

Town of Dudley

Board of Selectmen
Highway Commissioners
Cemetery Commissioners

**December 3, 2018 @ 6:30pm
Dudley Municipal Complex
71 West Main Street, Dudley, MA
Room 321A
Approved 12/17/2018**

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 6:33pm. In attendance were Jonathan Ruda, John Marsi and Kerry Cyganiewicz. Also in attendance was Michelle Jervis, Administrative Secretary and Greg Balukonis, Town Administrator. Paul Joseph was absent.

2. Approval of Minutes:

John Marsi motioned to approve the minutes of 11/19/2018 as printed. Jonathan Ruda seconded. Unanimous 4-0.

3. Appointments:

4. Public Comments/Citizens Comments – Informational:

5. Town Administrator's Report:

Mr. Balukonis stated that the town recently sold some old railroad rails through the bidding process for \$49,960.92 to Scrap-It, a company in NH. The money will fund the rail trail. He thanked the former Highway Superintendent, Dan Gion and Vinny Polletta for their work on this project. He also informed members of a solar array that will be installed on Oxford Ave, near the Oxford town line. There is a site plan and the solar company has contacted his office regarding a PILOT agreement. Finally he met with the Personnel Board to review the Sexual Harassment Policy which is in the process of being updated. The Board is currently updating the pay adjustments and the merit increases for uniformity regarding any pay adjustments for nonunion employees.

6. Around the Town – Focusing on Local Businesses:

7. Licenses/Permits:

8. Public Hearing:

9. Public Business:

- a. **Board of Health** – Permission to use the Clarinda Wood Fund – John Marsi motioned to approve the request from the Board of Health to use the Clarinda Wood Fund in the amount of \$63.00 to pay Harrington Memorial Hospital for Health Services in November 2018. Kerry Cyganiewicz seconded. Unanimous 4-0.
- b. **Paula Lane/Circle Drive** – Mr. Balukonis stated that a letter was drafted on 11/26/18 to all the residents who reside on Paula Lane and Circle Drive to inform them of the town's road betterment program. A request to sign a petition to the town for work on a private way was enclosed. Kristan Mallett of 5 Circle

Drive stated that a lot of residents are concerned, especially with the cost for this project. She requested Mr. Balukonis to extend the deadline of 12/13/18 so that residents can meet. She would like the town to supply the residents with a step by step approach to ease their concerns. All agreed to have an informal meeting before the holidays. Mr. Balukonis stated that the signed petitions are the first step. The town will need to appropriate the money at the Spring Town Meeting, do the work on the roads with the final number being assessed to all property owners. After discussion Jonathan Ruda requested that the letter be sent to all residents who live on private roads that have town services of plowing and sanding.

- c. **Snow Emergency Notification** – Vinny Polletta, Highway Superintendent, stated that in our bylaws, Article 10 § 3 referencing Snow Emergency is unclear. The bylaw does not state how many inches should be on the ground to implement the Snow Emergency Notification. He suggested two (2) inches. After discussion if there is a snow emergency it will be on our website, Facebook and Twitter.
- d. **DMC Roof Repairs** – Mr. Balukonis stated that he has a signed contract with Nault Architects in the amount of \$7,500 for the design of a new roof. They will assist with the bidding of the project and prepare bid documents for installing the materials for public bidding under MGL c. 149 and be the onsite project manager. The cost of the project will not exceed \$335,000. The roof will have a minimum of 25 year warranty and an annual maintenance service, which the former 10 year warranty lacked. The project can be accomplished during the winter, minus snow and ice, but the cold will not be a concern.
- e. **Town Administrator Hiring Process and Calendar** – Mr. Balukonis reviewed the calendar with key dates. If the Board conforms to the calendar there will be no need to hire an Interim Administrator. The job description should be updated to add the new bylaw verbiage and will need the Board to approve it. He feels if the town hires someone by the end of April they will have time to go over the contract and to notify their employer. He will be discussing this at the MMA Conference in January and posting it in house.
- f. **Chief Wojnar – Ethics Complaint** – Steve Wojnar, Dudley Police, stated that he recently received an anonymous Complaint from the Ethics Commission regarding teaching a class at Nichols College, which he received permission from the prior Town Administrator. He has been teaching the same class for nine (9) years with no issues. Chief Wojnar spoke with the Ethics Commission who suggested he file a Disclosure Statement/Conflict of Interest and have the Town Administrator sign it. After discussion **Jonathan Ruda motioned to ratify the decision made previously based on the Police Chief’s contract to permit him to teach at Nichols College and to authorize the Town Administrator to sign off on a Conflict of Interest form. John Marsi seconded. Unanimous 4-0.**
- g. **Draft of Hazard Mitigation Plan for Public Comment and Vote** – Mr. Balukonis stated that the Federal Disaster Mitigation Act of 2000 requires that town adopt and update a Hazard Mitigation Plan to be eligible for FEMA mitigation grants. Hazard Mitigation is to permanently reduce or prevent losses of life, injuries and property damage by using long term strategies. The Board of Selectmen need to approve and then the State. There are several mitigation areas in Dudley such as West Main Street and intersections of Progress Ave, Alton Drive, Fabyan Rd, near Marty’s of Dudley, Merino Dam and Lower Merino Dam, recurrent wind damage in open farm areas off of Dresser Hill Rd, snow drifting and invasive pests such as gypsy moths. He thanked the Fire Chief along with CMRPC for updating the Plan. After discussion **John Marsi motioned to approve the Draft Hazard Mitigation Plan that was revised 11/20/18. Kerry Cyganiewicz seconded. Unanimous 4-0.**
- h. **Five Year Economic Development Plan – Discuss AG Goal #1 – Establishment of a “New Agricultural Commission” discussed 11/19/18.** John Briare, Chairman of the EDC came before the Board. He stated that the State adopted a statute, MGL Chapter 40§8L, regarding Agricultural Commission’s authority and thinks the new Commission should look review it to see if the town should adopt it. The Commission is working on the first draft of the plan, setting up an Advisory Commission and the outcome is to have the farm land in Dudley become productive again as well as applying for grants to benefit the farmers. There is a meeting on 12/8/18 at the Dudley Grange; the first meeting of

the newly approved Commission. Jonathan Ruda questioned a portion of the Plan. He does not want any Commission to apply for grants unless it goes through the Town Administrator or/and Board of Selectmen. After discussion **Jonathan Ruda motioned to accept page 27, 28 and 29 of the Economic Development Plan with the following deletion “The Agricultural Commission will be the official representative of the Town of Dudley to the MA Dept. of Agricultural Resources and be empowered with such authority to apply for and secure grants and funding in related to agricultural land issues and agricultural training in the Town of Dudley” and this deletion will not prohibit the Agricultural Commission from seeking the advice of the Town Administrator and the Board of Selectmen on applying for grants. Kerry Cyganiewicz seconded. Unanimous 4-0.**

- i. **Holiday Closing** – Mr. Balukonis stated that the majority of communities are closed on Monday, Christmas Eve since Christmas is on a Tuesday this year. Our non-union personnel historically work a half day. After discussion **Jonathan Ruda motioned to delegate the Town Administrator to negotiate with the staff on Christmas Eve closing and to notify them accordingly. John Marsi seconded. Unanimous 4-0.**

10. Board Member Comments:

11. Departmental Communication:

Fire Chief Kochanowski stated that he had received a few complaints about the sidewalk in front of the fire station. The contractors, by law, must put up the fence and booms around the project that might be encroaching on the sidewalk. This is only a temporary situation and residents should be careful walking in front of the station.

12. Adjournment:

John Marsi motioned to adjourn at 8:30pm and to convene into Executive Session under MGL Chapter 30A, Section 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. Jonathan Ruda seconded.

Roll Call Vote:

Jonathan Ruda, Aye

John Marsi, Aye

Steven Sullivan, Aye

Kerry Cyganiewicz, Aye

Respectfully submitted,
Michelle Jervis, Administrative Secretary