

Town of Dudley

Board of Selectmen
Highway Commissioners
Cemetery Commissioners

March 25, 2019 @ 6:30pm
Dudley Municipal Complex
71 West Main Street, Dudley, MA
Veteran's Memorial Hall – Room 321A
Approved 4/11/2019

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 6:40pm. In attendance were John Marsi, Kerry Cyganiewicz and Paul Joseph. Also in attendance were Greg Balukonis, Town Administrator and Michelle Jervis, Administrative Secretary.

2. Approval of Minutes:

John Marsi motioned to approve the minutes of March 11, 2019. Paul Joseph seconded. Unanimous 4-0.

Paul Joseph motioned to approve but not release the Executive Session minutes of March 11, 2019. Kerry Cyganiewicz seconded. Unanimous 4-0.

3. Appointments:

Zoning Board of Appeals (ZBA) – Wesley Pettit, Alternate – John Marsi motioned to appoint Wesley Pettit as an Alternate for the Zoning Board of Appeals with a term to expire June 30, 2020. Kerry Cyganiewicz seconded. Unanimous 4-0.

Inspector of Animals – Jennifer FitzGerald – Paul Joseph motioned to reappoint Jennifer FitzGerald as the Inspector of Animals (a/k/a Barn Inspector) with a term to expire April 30, 2020. John Marsi seconded. Vote 3-1-0 with Kerry Cyganiewicz voting nay.

4. Public Comments/Citizens Comments – Informational:

5. Town Administrator's Report:

6. Around the Town – Focusing on Local Businesses:

8. Licenses/Permits:

- a. One Day Wine and Malt License – John Marsi motioned to approve the request to allow a One Day Wine and Malt License for Thursday, May 9, 2019 from 4:00pm to 7:00pm in the Dudley Senior Center for Greg Balukonis' and Ora Finn's Retirement Party. Paul Joseph seconded. Unanimous 4-0.
- b. One Day Outdoor Entertainment Permit – St. Andrew Bobola Church – John Marsi motioned to approve a One Day Outdoor Entertainment Permit for St. Andrew Bobola Church on Friday,

August 23, 2019 from 5:30pm to 9:30pm and Saturday, August 24, 2019 from 5:30pm to 9:30pm for the Annual Church Festival. Kerry Cyganiewicz seconded. Unanimous 4-0.

9. Public Hearing

Highway, Water and Sewer Departments – Consolidation of a Public Works Department –

The Public Hearing opened at its posted time of 6:45pm. Mr. Balukonis stated that in 2015 the Board of Selectmen discussed a Public Works Department but did not go forward. In 2018 the Board of Selectmen directed the Town Administrator to draft an RFP to hire an independent consulting firm to prepare an operational organizational and management review including best practices comparison and Municipal Resources, Inc. was awarded the bid. The consultants interviewed the staff, checked finances, and formulated a report in which they recommended a Department of Public Works consisting of the Highway, Water/Sewer, Building and Grounds, Parks and Cemeteries at the 1/14/19 meeting. The new department would create efficient and cost effective change resulting in everyone being on the same page. The report proposed developing a formal integrated budget and capital plan that prioritizes needs, fill vacancies provided for cross utilization of staff and define the duties of the Water/Sewer Commissioner, who they proposed should be appointed positions, not elected. This matter will be presented at town meeting as a warrant article and, if approved, will be forwarded to our legislators to be filed as an Act authorizing the Town of Dudley to establish a Department of Public Works in which would be approved by the Legislature, Senate and finally signed by the Governor. The Board of Selectmen and the Town Administrator are the supervisors and the Board of Selectmen would be the DPW Commissioners with the Water/Sewer Department appointed for the purposes of recommending the rates and capital plans. At that time the town would hire a DPW Director upon the approval of the Act. Regarding the Enterprise Fund for the Water/Sewer, this accounting system would not change. If there are any questions regarding the consultant's report it is on our website.

Tom Fournier approached the Board as a citizen questioned why the consultants were not available and that Mr. Joseph was adamant about them attending this meeting. Mr. Balukonis stated that they fulfilled their contract and feels they presented their case in January. Mr. Fournier, regarding the appointment of the Water/Sewer Commissioners, feels the Board is taking away the power of the people not electing their Commissioners. Paul Joseph stated that it is not a question of power but authority. He does not want any scare tactics and this issue needs to be addressed at town meeting, not a ballot question. At town meeting anything can be amended and it should go forward for the citizens to vote. They have an option to keep status quo or change it. Furthermore, Mr. Fournier feels that water/sewer users would be affected by the consolidation and rates would increase. Also is he concerned about the salary of a new DPW Director and the manner in which the departments split the cost. He wanted to see the numbers and the costs associated with hiring this position. At this time the dollars are not known but will be prepared. Kerry Cyganiewicz explained that without two superintendent salaries and benefits the town will save money, only having one person, the DPW Director's salary and benefits, to be considered. Paul Joseph stated that to support a DPW services to the people will need to be improved, done in a financial and efficient manner, no current employees will lose their jobs and no change to the Water/Sewer Enterprise Funds. Scott Zajkowski, a Commissioner, stated that Mr. Fournier, who is also a Commissioner, spoke about his reservations about this merger and he has his concerns as well but still might be convinced. His suspicions lie serving 18 years as a Commissioner for the Sewer and now Water/Sewer. He stated that at this time his Board was never approached by the Selectmen but were contacted by the consultants. He feels the Board of Selectmen should have approached them. He sees other communities and they have issues with a DPW structure. Mr. Balukonis suggested the voters submit comments in writing through the Board of Selectmen office via email or regular mail and the Public Hearing will be continued to April 5, 2019. This portion of the Public Hearing ended at 8:45pm.

10. Public Business:

- a. **Dudley Little League – Toll Booth Request – Paul Joseph motioned to approve a toll booth for the Dudley Little League on Saturday, April 27, 2019 from 9am to noon to raise money for the Dudley Little League Parade. Kerry Cyganiewicz seconded. Unanimous 4-0. Paul Joseph motioned to approve the request to hold a parade for the Dudley Little League on May 4, 2019 with a rain date of May 18, 2019 beginning at noon here at the town hall. John Marsi seconded. Unanimous 4-0.**
- b. **St. Andrew Bobola – Request to use the Dudley Municipal Parking lot – Kerry Cyganiewicz motioned to approve the request from St. Andrew Bobola Church to use the town hall’s parking lot on Friday, August 23, 2019 and Saturday, August 24, 2019 for the Annual Church Festival. John Marsi seconded. Unanimous 4-0**
- c. **Permission to hold a 5K road race – Eric Prussman, a student at Shepherd Hill, came before the Board. He is involved with a group at the school against domestic violence and would like to raise money for this cause. After discussion John Marsi motioned to approve the request from Eric Prussman to hold a 5k walk/run on Sunday, May 5, 2019 with the race beginning at 8:30am at the Dudley Elementary School. Kerry Cyganiewicz seconded. Unanimous 4-0.**
- d. **Chief Wojnar – Police Reserves – Chief Wojnar stated that it has been approximately two years since he has held an exam for police reservists. He would like to hold it on May 18, 2019 and this is no cost to the town. After discussion John Marsi motioned to approve the recommendation of the Police Chief for a police reserve exam to be issued on Saturday, May 18, 2019. Paul Joseph seconded. Unanimous 4-0.**
- e. **Chief Kochanowski, Fire Department – Opioid related EMS calls – Chief Kochanowski stated that there has been a huge increase in opioid overdoses in the past year. Narcan has its costs since both the EMS and the police use it. The overdoses are all over town, regardless of status or wealth. He would like to raise the ambulance rates as of July 1, 2019 since after that date he is no longer able to raise them due to state mandate. Regarding state mandates Paul Joseph would like the Town Administrator to forward a letter to our Senator and Representative reminding them of their promise to file legislature.**
- f. **Discussion regarding Ambulance Accident – Explanation of Insurance Delay – Richard Carmignani, Jr., Treasurer/Collector/Insurance Advisory came before the Board. He stated that the accident with two town vehicles took place on March 3, 2019. It was timely filed on March 5, 2019 with a claim number submitted by our insurance agent on May 6, 2019. He stated that there was an internal matter with our insurance company on how to settle the claim. Paul Joseph asked if it normally takes 18 days to get an adjuster out to Dudley and feels the agent has not done his job in a timely manner. Mr. Carmignani stated that our insurance company is based in Texas and it might have had the file on the bottom of the priority list. An appraiser went out to view the ambulance and the insurance company requested a second appraisal . After much discussion Mr. Carmignani stated that he is not pleased with the length of time and the further delay with the appraiser. Paul Joseph motioned to authorize the Town Administrator to forward a letter to our insurance agent stating the Board is not displeased with the delays and the costs that have incurred. John Marsi seconded. Unanimous 4-0.**
- g. **Highway Department – Fee Structure for Street Opening Permits – John Marsi motioned to authorize the Highway Superintendent to support his recommendation regarding the street opening permit charges by changing the format and not the rates. Kerry Cyganiewicz seconded. Unanimous 4-0.**

11. Board Member Comments:

Steven Sullivan stated that he attended the joint meeting with Charlton and the school committee and was very disheartened with the meeting. After much discussion **Paul Joseph motioned that we notify the Dudley Charlton Regional School District and its Interim Superintendent we will not publicly support any increase over 2.5%. Kerry Cyganiewicz seconded.**

Roll Call Vote:

Steven Sullivan, Aye

John Marsi, Aye

Paul Joseph, Aye

Kerry Cyganiewicz, Aye

12. Student Representative:

13. Departmental Communication:

14. Adjournment:

Kerry Cyganiewicz motioned to adjourn at 9:30pm and to convene into Executive Session under MGL. Chapter 30A§21(a)(3) to conduct strategy with respect to collective bargaining or litigation if any open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (Dudley Police Association). Paul Joseph seconded.

Roll Call Vote

Steven Sullivan, Aye

Paul Joseph, Aye

John Marsi, Aye

Kerry Cyganiewicz, Aye

Respectfully submitted,
Michelle Jervis, Administrative Secretary