

Approved September 5, 2023

Select Board
Meeting Minutes
August 22, 2023 at 5:30 p.m.
59 Main Street, Hatfield, MA

Present: Select Board: Diana Szynal, Chair, Members Edmund Jaworski and Greg Gagnon

Also in attendance: Marlene Michonski, Town Administrator; Don Vonner of Verizon; Brandon Daniel, Water Department; Robert Flaherty, Fire Chief; Diana Brzozowski, Chair; Kim Baker and John Wilkes, Jr. of Finance Committee; Tony Roselli, Auditor and Richard Howarth, Accountant via GoToMeeting; Kenneth Longstreeth; Brandt Miller; Sarah Morin, Michael Ohl, P.E., CEI

CALL TO ORDER Chair Szynal called the meeting to order at 5:30 p.m.

ANNOUNCEMENTS Chair Szynal announced the Health & Wellness Fair presented by the Hatfield Senior Center. The event will take place on Monday, September 25th from 10:00 am to 2:00 pm at Town Hall. This is a free admission fair and includes a free continental breakfast, blood pressure and health screenings, there will be health care professions, behavior and mental health services, hot dogs and chips provided by the Hampshire County Sheriffs, raffles, and giveaways. Thank you - Council on Aging. Chair Szynal would like to thank Joe LaValley for his work restoring cemetery stones in Hatfield. This has been a two-year project. It's important to preserve the cemetery stones and a big heartfelt thanks to Joe LaValley. Selectman Jaworski attended a DOT meeting and noted there will be a major bridge restoration project. There will be more information down the road and completion date is scheduled to be October, 2025. Chair Szynal reminded residents in the next couple of weeks to watch out for kids walking to school and school buses as schools are opening on August 31st.

PUBLIC FORUM Brandt Miller of 8 Cronin Hill Road came before the Board stating there is a lot of excess speeding on Cronin Hill Road. We have a lot of animals on the street, and it has become a speeding fest. Recently there have been commercial vehicles speeding down the street. Mr. Miller has an 11-year-old son, and he is very concerned for his safety. Is there a way to get another sign with a speed limit? The Police Department has been doing watches and there have been at least six stops, but cars continue to fly down the road. Chair Szynal suggested maybe we can get the Police Chief to get another sign board out there.

APPROVAL OF MINUTES Selectman Jaworski made a motion to approve the meeting Minutes of July 11, 2023; Chair Szynal mentioned a misspelling of a name and with that change being made Chair Szynal seconded; no discussion; all in favor –aye; motion approved. The Select Board passed voting on the executive session Minutes of July 11, 2023 as the matter is still ongoing.

POSTED BUSINESS

TOPIC 3 Firefighters' Association: Special One-Day Liquor License: Kerry Flaherty, President of the Firefighters' Association presented before the Select Board requesting a one-day liquor license for October 14, 2023 from 4:00 PM to 10:00 pm at the Hatfield Lion's Club Pavilion. There will be enough security to cover the event. The only change, Fish Tales will be the licensee this year. Selectman

Gagnon made a motion to approve the Hatfield one-day liquor license for October 14, 2023 from 4:00 PM to 10:00 PM full alcohol pending their insurance; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved.

TOPIC 1 @5:45 PM public hearing for Verizon New England, Inc. and NStar Electric Company d/b/a Eversource Energy for placement of poles on Straits Road, Hatfield, Massachusetts: Chair Szynal opened the public hearing on a petition for Verizon New England, Inc and NStar Electric Company d/b/a Eversource Energy for placement of poles on Straits Road. Don Vonner of Verizon presented before the Select Board stating the poles are necessary to provide electrical services to a new home, #140 North Hatfield will be the new customer. There were no public comments. Chair Szynal closed the hearing. Selectman Jaworski made a motion to approve the Straits Road Verizon New England, Inc. and Nstar Electric Company d/b/a Eversource Energy request to erect and maintain poles and their respective wires and cables to be placed thereon, together with anchors, guys and other such sustaining and protecting fixtures as said Companies may deem necessary: poles numbered T.14/E.14 on the west side of Straits Road at a point approximately 3,607 feet southeasterly from the centerline of Depot Road; poles numbered T.13/E.13 on the west side of Straits Road at a point 3,800 feet southeasterly from the centerline of Depot Road and the reason for this is two poles to provide service for a new customer on Straits Road and provide for distribution of intelligence and telecommunications and the transmission of high and low voltage electric current; placement of the two poles is to provide service for a new customer on Straits Road; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved.

TOPIC 2 Rt. 5 Water and Sewer Project – Discussion of project; Change Order: Ms. Michonski informed the Board we have not received the Change Order. Michael Ohl presented before the Board with the Change Order stating the first item change is specific to the contact for the pump station. The time was noted as unchanged, but the contractor left it open. Subsequently, we conferred with the contractor about the schedule, and we added language specific to the pump station. That change order encompasses the minor revisions to connecting pipe and site work to site plan that came out of the easements. As there were discussions and push back from one of the property owners to shift the infrastructure south was another reason for the delay. In addition, the structures - the concrete wetwell and metering were fabricated by United Concrete in the fall of 2021. The contractor then had issues with the ground water and had a separate change order but the manufacture held the structures. The original intent with something this large is the contractor would want the structure to be held by United Concrete until the day it is installed. At the time they thought the construction would proceed quicker than it has. Selectman Jaworski asked if this is the final, final Change Order and Mike Ohl said yes. Chair Szynal asked if the pump station is going where it was originally supposed to be put but Mr. Ohl answered no - it is going a bit north. Chair Szynal stated we know that was holding up that portion of the project but what is holding up everything else? Mr. Ohl replied the dewatering is starting next week. Selectman Jaworski hoped they could follow the last schedule. Mr. Ohl is willing to come out in two weeks to give the Board updates. Chair Szynal asked if there have been communications with residents. Mike Ohl said yes but Mr. Longstreeth stated no communication has been made to the residents. Chair Szynal stated we need to notify all residents; they have all been patient through all of this. Chair Szynal asked if there is over \$61,000.00 in changes. Mr. Ohl stated there will be a need for additional funds. The way these projects are bid on, the bid estimates quantities and those can fluctuate up and down. All the actual construction quantities are fine but there is a shortfall for police detail. Mr. Ohl stated there will be additional engineering costs going forward for the monthly activities. Chair Szynal replied these

are known costs so why do you need more funds? Mr. Ohl stated they were estimated and we are past the calendar time. Ms. Michonski stated the supplemental funding is \$180,000.00 for police detail and \$200,000.00 for engineering. Selectman Jaworski asked where they think we will get the money from. Mr. Ohl stated this is typical circumstances and where you would reach out to MassWorks. Selectman Jaworski stated we can't reach out until we have a definite number and Mr. Ohl will send a more definite estimate. Selectman Jaworski stated that \$200,000.00 could be from ARPA funds. Chair Szynal stated she had a question regarding engineering. Shouldn't the engineers have known we would run into this? We spent a lot of extra money on engineers so we would have all the answers and we didn't. Where does the engineering company bear some of the responsibility and not a burden on the taxpayers? Mr. Ohl replied that the two biggest issues are the soil and the pump station. We did do soil borings up West Street and you only do them 100 feet apart. In this situation, it did not indicate what we actually found. That does happen from time to time as there is a limit to exploratory drilling. Sometimes, you get surprised. The contractor works off the engineers. I would argue we didn't miss, it just happens sometimes. Mr. Ohl further went on the pump station site - I think what we experienced is inherent when property is taken by eminent domain. Chair Szynal stated this is a big pill to swallow. Selectman Jaworski asked how the detail officer gets paid. Chair Szynal also asked why is the rate so high? Mr. Ohl stated police detail is paid at \$80.00 per hour to the contractor. The person doing the detail makes less than \$80.00 per hour. Chair Szynal asked if the personnel don't make the entire \$80.00 per hour, who gets the money? Mr. Ohl stated that the construction company is now charging the Town a storage fee which began in January of 2023 for the pump station. Selectman Gagnon asked why the Town was not made aware of the storage fee. Mr. Ohl stated the fee wasn't being charged until January of 2023 and it would be cheaper for the Town to pay the fee rather than have the structure brought to the site and then put into place. Selectman Jaworski made a motion to accept the Change Order to the Contract for \$61,712.96 as stated in the change order form; Chair Szynal seconded; no further discussion; all in favor – aye; motion approved.

Authorization for a ceremonial bonfire pursuant to MGL Ch. 11, §142H: Chief Flaherty is requesting authorization for the ceremonial bonfire for October 14, 2023. Selectman Gagnon made a motion that we approved the ceremonial bonfire at the Lions Club Pavilion sponsored by the Hatfield Firefighters Association on October 14, 2023; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved.

TOPIC 6 FY2022 Financial Audit Review, Tony Roselli, Roselli, Clark & Associates @ 6:30 pm: Tony Roselli and Richard Howarth presented before the Select Board via GoToMeeting. Mr. Roselli informed the Select Board this is the report for 2022. Mr. Roselli reviewed the management letter and stated these are items, not findings: 1) cyber fraud is high and Towns are being locked out of data. I am putting this reminder for you to be very vigilant. Challenge your IT to be sure you are up to date. 2) Risk assessment - make sure the accountant is on site and be sure turnovers are done in a timely manner. 3) OPEB and pensions - the Town can control this. The town doesn't have funding in place and you need to look at this. Chair Szynal asked what funding sources other towns use. Mr. Roselli replied that other towns sometimes use free cash and insurance appropriations. A lot of towns are way behind, a lot of towns don't have the money, they let the pension fully fund. Alert on investment income, hopefully the Town is doing something in this area. Investment income yields were at 0% and now they are 5% or higher. Any excess funds you can move into an account which is legal in Massachusetts and earn some interest would be great.

Findings: While there are findings, it is better than a few years ago. These are things than can be fixed quickly. Cash variance has been around every year. It's always positive but the Town can't seem to nail this down. The variance was around \$28,000.00. If we can fix it, it would be great. Indirect costs are not handled correctly with the tax recap. Student activities - the whole process is great; they cleaned it all up and did a great job. The school's ledger and Town's ledger are off by \$9,000.00. Can there be a reconciliation at the end of 2023 to see where that stands? Payroll withholdings: basically, when you withhold money from employees, when the bill comes a portion is paid by the town and a portion is from the money withheld. Some balances haven't changed in several years. Take a closer look at those. If there is no activity on certain accounts, close them out. This is just housekeeping. Regarding old outstanding checks: if the outstanding checks are more than a year old, advertise them. If no one claims that money, at the end of 12 months the money belongs to the town. The last comment is the assessor overlay. The assessor overlay was about \$6,000.00 but the DOR shows \$173,000.00 in free cash. When the DOR calculates free cash, they subtract whatever is in the assessor's overlay balance from your final figure. The Assessors sent us a letter saying there was about \$6,000.00 in exposure but the liability overlay is \$173,000.00. There is some income that the town can claim. Chair Szydal thanked Mr. Roselli for his audit and Mr. Howarth for also being present for the presentation.

TOPIC 3 Fire Chief Flaherty: Request to extend use of ARPA funds for EMS coverage: Robert Flaherty, Fire Chief presented before the Select Board requesting an extension for use of ARPA funds for EMS coverage. Chief Flaherty is also requesting an additional \$3,500.00 for uniform polo shirts. Selectman Jaworski stated we are strong supporters of the Fire Department, but have you asked the Association for these funds? Chief Flaherty replied he has not because in recent months the Association has purchased items for the mini pumper. Selectman Jaworski stated he is having issues using the ARPA funds as there are projects coming up and with the Rte. 5 project, there is a lot of needs and wants for ARPA funds. Selectman Gagnon asked why isn't there a uniform budget in your budget? Chief Flaherty replied we used it for the coats. Chair Szydal and Selectman Gagnon also expressed concerns over using ARPA funds. Chair Szydal would like to hold off on this. Selectman Jaworski told Chief Flaherty if, after the bonfire, the Association can't help, then come back. Selectman Jaworski made a motion to approve the ARPA funds in the amount of \$1,426.68 to be carried over from FY2023 to FY2024 for the purpose of buying uniforms; Selectman Gagnon seconded; no further discussion; all in favor – aye; motion approved.

Discuss revolving fund for fire officer detail: Chief Flaherty informed the Board that in the last couple years the Fire Department has been asked to do fire/EMS officer detail. Our budget covers the cost. As we are being asked to do more events, we may be providing more and more EMS and fire officer detail. Chief Flaherty is requesting the Board's approval to create a revolving fund for these monies. The Select Board gave their approval for the Fire Department to have their own revolving account. Once Chief Flaherty figures out the detail rate, he will present it to the Select Board.

TOPIC 4 DPW REPORT

Employee Personnel Form/Recommendation for rate increase: Brandon Daniel of the DPW presented before the Select Board on behalf of the DPW Director to speak of the wage rate increase. Chair Szydal doesn't have a problem with this, but Selectman Jaworski had concerns when he looked at the position and the responsibilities. Selectman Jaworski has asked Mr. Genovese for a job description and what extra job responsibilities he has taken on to make sense of a \$10,000.00 salary increase. Chair Szydal

mentioned there has been a precedence with other employees and this is a realization that employees are paid less in Hatfield than other towns. We are constantly trying to get to a point that we are competitive. The Select Board asked for more information and asked this topic be brought up at the next meeting.

TOPIC 5 **TOWN ADMINISTRATOR REPORT**

Requests to carryover unused vacation time: Ms. Michonski informed the Board that Phil Genovese is requesting a carryover of 110 hours of unused vacation time. Selectman Jaworski stated in the past we did carryovers based on different situations and we didn't have a problem with that. We have told Department Heads to use their vacation time. This request from Mr. Genovese not only asks for 110 hours carryover, but it also doesn't give a time he will use it by and doesn't give a reason why he has not taken the time off. Chair Szynal also has a problem with a 110-hour carryover. The reasons are not compelling. We told Mr. Genovese to use his time; I have a problem with Mr. Genovese but not with Kenneth Holhut. With any carryover, Chair Szynal stated, we need a use-by date. Maybe Mr. Genovese can request a smaller amount. Selectman Jaworski made a motion to approve the carryover of 90 hours vacation time for Kenneth Holhut; Chair Szynal amended the motion by adding this would be the last carryover allowed to be used by the end of FY24 for Kenneth Holhut; and make sure all department heads are made aware no more carryovers; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved.

Treasurer/Collector Employee Agreement Renewal and Temporary Support Services: Ms. Michonski informed the Board the Treasurer/Collector signed the Employment Agreement and the Board will need to vote and sign it. Selectman Gagnon made a motion that we accept the contract with the Town of Hatfield and the Treasurer/Collector Employee Agreement Renewal beginning July 1st; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved.

The Treasurer/Collector will need temporary support services and Ms. Michonski has hired Support Services with Strategic Municipal Services. Ms. Michonski asked that the Treasurer/Collector be able to carry over her comp time as she hasn't been able to use it. The Board does not have any issue with this request. Chair Szynal made a motion that we approve the contract with for an interim treasurer/collector; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved.

Approval of Human Resource Policy Manual: Ms. Michonski informed the Select Board of the recent changes to the human resource policy manual. Page 15, Section 10.6 will be omitted. After reviewing those changes, Selectman Szynal made a motion to approve the human resource policy manual but omit section 10.6 classification plan; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved.

Revoke Heritage Tavern Liquor License: Ms. Michonski informed the Board Heritage Tavern abruptly closed in May without notice to the Town. The Town has attempted to contact the owners of Heritage Tavern to inquire about the status of their liquor license, but the owners of Heritage Tavern never replied. Selectman Jaworski made a motion to revoke the Heritage Tavern liquor license; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved.

Sediment Sample Collection and Reporting of Day Pond Update: Ms. Michonski informed the Select Board a few weeks ago TCR was doing sediment collection at Day Pond. TCR is putting together their report and the Town should have it by August 31st.

US Treasury implements new use authorized for ARPA funds: Ms. Michonski informed the Board the Treasury implemented new uses for ARPA funds. She had attached copies of those implementations.

Rescind vote of July 11, 2023 approving transfer of license to Harrison Diesel Solutions, LLC from G & S Industrial: Ms. Michonski informed the Select Board Gary Savard contacted her stating that one of their suppliers demands the new owner have one year of training prior to transferring the business. This matter will be taken up at the next Board meeting once Mr. Savard reapplies for his Class I license.

Recommendation of surplus property for disposition: Ms. Michonski informed the Select Board the items listed have been upstairs for a number of years. A memo was sent to Department Heads asking if a department could use any items, but no one was interested. Selectman Jaworski made a motion to clear the items on the list; Selectman Gagnon seconded; all in favor – aye; motion approved.

CONTINUED OLD BUSINESS

TOPIC 7 EMS/Fire Services Assessment Study/Public Presentation September 27: Ms. Michonski informed the Board they are in possession of the EMS/Fire Services assessment study and that on September 27, 2023 @ 6:30pm a meeting is scheduled for review of this study with the residents of Hatfield. The meeting will be at the Hatfield Elementary School.

Town Hall, Second Floor and Balcony load capacity structural review update: Ms. Michonski informed the Board the engineer previously hired cannot make the time to do the structural review. We are looking at another engineer.

Selectman Jaworski stated we need to discuss what will be done with the second floor of Town Hall; maybe our next meeting we could discuss where are we going to put John.

Selectman Gagnon made a motion that we hire and accept Ashton Weagle; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved.

UNANTICIPATED NEW BUSINESS None

ADJOURN Selectman Jaworski made a motion to adjourn; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved. Meeting adjourned at 8:07 pm.

Respectfully,
Karen Brodeur
Executive Assistant