

Town of Dudley

Board of Selectmen
Highway Commissioners
Cemetery Commissioners

June 19, 2017 @ 6; 30pm
Dudley Municipal Complex
71 West Main Street
Dudley, MA 01571
Veteran's Memorial Hall – Room 321A
Approved 7/10/2017

Some matters have been taken out of agenda order but were typed up in agenda order for ease of locating information when necessary.

1. Call to Order, Pledge of Allegiance

Jonathan Ruda opened the meeting at 6:37pm. In attendance were Steven Sullivan, John Marsi, Kerry Cyganiewicz and Paul Joseph. Also in attendance were Greg Balukonis, Town Administrator and Michelle Jervis, Administrative Secretary.

2. Reorganization of Board

Chairman - Chairman Ruda stated that historically the newly elected Selectmen shall be named Chairman. Jonathan Ruda motioned to offer the nomination to Kerry Cyganiewicz. Steven Sullivan seconded. Mr. Cyganiewicz respectfully declined the seat reasoning he would like to sit back and learn at this time. **Paul Joseph motioned to cast one ballot for John Marsi to be Chairman for 2017-2018. Steven Sullivan seconded. Mr. Marsi accepted the nomination. Unanimous 5-0.** Mr. Marsi thanked everyone for their support.

Vice-Chairman – Paul Joseph motioned to cast one ballot to nominate Steven Sullivan as Vice-Chairman. John Marsi seconded. Mr. Sullivan accepted the nomination. **Unanimous 5-0.**

Clerk – John Marsi motioned to cast one ballot to nominate Jonathan Ruda as Clerk. Steven Sullivan seconded. Mr. Ruda accepted the nomination. **Unanimous 5-0.**

3. Acceptance of Minutes:

Jonathan Ruda motioned to approve the minutes of June 5, 2017. Paul Joseph seconded. **Unanimous 5-0.**

3. Appointments/Resignations:

Reappointments – Paul Joseph motioned to appoint the following to a one year term expiring on June 30, 2018:

Animal Control Officer – Jennifer FitzGerald
Assistant Animal Control Officer – Robert FitzGerald
Central Mass Regional Planning – William Trifone
Cable Access Coordinator – Ted Baron
Cable Government Affairs Manager – Fred Sugar
Council on Aging Director – Margaret Bussiere
Chief Procurement Officer – Greg Balukonis
Electrical/Wiring Inspector – Neil Piasta

Assistant Electrical/Wiring Inspector – James Jones, Jr.

Plumbing/Gas Inspector – Jay Spahl

Municipal Hearings Officer/Chapter 148A – Greg Balukonis

and to reappoint the following for three year terms to expire 6/30/2020:

Conservation Commission – Nancy Vajcovec

Dick Androlewicz

Samantha Costello

Constable – P. Jim D’Auria

Cultural Council – Denise Driscoll

Virginia DiDonato

Mary Kunkel

Dudley Trail and Greenway Network – Ken Butkiewicz

Historical Commission – McKenna Heasley – Appointed as full member

Edward Bazinet

Michael Branniff

Council on Aging – Beatrice Bouvier

Josephine Bottieri

Alice Langlois

Personnel – Rose Smoolca

Jonathan Ruda seconded. Unanimous 5-0. Mr. Sullivan stated that Wes Mroczka is not seeking reappointment to the Zoning Board of Appeals. He would like to see someone who has a working knowledge of the town bylaws, a level headed person who can find middle ground and has the best interest of the town and the applicant. A person with stamina and fortitude. All agreed. Paul Joseph requested that the Town Administrator post the openings for all town committees and to list the ZBA first as well as keep the posting and availabilities for atleast six (6) months.

4. Public Comments/Citizens Comments – Informational:

a. James Riordan, 13 Blackmere Road – Water/Drainage problems – Mr. Riordan came before the Board to discuss the problems he is encountering with water draining onto his property. He moved to Dudley last September and has had water issues due to rain and snow. He called Dan Gion, Highway Superintendent, who told him to follow up in the spring. In April he called Mr. Gion who viewed the situation. Within a few weeks a catch basin and an 80 foot trench 6 feet wide with 30 feet of piping was installed with the permission of the property owner abutting Mr. Riordan. Mr. Riordan thanked him for doing the job but feels it is not been completed. He would like additional piping installed that extends up to the woods. He is concerned about someone falling into the trench and the neighbor is not able to hay his field. He received an email from Mr. Gion stating that the job is complete and he will not install any further piping due to the cost. Mr. Gion stated that for dozen of years there was never a problem. The Highway Department cleaned the basin and now the new owner is asking to have something done that has a significant cost factor. Paul Joseph stated that no further work should be done until the town gets written permission from the property owner. He feels the issue is legitimate but that the the Highway Department does not have a right to do anything on that property without his consent. He asked the Town Administrator to meet or get a statement from the property owner to get permission and request what he want us to do. Steven Sullivan stated that his is a big issue and needs to be an agenda item. Mr. Gion feels this is “opening up a can of worms” adding drainage to private property. He feels the owner of the property should be responsible and landscape appropriately. Paul Joseph requested that the Town Administator gets a legal opinion or site case law. He wants to know our legal rights. This issue will be a future agenda item.

- b. Ken Brackley, President of the Baker Pond Association, came before the Board thanking them for their support. Mr. Joseph reviewed the statistics that the Association forwarded and that 73% of the pond residents are located in Charlton. Since they are requesting a gate it might be advantageous for the Charlton Highway Department to install it. Mr. Gion stated that he thought that it would be good idea.

5. Town Administrator's Report:

6. Licensing/Permits:

- a. St. Andrew Bobola Church – Request for a One Day All Alcohol License – David Bujawski, representing the church, came before the Board. After discussion **Paul Joseph motioned to grant St. Andrew Bobola Church a One Day All Alcohol Liquor License for Friday, August 25, 2017 from 4:30pm to 10:00pm and Saturday, August 26, 2017 from 11:00am to 10:00pm for their Annual Summer Festival and to have the Police Chief notified to include one of the officers to check on the bar periodically. Kerry Cyganiewicz seconded. Vote 3-0-2 with Steven Sullivan abstaining and Jonthan Ruda temporarily leaving the meeting.**
- b. Council on Aging – One Day Liquor License located in the Dudley Senior Center for the COA Italian Luncheons – **Paul Joseph motioned to grant a One Day Liquor License to the Council on Aging on the following Fridays, July 128, 2017; August 25, 2017; September 29, 2017; October 27, 2017; November 17, 2017 and December 15, 2017 for the COA Italian Luncheons. Kerry Cyganiewicz seconded. Vote 3-0-2 with Steven Sullivan abstaining and Jonathan Ruda temporarily leaving the meeting.**

7. Public Business:

- a. **Fire Captain David Konieczny** – Retirement – Captain Konieczny came before the Board with his wife Lynn to accept congratulations from members on his 39 years of service to the Town of Dudley. Representative Durant and Tyler Scott, representing Senator Ryan Fattman's office, presented Citations to Captain Dave. Captain Konieczny stated that he was grateful for all the years of service he had to the town he loves and that his health is improving. All members congratulated the Captain and his peers at the Fire Station were present for his awards.
- b. **Elliot Burlingame, Jr. – Eastment(s) under Klondike Road** – Mr. Burlingame, the contractor, was not present at the meeting. The owners of the property, Susan Etheredge, her husband Edward Etheredge and sister Patty, came before the Board. Mrs. Etheredge stated that she and her sister grew up at #2 and #6 Klondike road and they inherited both camps. They plan on moving back to Dudley from Northampton since they are now retired. Since the Board of Selectmen are the Highway Commissioners they are requesting to put two sets of sewer and water lines under Klondike Road. They forwarded an Eastment Agreement that will be recorded at the Worcester Registry of Deeds. After the pipes are installed they will have an As-Built Plan drawn up. Both the Conservation Commission and the Board of Health reviewed the documents and have been approved. Steven Sullivan stated that he does not want a problem and that they should be responsible for any repairs to the road if there is a problem in the lines. Paul Joseph requested this in writing. Jonathan Ruda requested the Town Administrator get a legal opinion on the Easement Agreement with additional wording that protects the town's best interest. **Paul Joseph motioned to table this issue and that he instructs the Town Administrator to get assistance from Town Counsel. Jonthan Ruda seconded. Unanimous 5-0.**
- c. **Toll Booth Request – Annual MDA Boot Drive** –**Paul Joseph motioned to approve the request from the Fire Department to hold a toll booth at the town line on Saturday, September 23, 2017 from 9am to noon with a rain date of Saturday, September 30, 2017 for the Annual MDA Boot Drive. Kerry Cyganiewicz seconded. Unanimous 5-0.**
- d. **Weekly Payroll and Warrant Signature** – Signature Authority from members of the Board – After discussion **Jonathan Ruda motioned to have Paul Joseph be the signer of the Warrants with Kerry Cyganiewicz as alternate. Kerry Cyganiewicz seconded. Unanimous 5-0.**

e. **South Worcester County Communications Center (SWCCC) – Board of Director Appointment** – Mr. Balukonis stated that a full member of the Board of Selectmen must be appointed as a Board member to the SWCCC. Peter Fox has volunteered to be the alternate. After discussion **Jonathan Ruda motioned that Paul Joseph be the primary Board member on the SWCCC Board of Directors with Peter Fox as an alternate. Kerry Cyangiewicz seconded. Vote 4-0-1 with Paul Joseph abstaining.**

f. **SWCCC Update and IMA Amendment Approval** – Mr. Balukonis stated that the regional dispatch was awarded an additional \$172,000 in their grant. This money goes to the towns' assessments. The Board of Directors recently voted to accept 911 calls. At this time all calls go through the State Police and now the dispatch center will be fielding these calls. Implementing this they are entitled to an additional \$50,000. Regarding the IMA, accounting practices that have become institutionalized and they are trying to make corrections to the IMA. After discussion this issue was tabled.

g. **Declare as Surplus and Authorize the Sale of Municipal Property – 26 River Street, Dudley, MA.** – Mr. Balukonis stated that the Board declared as surplus and authorized three (3) properties to be sold at auction at our last meeting. This property, a house on River Street, would be the fourth property. After discussion **Paul Joseph motioned to authorize the sale and declare as surplus the property known as 26 River Street., Dudley, MA. Jonathan Ruda seconded. Paul Joseph requested that since auctioning commissions vary have the Town Administrator seek competitive bids. Unanimous 5-0.**

8. **Adjournment:**

Paul Joseph motioned to adjourn at 8:20pm. Steven Sullivan seconded. Unanimous 5-0.

Respectfully submitted,
Michelle Jervis, Administrative Secretary