

Town of Dudley

Board of Selectmen
Highway Commissioners
Cemetery Commissioners

June 17, 2019 @ 6:30pm
Dudley Municipal Complex
71 West Main Street, Dudley, MA
Veteran's Memorial Hall – Room 321A
Approved July 11, 2019

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 6:41pm. In attendance were John Marsi, Kerry Cyganiewicz, Jason Johnson and Paul Joseph. Also in attendance were Jonathan Ruda, Town Administrator and Michelle Jervis, Administrative Secretary.

All welcomed Jason Johnson to the Board and congratulated Paul Joseph on his 6th term.

2. Reorganization of the Board of Selectmen:

Chairman - Paul Joseph motioned to nominate Steven Sullivan as Chairman. Mr. Joseph stated that Mr. Sullivan has been efficient, fair and functional in his role as Chairman for the past year and he would like to see it continued. Kerry Cyganiewicz seconded. Unanimous 5-0. Steven Sullivan accepted the nomination. Paul Joseph motioned to appoint Steven Sullivan as Chairman for FY20. Kerry Cyganiewicz seconded. Unanimous 5-0.

Vice-Chairman – Steven Sullivan motioned to nominate John Marsi as Vice-Chairman for FY20. Kerry Cyganiewicz seconded. Unanimous 5-0. Mr. Marsi accepted the nomination. Paul Joseph motioned to appoint John Marsi as Vice-Chairman for the Board of Selectmen for FY20. Kerry Cyganiewicz seconded. Unanimous 5-0.

Clerk – Steven Sullivan motioned to nominate Kerry Cyganiewicz as Clerk. John Marsi seconded. Unanimous 5-0. Mr. Cyganiewicz accepted the nomination. Paul Joseph motioned to appoint Kerry Cyganiewicz as Clerk for FY20. John Marsi seconded. Unanimous 5-0.

3. Approval of Minutes:

- a. **John Marsi motioned to approve the minutes of June 3, 2019. Paul Joseph seconded. Unanimous 5-0.**

4. Resignations:

Constable - Resignation of Jason Johnson – The Board received a letter of resignation from Mr. Johnson. **John Marsi motioned to accept the resignation of Jason Johnson as Constable. Paul Joseph seconded. Unanimous 5-0.** All members thanked Mr. Johnson for his service.

5. Appointments:

- a. **Dudley Housing Authority** – Thomas Kaczynski of 137 West Main Street, Dudley, MA - **John Marsi motioned to appoint Thomas Kaczynski to the Dudley Housing Authority with a term to expire June 30, 2022. Kerry Cyganiewicz seconded. Unanimous 5-0.**

- b. **Records Access Officer – John Marsi motioned to appoint Jonathan Ruda as Records Access Officer. Kerry Cyganiewicz seconded. Unanimous 5-0.** There are three Records Access Officers in Dudley, the Police Chief, Town Clerk and Town Administrator.
- c. **Municipal Hearing Officer under MGL Chapter 40U – John Marsi motioned to appoint Jonathan Ruda as the Municipal Hearing Officer under MGL Chapter 40U. Paul Joseph seconded. Unanimous 5-0.**
- d. **Chief Procurement Officer – John Marsi motioned to appoint Jonathan Ruda as the Chief Procurement Officer. Paul Joseph seconded. Unanimous 5-0.**
- e. **Annual Reappointments – Paul Joseph motioned to approve the following reappointments with a term to expire June 30, 2020. John Marsi seconded. Unanimous 5-0.**
 - 1. **Animal Control Officer – Jennifer FitzGerald**
 - 2. **Assistant Animal Control Officer – Robert FitzGerald**
 - 3. **Cable Access Coordinator – Ted Baron**
 - 4. **Cable Government Affairs Manager – Fred Sugar**
 - 5. **Council on Aging Director – Margaret Bussiere**
 - 6. **Electrical Inspector – Neil Piasta**
 - 7. **Assistant Electrical Inspector – James Jones, Jr.**
 - 8. **Plumbing/Gas Inspector – Jay Spahl**
 - 9. **CMRPC – Delegate – William Trifone**
 - 10. **Zoning Board of Appeals – Alternate – Hugh Cushing**
- f. **Three Year Reappointments – Kerry Cyganiewicz motioned to approve the following for reappointment with a term to expire June 30, 2022. John Marsi seconded. Unanimous 5-0.**
 - 1. **Constable – David Konieczny**
 - 2. **Council on Aging – Joyce Codero and Janice Brady**
 - 3. **Capital Improvement Planning Committee – Paul Konieczny**
 - 4. **Historical Commission – Patricia Biron**
 - 5. **Conservation Commission – Frank Gardecki**

6. Public Comments/Citizens Comments – Informational:

7. Town Administrator’s Report:

Mr. Ruda stated that he has been meeting with department heads and will be meeting with the Library Director next week. The Water/Sewer Clerk job description and job posting was approved by the Water/Sewer Commissioners and will be posted internally next week. On another note, in 2017 we received \$25,000 for Capital Planning through a grant. This program was not acted upon and he has now reached back out to the company that was awarded the bid. The State approved an extension until December 2019 and the company will begin work after July 4th.

The Recycling Contract with Casella regarding the price increase for the recycling center has been negotiated and an adjustment in the bill has been agreed upon. Also the Streetlight project is in full swing. Police details will be assigned for busy roads. Regarding the Fire Building Project, Mr. Ruda attended the monthly Committee meeting. The building is coming along nicely and the budget is on track. Mr. Ruda has been working on the First Amendment regarding Dudley Solar, LLC PILOT program. Town Counsel has been involved with this new contract. Finally, Mr. Ruda will be disposing of Surplus Vehicles owned by the town and will notify the Board when he has gathered all the paperwork.

8. Around the Town – Focusing on Local Businesses:

9. Licenses/Permits:

10. Public Hearing

- a. Class II License – Second Hand Motor Vehicles – Ammar Abdulky, 8 Van Street, Worcester, MA 01602 – leasing 121 West Main Street, Dudley, MA owned by Marty Nieski. The Public Hearing opened at 7:11pm. Due to an incomplete application the Public Hearing will continue until July 1, 2019.
- b. Pole Hearing – Joint Pole Hearing - National Grid and Verizon requests permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way: Ramshorn Road – National Grid to install 1 JO Pole on Ramshorn Road. National Grid to install a JO Pole and Anchor across from existing Pole 7 on Ramshorn Road due to road widening. The Public Hearing opened at 7:11pm. Laura Napolitano, designer for National Grid, came before the Board. She stated that there was a typographical error on the description and the road will not be widening. There is a guide wire in an old tree that needs to be removed to install the new pole and attached the wire before the tree can be removed. The pole is pole 7. Regarding the double poles we received an email from our government representative, Kevin O’Shaunessey, with the list of double poles, all owned by Verizon. The Public Hearing closed at 7:20pm. **Paul Joseph motioned to grant National Grid permission to install a new JO pole, Pole #7, on Ramshorn Road. John Marsi seconded. Unanimous 5-0.**

11. Old Business:

- a. Set new compensation amount regarding Board of Selectmen Secretary – Mr. Ruda stated that he would like the Board to act on the former Town Administrator’s memo tabled from last meeting and approve the new job description. The monies have been budgeted at our town meeting and the new pay rate will be effective July 1, 2019. **John Marsi motioned to approve the memo for new compensation amount and job description regarding the Board of Selectmen/Town Administrator salary as well as change the number of hours to 39 hours. Paul Joseph seconded. Unanimous 5-0.**
- b. Amendment to PILOT with Nexamp –Dudley Solar, LLC – Amend PILOT Agreement due to decrease in power generated than in Original Agreement - tabled to June 17, 2019 – Mr. Ruda and Town Counsel have discussed the First Amendment with Nexamp on decreasing the Capacity of the Project from 2.6 MW DC to 2.40768 MW DC. Mr. Ruda stated that in the Original Agreement dated 10/19/2015, Section 2 – Improvements, Additions , Retirements it states that the Capacity can be decreased if power generated is less than 2.6 MW DC on the Completion Date due to permitting restrictions, or the developer reduces the Capacity of the Project on or after the Completion Date. Town Counsel reviewed and forwarded a revised First Amendment. Kerry Cyganiewicz asked if we can verify this cost. Mr. Ruda stated that Nexamp provided him with a Completion Date and in August 2019 the town begins the adjustment amount provided by contract. Paul Joseph would like to know why there is a reduction. Not enough solar panels? If it’s not their fault, no problem. Jason Johnson asked what kind of language we can put in the contract to protect the town from future reductions. Kathy Hurst of Camelot Circle came before the Board stating that she read solar panels lose 5% of their energy per year. This might be the reason for the reduction. All agreed to table for the next meeting, July 1, 2019.

12. New Business:

- a. Town Administrator Performance Evaluation – Beginning Stage – Jonathan Ruda would like to get feedback from the Board regarding his Performance Evaluation. After discussion Paul Joseph requested a copy of the job description, agree to a numerical assignment with points for each mosaic along with five (5) categories. He would like to see a numerical grade rather than a mosaic statement. All agreed to table it for the next meeting on July 1, 2019

- b. Compensation Study 2019 – Mr. Ruda reviewed the Compensation Study prepared by Rachel McDonald, a student at Nichols College. Ms. McDonald prepared the study for the Personnel Board. Paul Joseph stated that he felt the study’s database was flawed and not enough sufficient documentation but thanked her for all the work that went into the Study. He would like to see two sets of data (1) ten (10) towns most closely parallel with Dudley in terms of budget and population and (2) those that would be competitive with our employees. Jason Johnson agreed with Mr. Joseph. He stated that there were too many questions in the report and we need a concrete plan to move forward. He suggested a market analysis and review which creates a funding plan going forward with the budget. Kerry Cyganiewicz stated that we need more data for the study to be accurate. After discussion **Paul Joseph motioned to acknowledge receipt of the Compensation Study 2019. Kerry Cyganiewicz seconded. Unanimous 5-0.**
- c. Administrative Secretary (OAS6) – The Board reviewed the new job description for the Administrative Secretary for the Board of Selectmen/Town Administrator. No action was taken.
- d. FAA Reserve Transfers for FY19 – **Paul Joseph motioned to approve the following transfers from the FAA Reserve Account – (1) Fire Department in the amount of \$2,828.64; (2) Beach Account in the amount of \$5,000; and (3) Police Department in the amount of \$8,000. Kerry Cyganiewicz seconded. Unanimous 5-0.**

13. **Board Member Comments:**

14. **Departmental Communication:**

15. **Adjournment and Executive Session:**

Paul Joseph motioned to adjourn at 8:45 to convene into Executive Session under MGL Chapter 30A§21(a)(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 (Highway Department). Kerry Cyganiewicz seconded.

Roll Call Vote:

Paul Joseph, Aye

Kerry Cyganiewicz, Aye

Steven Sullivan, Aye

John Marsi, Aye

Jason Johnson, Aye

Respectfully submitted,
Michelle Jervis, Administrative Secretary

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Roll Call Vote:

Paul Joseph, Aye

Kerry Cyganiewicz, Aye

Steven Sullivan, Aye

John Marsi, Aye

Jason Johnson, Aye

Respectfully submitted,
Michelle Jervis, Administrative Secretary