

Town of Dudley

Board of Selectmen
Highway Commissioners
Cemetery Commissioners

July 24, 2017 @ 6; 30pm
Dudley Municipal Complex
71 West Main Street
Dudley, MA 01571
Veteran's Memorial Hall – Room 321A
Approved 8.21.2017

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

Steven Sullivan opened the meeting at 6:38pm. In attendance were Kerry Cyganiewicz and Paul Joseph. Also in attendance were Greg Balukonis, Town Administrator and Michelle Jervis, Administrative Secretary. John Marsi and Jonathan Ruda were absent.

2. Approval of Minutes:

Paul Joseph motioned to approve the minutes of July 10, 2017 as printed. Kerry Cyganiewicz seconded. Unanimous 3-0

3. Appointments/Resignations:

a. Constable – Reappointment for Sean Guerin – Term to expire June 30, 2018 – Tabled for a future Selectmen's meeting.

b. Council on Aging – Appointment – Janice Brady – **Paul Joseph motioned to approve the appointment of Janice Brady to the Council on Aging. Her term to expire June 30, 2019. Kerry Cyganiewicz seconded. Unanimous 3-0.**

c. Historical Commission – Reappointment – **Paul Joseph motioned to reappoint Frederick Meyer to the Historical Commission. His term to expire 6/30/2018. Kerry Cyganiewicz seconded. Unanimous 3-0.**

4. Public Comments/Citizens Comments – Informational:

Richard Clark – 65 Airport Rd. – Mr. Clark came before the Board regarding rapid speeding in Dudley. He commented on a article that was recently in the Telegram about the City of Worcester and the number of strategies they are using to reduce speeding. He thought the town would like to check into these strategies to see if they would work for us. Chief Wojnar stated that he is fully aware of speeding on Airport Road as well as many other streets in town. He responded to a few questions from Mr. Clark regarding obtaining grants and frequency of radar checks. He stated that the department is very busy right now and they are a bit shorthanded due to vacations. He is open to any suggestions since he staffing level is a big issue.

5. Town Administrator's Report:

a. **Costs for Legal Defense – Islamic Society of Greater Worcester v. Dudley Zoning Board of Appeals et al** - Mr. Balukonis stated that he was asked by the Board to retrieve the final figure for legal defense regarding the Islamic Society of Greater Worcester v. Zoning Board of Appeals et al. From the

months of January 2016 to June 2017 the town paid \$47,298.70 to Brackett & Lucas, Gary Brackett, Esq., for hours spent on the issue and lawsuit. The total amount was \$42,122.50 plus billable expenses of \$176.20 and the payment of a deductible for Special Counsel of \$5,000. After discussion **Paul Joseph motioned to acknowledge receipt of the costs for legal defense as submitted by Town Counsel and the Town Administrator as included in our agenda items for this meeting. Kerry Cyganiewicz seconded. Unanimous 3-0.**

b. Final 2017 Revenue and Expense Report – Mr. Balukonis prepared a snapshot of the FY17 Revenue and Expenses. He stated department heads did a great job keeping within their budgets and it shows. After discussion **Paul Joseph motioned to acknowledge receipt of the FY17 Revenue and Expenses with the remaining balance from the budget amount of FY17 of \$105,235.37 and to acknowledge that the actual revenue amount of \$370,055.34 over what was budgeted. Kerry Cyganiewicz seconded.** Mr. Balukonis informed all that the next step is for the accountant to prepare the balance sheet and feels it will be a positive number. The good news is that the Fire Department is \$5,559 over what was budgeted . We have a little more money to fund our services in for the Fall Town Meeting. Regarding solar arrays, the Department of Revenue requires the town to report it as a separate item. **Unanimous 3-0.**

c. Purchase/Easement of town property located near 50 Center Road – Mr. Balukonis stated that he has been approached by a resident, Samantha Costello of 50 Center Road, regarding purchasing property owned by the town to reroute her driveway off of Center Road. He is introducing this issue tonight so that it will be a future agenda item. He feels the property she is requesting to purchase has little or no value to the town and would like to have other departments weigh in on the plan. After discussion **Paul Joseph motioned to acknowledge receipt from Samantha Costello and place it on a Board of Selectmen’s agenda in the future. Kerry Cyganiewicz seconded. Unanimous 3-0.**

6. Licensing/Permits:

7. Public Business:

a. Susan Etheredge – Temporary Construction Easement Agreement – 2 and 6 Klondike Road – Mr. Balukonis stated that he is in receipt of a legal opinion from Town Counsel regarding the Easement Agreement prepared for the town by Susan Etheredge. The Temporary Construction Eastment would allow them to proceed with the construction until they prepare a plan. After discussion **Paul Joseph motioned to approve the Temporary Construction Easement as recommended by Town Counsel entitled Temporary Construction Easement Agreement and to state that these Agreements would each allow the installation of water and septic system pipes and electrical lines under Klondike Road, a public way, to serve the two houses on Parcel 1 at 2 Klondike Road and Parcel 2 at 6 Klondike Road and that the two Agreements state that the easement shall be “in the approximate location on the sketch plan” provided with no specific metes and bounds description of the easement area in said Agreements and that Town Council recommends that any final documents contain specific metes and bounds description in order to assure the proper placement of the utilities and guarantee the scope of the area for which the Grantee will be responsible in the future. Kerry Cyganiewicz seconded. Unanimous 3-0.**

b. Clarinda Wood Fund – The Board requested information about the balance of the Clarinda Wood Fund at their last meeting. **Paul Joseph motioned that as of July 24, 2017 the balance in the Clarinda Wood Fund that is available to the Board of Health is \$27,353.09 and that we must be mindful that it is not a bottomless pit and must be monitored. Kerry Cyganiewicz seconded. Unanimous 3-0.**

c. FY17 End of Year Transfer – Paul Joseph motioned to transfer from the **Selectmen Operating Expenses (0001-122-5705-02) the amount of \$30,550.29 to Fire Salaries (0001-220-5122-01) in the amount of \$4,136.50; EMS night Coverage (0001-220-5125-01)in the amount of \$19,429.51; and fire overtime (0001-220-5131-01) in the amount of \$6,984.28 for a total of \$30,550.29. Kerry Cyganiewicz seconded. Unanimous 3-0.**

8. Departmental Communications:

9. Adjournment/Executive Session:

Paul Joseph motioned to adjourn public session at 7:45pm and convene into Executive Session under M.G.L. Chapter 30A § 21(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 and not to reconvene into public session. Kerry Cyganiewicz seconded.

Roll Call Vote:

Steven Sullivan, Aye

Paul Joseph, Aye

Kerry Cyganiewicz, Aye

Respectfully submitted,
Michelle Jervis, Administrative Secretary