

Approved February 15, 2022

Select Board  
Meeting Minutes  
February 1, 2022 at 5:30 p.m.  
59 Main Street, Hatfield, MA  
Virtual GoToMeeting

Present: Select Board Chair Diana Szynal and Members Edmund Jaworski and Brian Moriarty. Also present were Marlene Michonski, Town Administrator; Robert Osley, Chair, Board of Health; Robert Flaherty, Fire Chief; Mark Gelotte, Rich Abbott and Robert Wagner of Open Space Committee; Justin Killeen, President, Mill River Ventures, Inc.; Lorrie and Jim Motyka, Donna Paddock, Martin Omasta, Michael Cahill, Kathy Gow, Eileen Dostal.

**CALL TO ORDER** Chair Szynal called the meeting to order at 5:34 p.m.

**PUBLIC FORUM**

**ANNOUNCEMENTS** Chair Szynal thanked the DPW for their work over the weekend. The storm was long in duration and the DPW did a great job keeping the roads plowed. There was also a water main break on Route 5 & 10 which was handled wonderfully. Chair Szynal reminded residents excise bills went out and real estate tax bills were due today. Chair Szynal also acknowledged the Hatfield Council on Aging February and March newsletter that was sent out. It's full of so much information about what is going on at the Council on Aging and links to services that seniors may need to have. They are doing a great job.

**APPROVAL OF MINUTES** Selectman Moriarty made a motion to accept the meeting minutes of January 11, 2022, Selectman Jaworski seconded, no discussion, all in favor, aye, minutes approved.

**POSTED BUSINESS**

COVID-19 Update: Robert Osley, Chair, Board of Health gave the Select Board an update. We saw some good news with the numbers down to 29 cases. The previous weeks were 60, 54, 35. We are seeing a trend downward. There are some caveats on the numbers though because the numbers are only cases reported on the MAVEN system. The numbers do not include those who take a home test. There has been an increase in the use of home or rapid tests. Because of this, there may be an under-reporting of numbers. We received guidelines from DPH and DESE which is encouraging more home testing. They say if you are sick you need to stay home from work or school. If you have symptoms, take them seriously and do a home test. If you have the time - go for a PCR test. In Hatfield, 70% of elementary kids have their first dose. We have concerns about the age group being unprotected. Children 12-15 years of age are over 95% vaccinated with one dose. I commend parents and school administrators. Overall, state averages for elementary schools is 48%, Hatfield is at 70% for elementary, 80-81% for high school. Overall, Hatfield is doing well as far as doing everything to protect the children. Having the vaccine doesn't mean you won't get the disease, you also need to follow mitigation steps. This past week we had a cluster in the high school on the sports team. The administrator came up with a plan and they put a hold on sports until things can be reassessed. I support that approach. We had three

vaccination clinics so far, one in December for 5-11 years old; December 27<sup>th</sup> for second doses and last week a 12 to adult clinic. I want to thank the Hatfield Elementary School administration, school nurse and staff to help make the clinics successful. Thanks to Liz Kugler for spearheading. DESE extended the school mask mandate to February 28. Hatfield has an indoor mask mandate in effect through March 1<sup>st</sup>. The Board of Health will be meeting to reassess the continued mask mandate. This will be based on the numbers. Chair Szynal thanked Chair Osley, the news about vaccination rates is fantastic. Everyone is happy numbers are declining. Chair Osley also mentioned that asymptomatic people who do not have symptoms but have the disease is up to 40% of the population. Chair Szynal asked Chair Osley if he could speak about the tracing through the Memorandum of Agreement with Northampton. How did it work when we had the spike? Chair Osley there was some rumbling about Northampton stopping tracing. I spoke to Meredith O'Leary yesterday and she said when there was the overall area uptick it stretched their limit. For a brief period of time, they couldn't do tracing. The Northampton Board of Health completed 75-80% contact tracing. Chair Szynal, I am hopeful if another spike were to occur and Northampton can't handle it, that our own Board of Health would jump in and help. Chair Osley has heard DPH and DESE will squash out tracing as they feel it doesn't help. Selectman Moriarty asked Chair Osley about the criteria for families of out of town sports teams not being able to attend the games. Chair Osley replied these decisions were made by the school, athletic director and not something a local Board of Health gets involved with. Selectman Moriarty asked if the Board of Health was reached out to by the school to help make that decision and Chair Osley said the Board of Health was not involved in that decision. Chair Szynal also mentioned she was contacted by someone with an out-of-town player who was not happy they were unable to attend a game. This is causing some ill feelings.

Open Space Committee: Mark Gelotte, Rich Abbott and Robert Wagner of the Open Space Committee presented before the Select Board with regard to the Jericho Road land. Mr. Gelotte said there is a piece of property for sale on Jericho Road for some time which could benefit the Town. It is a good opportunity to be a facilitator for this property. Mr. Gelotte informed the Board we are asking for \$5,000.00 for an appraisal on the property from the Open Space Conservation Fund and we need to have the Select Board's approval. The fund has around \$11,000.00. Mr. Wagner addressed the Board about this project. Jericho Road is a town road off of Bridge Street. It drives in the meadows behind the homes on Bridge Street. It's 21 acres, 8 of which is flat and open. Eight acres is farmed and has been for years. The rest of it falls off steep slopes to a wetland area and borders the Mill River. Some people kayak down there. This property provides the opportunity for the Community Preservation Act, historic, community housing and kayaking and canoeing. If the Town were to buy the property with state grants it would help with purchasing the property and to protect 6.5 acres of farm acres and 2 frontage house lots for affordable housing through Habitat through Humanity. We want to devise a trail with a park and an access the area along the Mill River with a board walk and landings to fish, bird watch and a simple kayak/canoe launch. We can't do anything until we secure the property and before that, we need the appraisal. The land grant to the State - due in July - requires an appraisal, hence the request for the funding for an appraisal. The Select Board expressed their thanks for Open Space for their hard work looking into this and developing a proposal. Chair Szynal mentioned we need to preserve farm land as much as we can. Selectman Jaworski asked if the owner agreed to wait? Mr. Wagner said no it's on the market, the owners understand municipal purchases are timely. Selectman Moriarty made a motion to approve up to \$5,000.00 from the Open Space Conservation Fund for the appraisal, Selectman Jaworski seconded, no discussion, all in favor, aye, motion approved.

Application for Amendment – Pledge of Collateral for Mill River Ventures, Inc. Alcohol License:

Marlene Michonski, Town Administrator informed the Select Board Mill River Ventures, Inc. is requesting the Select Board give approval to pledge the liquor license as collateral for their loan. Selectman Moriarty made a motion to approve the modification as a pledge of collateral to the existing liquor license, Selectman Jaworski seconded, no discussion, all in favor, aye, motion approved.

Chapter 61A Notification of Right of First Refusal, 137 North Hatfield Road: Ms. Michonski explained when a piece of land is put in 61A it enjoins agricultural for lower taxes, the Town has the right to purchase it. Ms. Michonski went on when the Town receives notification that the property is proposed to be taken out of 61A, generally the Conservation Commission and Planning Board are asked to look into this and they saw no reason why the Town would purchase the property. Selectman Jaworski made a motion not to exercise our option on 137 North Hatfield Road as presented to us. At this point Martin Omasta spoke up and asked a question regarding this matter. Could the land be used as affordable housing? Has it been looked at in a broader scope? I don't know if due diligence has been done on this. Chair Szynal answered this is why committees like Conservation and Planning get a chance to look at this. Robert Wagner, Planning Board, also stated the right of first refusal on 61A is designed to keep the bulk of the land as it once was. The bona fide offer on these 4 lots is around \$525,000.00. The Town would have to buy it at that price. Given the fact of tillable land and wetland it would be difficult to find a farmer to buy it from the Town. Mr. Omasta thanked everyone for their response. Chair Szynal went on, no further discussion, all in favor, aye, motion approved.

Appointments/Resignations: Selectman Moriarty made a motion to accept the appointment of Deborah Mager to Local Cultural Council, Selectman Jaworski seconded, no discussion, all in favor, aye, appointment approved. The Select Board informed everyone there are openings on the various committees and boards in Town. These openings are all listed on the Town's website.

Town Administrator: Snow and Ice Deficit: Marlene Michonski, Town Administrator informed the Select Board the snow and ice budget went into deficit and she is recommending the Select Board vote on this. Selectman Moriarty stated this happens on a yearly basis. This is as accounting process every town uses yearly. We set an amount for snow and ice knowing it will be exceeded because we don't know how many storms we will get. We don't want to put too much money in the account. There is a provision that allows communities to do this. Selectman Moriarty made a motion to authorize the DPW to spend in excess of the approved FY22 budget appropriation of \$50,000.00 for the purpose of snow and ice removal, Selectman Jaworski seconded, no discussion all in favor, aye, motion approved.

MassWorks Grant Update: Ms. Michonski informed the Select Board the Town received \$2,000,000.00 from the State for the Route 5 water and sewer project and the quarterly report was due on December 31, 2021 and was submitted. Ms. Michonski informed the Board the Town must use \$698,808.18 by June 30<sup>th</sup> but she spoke with the project coordinator and he said that would not be a problem.

State Police Dispatch Services Memorandum of Agreement: Ms. Michonski informed the Select Board she spoke to both Chiefs about the MOU that has been in place for some time and is now up for renewal. One item Bob Flaherty, Fire Chief, pointed out is the Memorandum had referenced the language regarding the Board of Overseers which should be re-activated. Both Chiefs have agreed to this. Chief Flaherty said the Board of Overseers have not been meeting for three or four years since COVID. Chair Szynal asked if we have the authority to get it up and running. Ms. Michonski said a letter of support

would be best and there are no other changes in the Memorandum other than getting the Board of Overseers going. Selectman Moriarty made a motion to approve the MOU with State Police as presented in the paperwork, Selectman Jaworski seconded, no discussion, all in favor, aye, motion approved.

Comcast License Renewal Update: Ms. Michonski informed the Select Board she has engaged the services of William Solomon, Esq. for renewal of the Comcast license. Ms. Michonski and John Novak have a meeting on February 11<sup>th</sup>. At some point the draft plan will be made available for review and the Town must have an open public meeting for comments. We would take comments from the public and sit down again with Comcast. But the plan will come before the Select Board. Selectman Moriarty asked if a representative from Comcast would be available at the public meeting. The Select Board agreed that Ms. Michonski and John Novak have been such an asset. John Novak with his experience brings so much more to the table and is valuable. Chair Szynal said John Novak dedicates a lot of time to ensure people can see these meetings.

ARPA Funds: Ms. Michonski informed the Select Board they have received additional requests from Town Clerk and the Fire Chief. The Fire Chief met with Finance last week and discussed his proposal which is in his FY23 budget. Right now it would be beneficial to the Fire Department to have 16 hours coverage for Saturday/Sunday for a total of \$35,000.00. This would be for the remainder of this fiscal year to the end of June. The other request is from the Town Clerk to install two databases for dog licenses. The Select Board did not feel comfortable approving the Town Clerk's request without meeting first with the Finance Committee and the Select Board needs to be consistent with the Finance Committee. The Fire Chief reminded the Select Board he has less staffing because we are still a "call" department. We lost about \$60,000.00 in calls. Chair Szynal mentioned residents must wait longer for an ambulance if no one picks up the phone in Hatfield. Selectman Jaworski made a motion to seek the 16 hour on Saturday/Sunday, approve the additional \$35,000.00 coming from ARPA, Selectman Moriarty seconded, Chair Szynal added this includes 8 hours Friday evening, no further discussion, all in favor, aye, motion approved. The Board will not take action on the Town Clerk's request.

Transfer of Fire Department Equipment to DPW and Schools: Robert Flaherty, Fire Chief, informed the Select Board there is outdated equipment and he reached out to the DPW and they have a use for them. Chief Flaherty also talked to the school and they would like to be able to get some of this equipment. Selectman Moriarty made a motion to transfer the obsolete equipment still useable locally to the DPW and the schools, Selectman Jaworski seconded, no discussion, all in favor, aye, motion approved.

Memorandum of Understanding between Town and Historical Society: Ms. Michonski informed the Board this matter will be tabled.

White Rock Trail/Town Property on Mountain Road: Ms. Michonski reminded the Board, there was discussion with the abutting owner. There appeared to be a willingness to share the cost of having a survey done. For six months our emails and calls have been unanswered. We have a surveyor to do the survey. I would like to move forward to this. We can take the funds out of administrative funds/Select Board funds. Selectman Moriarty made a motion to approve the finances to get the survey on the property done on Mountain Road, Selectman Jaworski seconded, no discussion, all in favor, aye, motion approved.

Host Community Agreement (Tree Works, LLC) Impact Fee Update: Ms. Michonski informed the Select Board she completed research and spoke with Town Counsel regarding this matter. Ms. Michonski informed the Board research done with surrounding communities. Northampton voted to waive the fees after receiving fees in FY19, FY20 and part of FY21. Northampton felt comfortable with the new approach. Hadley has two agreements and those are relatively new agreements and Hadley has not been approached to waive the impact fees. Sunderland is just doing up an agreement and there is an impact fee clause in their agreement. Selectman Moriarty mentioned we entered into a 5 year contract with 3% fee to Hatfield and we have not received anything yet from the business. The Select Board is not inclined to waive or reduce the fee for this year. I think for year one with no financial payment, I am not inclined to waive it. It was a known expense and I consider it part of the cost of doing business. Selectman Jaworski mention the impact fee could be used for drug and alcohol abuse education in the schools. Chair Szynal reiterated from the earlier meeting with Treeworks, I was clear about how I felt, this was premature. I am not inclined to waive this fee. Selectman Jaworski said the consensus of the Board is not to forego the impact fee. Selectman Moriarty went on I think the state in the beginning of this entire process - to have communities accept cannabis - called that fee a community impact fee. The fee should have been referred to as a "cost of doing business" fee. Also, some may say I don't see a negative impact but to me that is not what it is. Ms. Michonski read part of the agreement, page 5, #d. which states, "The Company agrees to provide no less than one hundred fifty (150) person-hours per year, to be furnished by the Facility's management and employees, to participate in community meetings and community service activities, approved by the Board of Selectmen of the Municipality, including but not limited to Municipality-sponsored educational programs on public health and drug abuse prevention." The Board asked if it had been done and the answer was no. Robert Wagner informed the Board he completely agrees and concurs with the Select Board's decision not to forego the 3% impact fee.

## **OLD BUSINESS**

## **UNANTICIPATED NEW BUSINESS**

## **ADJOURN**

Chair Szynal made a motion to adjourn the meeting at 8:27 p.m., Selectman Jaworski seconded, no discussion, all in favor, aye, meeting adjourned.

Respectfully,

Karen Brodeur  
Executive Assistant