

Approved December 12, 2023

Select Board
Meeting Minutes
November 14, 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; Jennifer Polverari, Assistant Assessor; Scott McCoy, Chair, and Members Stan Pitcho and James Lavallee, Board of Assessors; Robert Flaherty, Fire Chief; Stephanie Slys, Chair and Members James Tarr and John Jeffress, Planning Board; Attorney Leah Phillips; Cristonfer Cruz; MacKae Freeland of Treeworks and legal counsel Marvin Cable; Douglas Finn; David Keir; Mike Cahill; Timothy Paciorek; Kim McGovern; Danil Tarnovskiy and Alfiya Khuzhakhmetova

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

ANNOUNCEMENTS Chair Szynal informed everyone that luminarium is December 23rd with the festivities at Town Hall at 6:00 p.m. Fire Chief Flaherty stated refreshments will be served at the Fire Station and fireworks are at 6:40 p.m. The back part of Billings Way will be closed at 12:00 p.m. Selectman Jaworski wanted to thank everyone who attended the Veterans Day ceremony at Town Hall. Selectman Jaworski also thanked the DPW for the line painting. It took a while because there are only a couple of companies that do line painting for all of Western Mass. Selectman Jaworski also stated if anyone is interested in being the Veteran's Agent they can get information and apply at Town Hall.

PUBLIC FORUM No one.

APPROVAL OF MINUTES Selectman Gagnon made a motion to approve the Select Board meeting minutes of September 27, 2023; Chair Szynal brought up a correction to be made on the date; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved. Selectman Gagnon made a motion to approve the site visit meeting of September 29, 2023; Chair Szynal seconded; no discussion; all in favor – aye; motion approved. The Select Board tabled voting on the meeting minutes of October 17, 2023 as corrections need to be made.

POSTED BUSINESS

The Board took topics out of order prior to the tax classification hearing:

TOPIC 5 Appointments/Resignations: Appointment of Maxwell Bartlett to Agricultural Advisory Committee: After reviewing the letter of Maxwell Bartlett as a candidate for the open seat on the Agricultural Advisory Committee, Selectman Jaworski made a motion to appoint

Maxwell Bartlett to the Agricultural Advisory Committee; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved.

Resignation of Veteran's Service Agent: Marlene Michonski, Town Administrator informed the Board that she received an email dated October 18, 2023 from Joseph Letourneau, Veteran's Service Agent, he will be resigning and has a cut-off date in December. Chair Szynal made a motion to accept the resignation of Joseph Letourneau; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved. Ms. Michonski will reach out to Northampton for assistance.

Appointment to Day Pond Restoration Subcommittee: Ms. Michonski informed the Board Ian Guzowski, a Smith Academy student would like to be appointed to the Day Pond Restoration Subcommittee. Chair Szynal made a motion to appoint Ian Guzowski to the Day Pond Restoration Subcommittee; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved.

Appointment of Kaaren Gaitenby Smith to Local Cultural Council: Ms. Michonski informed the Board Kaaren Gaitenby Smith has shown interest in being on the Local Cultural Council. Chair Szynal made a motion to approve Kaaren Gaitenby Smith to the Local Cultural Council; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved.

TOPIC 1 Tax Classification Hearing @5:45 pm: Joint meeting with Board of Assessors: Chair Szynal opened the hearing at 5:45 p.m. Jennifer Polverari, Assistant Assessor; Scott McCoy, Chair, and Members Stan Pitcho and James Lavallee, Board of Assessors presented to the Select Board the Assessors recommendations for tax classification for FY2024. The Board of Assessors recommends that a favor of 1.0000 be adopted for FY2024 which will keep a single tax rate for all classes of property in Hatfield. The Board of Assessors recommends that no Open Space discount be granted for FY2024; the Board of Assessors recommends that no open space discount be granted for FY2024; the Board of Assessors recommends that no residential exemption be granted for FY2024; the Board of Assessors recommends that no small commercial exemption be granted for FY2024. Chair Szynal made a motion to close the hearing at 5:47 p.m.; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved. Chair Szynal made a motion that the Town of Hatfield set a factor of 1.0000 be adopted for FY2024 keeping a single tax rate for all classes in Hatfield; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved. Selectman Jaworski made a motion to approve the Board of Assessors recommendation that no open space discount be granted for FY2024; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved. Selectman Gagnon made a motion that as the Board of Assessors recommended no residential exemption be granted for FY2024; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved. Selectman Jaworski made a motion to approve the recommendation that no small commercial exemption be granted for FY2024; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved.

TOPIC 6 **DPW REPORT**

Water Abatement for 115 North Hatfield Road: After reviewing the letters from the DPW Director and Water Superintendent regarding the request for a water abatement at 115 North Hatfield Road, Chair Szynal made a motion to grant the water abatement for 115 North Hatfield Road as presented; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved.

Water Abatement for 3 Straits Road: With the recommendation letters of the DPW Director and Water Superintendent regarding the request for a water abatement for 3 Straits Road, Chair Szynal made a motion to grant the water abatement for 3 Straits Road as recommended by the Water Superintendent; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved.

Water abatement for 31 North Hatfield Road: Upon the recommendation of the DPW Director for a request of a water abatement at 31 North Hatfield Road, Chair Szynal made a motion to deny the water abatement request for 31 North Hatfield Road; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved.

Wastewater Plant Upgrades Project/USDA Grant and Loan Documents: Ms. Michonski informed the Board that further documentation has been received which will start the grant and loan process for the \$12,000,000.00 project at the wastewater plant. Selectman Gagnon made a motion that we sign the Equal Opportunity papers from the USDA; Chair Szynal seconded; no discussion; all in favor – aye; motion approved. Chair Szynal made a motion that we vote to approve the grant agreement as presented; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved. Selectman Gagnon made a motion that we accept the Assurance Agreement; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved. Selectman Gagnon made a motion that we accept the loan resolution; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved.

TOPIC 2 @6:00 p.m. hearing on All Alcoholic Beverages Liquor License of Cantina, 127 Elm Street: Chair Szynal opened the hearing at 6:00 p.m. Attorney Leah Phillips and Cristonfer Cruz presented before the Select Board seeking an all-alcohol liquor license for Mr. Cruz's restaurant, Cantina located at 127 Elm Street. Selectman Jaworski made a motion to grant the annual all alcohol liquor license to Cantina at 127 Elm Street; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved. Chair Szynal closed the hearing at 6:05 p.m.

TOPIC 3 Meet with Planning Board: Appointment to Fill Vacancy: Stephanie Slysz, Chair, Members James Tarr and Jeff Jeffress of the Planning Board presented before the Select Board with four candidates for the vacant seat: Douglas Finn, David Keir, Eric Bodzinski, J. Michael Cahill and the late entry of Gregory Omasta. Ms. Slysz stated this was a tough decision as all the candidates are very well qualified to fill the seat. However, one candidate did stand out due to his experience in working with various planning and zoning boards. Chair Szynal asked Chair Slysz if the Planning Board had recommendations and Chair Slysz stated Douglas Finn

and Eric Bodzinski. Ms. Slys stated the Planning Board thought these candidates would bring a new prospective to the Planning Board. Chair Szynal agreed, stating Mr. Finn - having the experience he does - would be very helpful to the Planning Board. Mr. Tarr was impressed with Mr. Finn's resume and that he has a broad background. Chair Szynal made a motion that we appoint Douglas Finn to the remainder of the Mr. Paschek's term, Szynal – aye; Gagnon – aye; Jaworski – aye; Slys – aye; Tarr – aye; Jeffress – aye; Selectman Jaworski seconded the motion; no discussion; all in favor – aye; motion approved.

TOPIC 4 Fire Chief Flaherty: Discuss Ambulance Staffing Operations: Robert Flaherty, Fire Chief informed the Board that as of November 10th the state legislature changed the rules - you can no longer cross staff for ambulance calls making it difficult to sustain ambulance coverage. He has been using first responders for the last two years which he can no longer do. Chief Flaherty stated currently the overnight on-call are first responders with Lt. Flaherty and myself. Chief Flaherty stated he can no longer work with first responders. Chair Szynal asked how do other communities smaller than us do it? Further, she said, seems like these regulations hits small communities harder. Chief Flaherty stated there are always public hearings and he sent correspondence requesting they leave this regulation alone. Chief Flaherty stated there will be fewer overnight shifts, 2-3 nights a week. With this change, he said, it's the potential for more mutual aid coming to Town. Chair Szynal asked what do you recommend? Chief Flaherty stated, we are stuck, the only way to fix it by adding more staff. On January 1st we will be going to a rotating schedule but this is not a short term fix. Chief Flaherty has been working on a rotating schedule but people don't want to work weekends. Chief Flaherty stated I need more paramedics; there is still no funding for paramedics in this fiscal year.

TOPIC 9 Request from Treeworks LLC for extension of an existing Host Community Agreement and/or consideration to discuss proposed renewal agreement: Attorney Marvin Cable and Mackae Freeland from Treeworks LLC presented before the Board requesting an extension of the existing Host Community Agreement until January 4, 2024. Chair Szynal told them that she is not inclined to agree to any of this. Chair Szynal went on further stating when Treeworks first applied to the Town, Hatfield welcomed you and signed the Host Agreement in good faith. There were provisions in the Host Community Agreement that you would provide financial documents, pay the town and there was an educational component in the Agreement. There has been no financial records given to the Town, not one penny has been paid and there has been no educational component. To come to us now and want to renew is surprising. While there has been legislation passed in the State that said there didn't have to be a percentage paid to the communities; however, good businesspeople honor Agreements. Mr. Mackae stated that we did our community hours with the Food Bank and found it difficult to find opportunities to volunteer. We need to be directed to resources. There has been a lot of moving pieces to this, we have been back and forth for the past six months. We have been patiently waiting to see how things evolve. Our goal is to work with the Town and no way are we trying to stiff anyone. We would love to work with you and if we can buy some time to talk about what has passed in the last five years, perhaps we can have another meeting. We are trying to operate in good faith. Selectman Jaworski stated you haven't made good on the existing agreement, how can we be

sure you will make good on the next agreement? Chair Szynal told Mr. Freeland it's been 3 years, this has been raised in our communications. We were delighted to welcome you and this doesn't sit well with me. Mr. Freeland stated there is a break down in communications. Chair Szynal said we have asked repeatedly where are your financials and nothing. Mr. Freeland replied there are a lot of moving pieces. I understand it's last minute, we have been waiting for communication between the attorneys. We want to continue to employ the 30 people working for us. Chair Szynal stated I'm not feeling good about renewing the agreement and the next agreement does away with everything. Selectman Jaworski stated I don't want to hurt you but you haven't done your part. Chair Szynal told Mr. Freeland, where we didn't get the financial statements, it's like you didn't want to live up to the agreement. Mr. Freeland stated there was a breakdown in communication. Selectman Jaworski told Mr. Freeland you should have contacted the schools to see what would be helpful, you should be working this out. Chair Szynal told Mr. Freeland let's be frank, you have done nothing agreed to in the Agreement; it feels like we did what we needed to do. Mr. Freeland stated the extension is just giving us time to meet again and explain how we came to where we are today. Chair Szynal told Mr. Freeland; I would be willing to go into an extension but I made it clear how I feel. Chair Szynal made a motion to extend the HCA until January 4, 2024; in the meantime, we will schedule a meeting to dive into this a bit deeper; Selectman Jaworski seconded, you have heard my concerns and you heard all our concerns; no further discussion; all in favor – aye; motion approved.

TOPIC 7 **TOWN ADMINISTRATOR REPORT**

FY2024 Budget Process Discussion and Budget Review Schedule with Departments: Ms. Michonski presented the Board with the FY25 Budget and Town meeting schedule. Ms. Michonski will distribute the budget review schedule to Department Heads.

Request to fund Technology Upgrade and Interim Treasurer/Collector; Summary of ARPA Spending: Ms. Michonski updated the Select Board the technology upgrade was more than originally anticipated and that she would like approval to pay the invoice of \$38,776.84 and \$30,336.00 for the interim treasurer/collector from ARPA funds. Selectman Gagnon made a motion that we approve using ARPA funds in the amount of \$38,777.00 to pay for the technology upgrade; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved. Selectman Jaworski made a motion to use \$30,336.00 for the Treasurer/Collector office; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved.

Danil Tarnovskiy, Old Stage Road, Project Review Checklist Signature: Ms. Michonski presented the Select Board with the Massachusetts Project Review Checklist for signature. After review, Selectman Gagnon made a motion that we sign the Massachusetts Project Review Checklist for property owned by Danil Tarnovskiy on Old Stage Road; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved. Ms. Khuzhakhmetova asked the Board if their attorney looked into the common driveway issue. Chair Szynal replied that Ms. Michonski would be doing that.

DF Riley Grist Mill Dam: Ms. Michonski informed the Board the Old Mill Inn property owners are working with the CT River Conservancy regarding the removal of the dam and are requesting a letter of support from the Board. The Assistant Town Planner met with the owners and advised them to contact Kestrel Land Trust who may be able to help. Kestrel was not able to help them but directed them to the CT River Conservancy. CT River Conservancy met with the owners and are apply for a grant to remove the dam. Even if the funding were granted and the dam removed, there would still be some water flowing through. The owners would like to meet with the Select Board and would like a letter of support from the Select Board. Chair Szynal would like to know how this would change the dynamics of that area.

Police Department Request re: Memorandum of Understanding w/Town of Sunderland for Shared Clinical Response Services: Ms. Michonski presented the Select Board with the updated Agreement. She informed the Board Town counsel made some changes and Sunderland was agreeable to those changes. Ms. Michonski told the Board the CSO worker starts on December 1st and will be in Hatfield on Wednesdays. Selectman Jaworski made a motion to accept the agreement with Clinical & Support Options and the Town of Sunderland as presented; Selectman Gagnon seconded; no discussion; all in favor – aye; motion approved.

CONTINUED OLD BUSINESS

TOPIC 8 Human Resource Handbook Updates, Review policies re: notification of absence and Travel reimbursement for meals and room taxes: Ms. Michonski presented the Select Board with changes to the Human Resources Handbook which included added language to the Sick Leave policy which is that any absence due to illness shall be reported to the employee's immediate supervisor or Department Head and Department Heads shall report their absence to the Select Board. Selectman Gagnon made a motion that we accept the Human Resource Handbook update Section 15.2 Sick Leave and accepting the amendments to Human Resource Handbook regarding reimbursement for meals and room tax Section 22; Selectman Jaworski seconded; no discussion; all in favor – aye; motion approved.

UNANTICIPATED NEW BUSINESS

ADJOURN

EXECUTIVE SESSION MGL Ch. 30A, 21a, #1. To discuss the reputation, character, physical or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member of individual: Selectman Gagnon made a motion to move into executive session under MGL, Ch. 30A, §21a, #1. To discuss the reputation, character, physical or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member of individual and not return to regular session; Selectman Jaworski seconded: Jaworski - aye; Szynal - aye; Gagnon - aye. Meeting adjourned at 7:29 p.m.

EXECUTIVE SESSION MGL Ch. 30A, 21a, #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.

Respectfully,
Karen Brodeur
Executive Assistant