asked if a 5 to 10 year capital budget plan could be brought up at a future meeting. Selectman Doty also spoke about HCOG benefit to the town, noting that a year's notice is required to even be on the agenda for a possible town meeting vote. The Board then briefly discussed the crosswalk on School Street. This will be brought up with Mr. Genovese and Mr. Mendyck.

Ms. Michonski reported that Capital Planning meets in November and begins reviewing budgets on December 1st. Last year's plan is available for reference. The Board of Selectmen meeting is usually the televised one.

Quarterly Meetings with Department Heads

The Board discussed this topic's particulars with Ms. Michonski. Selectman Jaworski used as examples the Police Chief or DPW Director coming to the meeting to give updates. Selectman Doty suggested private meetings with department heads like an annual review but halfway, like a 6 months review. Selectman Moriarty said this is a good idea. Ms. Michonski suggested a working session. The Board discussed the idea, saying perhaps things can be brought up at department head meetings or the Board liaison can meet with department heads along with Ms. Michonski and she could pass information on. Board members will contact Ms. Michonski about setting these meetings up.

Letter of Resignation

Selectman Jaworski thanked Cindy Doty for her years of service as EMD and for all she's done for Hatfield. Ms. Michonski said the resignation will become effective when the town clerk receives it and should be acknowledged by the Board. Selectman Jaworski had a discussion with the Police Chief, Fire Chief and Town Administrator in reference to the temporary situation until we have a resolution. The Fire Chief will take it on a temporary basis until the Board determines how to fill the vacancy. In-house advertising can be done and can be discussed at the next meeting.

The EMD is under the Fire Chief. Selectman Doty said in the Fire Chief's contract it does say that he can be interim. She said she thinks it should be posted out to the public if you're looking for the best candidate. Selectman Jaworski moved to appoint the Fire Chief as interim EMD as per the current contract. Selectman Moriarty seconded. All voting in favor, the motion was approved. Selectman Jaworski asked to schedule another discussion on this, hopefully at the next meeting.

Selectman Doty presented a disclosure form which she will file with the town clerk. Selectman Moriarty moved to receive and accept the disclosure form presented by Selectman Doty. Selectman Jaworski seconded. The motion was approved. This needs to be signed by the Chair. Selectman Doty informed that the Ethics Board said to fill it out because part of the year she held both Selectboard and EMD positions.

Memorial Town Hall renovation

Selectman Jaworski met with the architect, Ms. Michonski and Mr. Genovese. Bids were \$371,000 over estimate. Architecture EL was going to make an adjustment, and present part a and part b options; kitchen renovation and building inspector's office. The flow test failed twice so a fire pump has to go in or 10" pipe goes down School St for \$500,000. Ideas are to return to Annual Town Meeting for \$400,000 for parts a & b, or for a lesser amount for part a only, or go back to CPA for part a.

The summary is Architectural Access Board allows an extension for another 2 years. Selectman Jaworski asked if the town should go back to CPA for \$200,000 for part a and then Annual Town Meeting for

\$200,000 for part b. Selectman Doty noted they gave some money to a private resident for the old mill and Sophia Smith Foundation, which is out of town, so this is a better use. Selectman Doty said we should go to CPA.

Ms. Michonski presented a letter received from the architect this afternoon. The 2 year extension expires June 2020, but the town must do an update every 6 months. Architecture EL solid number is \$643,000 for the base complete bid to bring up to code, ramp, fire suppression and elevator. Selectman Jaworski suggested first going to CPA and to see if they can bring us up to code. The CPC had imposed a condition that work be completed by 2017. It would be necessary to go back to Annual Town Meeting for that article. Selectman Jaworski suggested writing for a MAWorks water grant and include this saying the main thing is fire protection. Selectman Moriarty said to talk about this at the meeting with the Assessors. And also talk to the town moderator. Selectman Jaworski asked to follow up with this discussion at next meeting.

Selectman Jaworski mentioned the grant request for Nov. 1. Selectman Moriarty moved to apply to CPA for \$390,000.00 to complete funding of Phase 2 for Memorial Town Hall for ADA compliance. Selectman Jaworski seconded. Ms. Michonski said Bob Wagner thinks it needs to be re-voted. Selectman Moriarty suggested asking town counsel.

Open Meeting Law Complaint - Selectman Jaworski read the letter of complaint. Ms. Michonski thinks the Board should do this at their next meeting. Ms. Michonski said the Board realized the appointment expired the end of the month and they would not be meeting before then so they wanted to take care of it, but she would explain that in her letter. Selectman Doty said it was invalid because it was a 3-year term. The town clerk was to look into this. Selectman Moriarty said the Board of Selectmen can make any appointment they want.

CRC Deadline

This deadline is Nov 1st. The Board just voted to seek \$390,000.00 for Phase 2 for ADA compliance. Ms. Michonski is to get on that right away.

Cultural Council Annual Contract

Ms. Michonski said the chair needs to sign the contract, for \$4500.

Selectman Moriarty moved to authorize the chair to approve and sign the scope of services contract for the Cultural Council. Selectman Doty seconded. The motion was approved.

IT – RFP

Ms. Michonski said she is still reviewing the 3 responses. She feels the proposals received are not what we're looking for. Paragus responded, and also a company out of Texas responded but they have not serviced any municipalities. Selectman Jaworski said she could send it back out if respondents don't meet her requirements.

Town Counsel RFP

Selectman Jaworski asked Ms. Michonski's recommendation regarding the respondents, KP Law and Tom Mullen. Ms. Michonski said either one is capable, however she felt it would be valuable to the town to have local representation. After brief discussion, including hourly rate figures of \$175/hour or \$200/hour for litigation for Mullen and \$195/hour through 2019 for KP the Board appointed Tom Mullen town counsel on motion of Selectman Moriarty, seconded by Selectman Jaworski. Ms. Michonski will draft a contract between the town and Attorney Mullen.

HR Policy

Ms. Michonski said this topic will appear on the next meeting's agenda.

FRTA Update

Selectman Doty reported this is at a standstill. Regarding bus stops, Smithsonian did not want it there. Also, John Cotton, the owner of J W Cotton said he will sue if the town puts it there. Mr. Genovese talked with Bob Raymond and they want nothing to do with it now. Selectman Doty said, according to Mr. Cotton, FRTA wanted to put a stop further north, but this looks like it will be years off. Ms. Michonski said we do not have bus stops but the town is being assessed.

Warrant

Selectman Moriarty moved to approve the warrant. Selectman Jaworski seconded. Selectman Doty asked about the dates. The motion was approved.

Ms. Strzegowski reminded that the selectmen will need to post if more than one attends the scheduled auction.

Selectman Jaworski read the Board would convene in executive session pursuant to MGL Ch. 30A, Section 21(a), #3, to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares. And also, pursuant to MGL Ch. 30A, Section 21(a), #3, to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. A roll call vote was conducted and with Moriarty voting aye, Doty voting aye and Jaworski voting aye, the motion was approved.

He announced the Board would not return to regular session. The regular meeting ended at 7:35p.m.

Respectfully submitted,

Ki J. Eno

Executive Assistant