

Select Board Meeting

Tuesday, March 10, 2020

Work Session: 5:45 p.m.

Select Board Conference Room
All meetings of the Select Board are recorded

ATTENDANCE: Chairman, Russell S. Fox
 Vice-Chairman, Doug Moglin
 Clerk, Joseph J. Deedy
 Chief Administrative Officer, Karl J. Stinehart
 Administrative Assistant, Cindy Pendleton

5:45 p.m. Work Session

Chris Pratt – Conservation Commission, Dennis Clark – Conservation Commission
Jeanne Reed – Park & Rec., Chief Anderson – Fire Department, Kevin Bishop – Police Chief
Open Space Facilities Policies and Signage

The above met with the Board in a work session to discuss what type of policies and procedures should be in effect for all Town owned properties under the above Town Departments, Board, Committee or Commission's jurisdiction and listed in the Open Space Plan. Some of the topics which were discussed and needed to be addressed regarding each individual property and what type of rules and regulations should be incorporated so the properties stay enjoyable for all residents to visit were:

Camping	Night time use
ATV's/Motorized Vehicles	Operation of hours
Hunting (specifically North Pond)	Picnics/grilling
Porta-Potties	Pets allowed
Limiting the number of docking of boats	Kids allowed
Trash/Human waste	Winter closing
	And more

Everyone was asked to develop a draft rules and regulations list for each property in which the placement of green signs would list them. And that Mr. Clark, (Open Space Plan, Chairperson) develop a proposed budget and attend a CPC Meeting for possible funding for placement of land inventories on the Town website, signage and kiosks at each parcel.

Select Board Meeting
Tuesday, March 10, 2020
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ATTENDANCE: Chairman, Russell S. Fox
Vice-Chairman, Doug Moglin
Clerk, Joseph J. Deedy
Chief Administrative Officer, Karl J. Stinehart
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OTHERS IN ATTENDANCE: See Attachment "A" - Page(s)

The Public Body convened in Open Session according to M.G.L. c.30A, S21 (b) (1). The scheduled meeting of the Select Board was called to order by Chairman Russell S. Fox at 6:30 p.m.

6:30 p.m. Eddie Grimaldi
RE: Common Victualers License for Kettlebread Restaurant @ 491 College Highway

Mr. Grimaldi and Mr. Rondoletto came to the meeting to introduce themselves and give the Board a synopsis of the restaurant they plan on opening at 491 College Highway. **A MOTION** was made by Mr. Moglin, seconded by Mr. Deedy (Vote-Unanimous) to approve the issuance of a Common Victualers License to Kettlebread Restaurant.

Public Comments:

None

6:40 p.m. Oak n Keg and Southwick Police Department LL Agent Lt. Landis
RE: Liquor License Violation Hearing

Mr. and Mrs. Patel came for a violation hearing which happened on 12/27/19. The specific regulations violated were 204 CMR 2.05 (2) permitting an illegality on the licensed premises to wit: MGL Ch. 138, subsection 34 – sale or delivery of an alcohol beverage to a person under 21 years of age. Additionally, these actions violate Town of Southwick Rules and Regulations concerning liquor sales under page 22, Section 10:01 (2) & (22) as sale was made by a non-TIPS Certified Employee. See Attachment "B" – 14 Page(s).

Liquor Licensing Agent Lt. Landis suggested that they get a Continuation Without a Finding disposition with no other violations happening. He stated the Patel's immediately responded to the violation by purchasing a license scanner for \$5,200.00 and will update every year, and having their employee get TIPS Certified immediately. The Board thanked Officer Massai for noticing and acting on the violation immediately. **A MOTION** was made by Mr. Moglin, seconded by Mr. Deedy (Vote-Unanimous) to Table the decision until the next scheduled meeting.

Payables, Payroll and Minutes:

- The Board acknowledged Payroll Warrant SWP20, dated 3/4/2020, in the amount of \$8,586.00.
- The Board acknowledged Payables Warrant #2023B, dated 3/9/2020, in the amount of \$167,639.36.
- **A MOTION** was made by Mr. Moglin, seconded by Mr. Deedy (Vote-Unanimous) to Table the Regular Session Minutes of 3/2/2020.

Action Items, Bills, Mail, Correspondence, Vendor and/or Personnel Contracts, Personnel Decisions, Policy Adoptions, Payroll Actions, Old Business, New Business, Etc.-Possible Motions/Votes:

- The Board approved the submission of the front cover of the Annual Town Report submitted by their Administrative Assistant.
- The Board will review of the American Legion permit for Wick 338 and Revocable Land Use License Agreement with The American Legion Post 338 for 7/1/2020 to 6/30/2020. Mr. Fox is designee.
- **A MOTION** was made by Mr. Moglin, seconded by Mr. Fox (Vote-2 yes, Mr. Deedy abstained) to extend the renewal of the permit with American Legion Post 338 for 2020, 2021 and 2022 for a period of 30 days. It will be resolved by 3/24/2020
- **A MOTION** was made by Mr. Moglin, seconded by Mr. Fox (Vote-2 yes, Mr. Deedy abstained) to approve the Wick338 Practice schedule revision from 2/23/2020 to 3/8/2020 and 4/4/2020 to 3/22/2020.
- The Board was invited to the BEA Appreciation and Recognition Reception on Wednesday, 4/15/2020 from 6 to 8 pm.
- **A MOTION** was made by Mr. Moglin, seconded by Mr. Deedy (Vote-Unanimous) to approve the Head Custodian Job Description.
- The Board was notified of the anticipated Chap 90 funding for FY21 to be \$383,353.00.
- **A MOTION** was made by Mr. Moglin, seconded by Mr. Deedy (Vote-Unanimous) to appoint Matt Olsen as Part-Time Clerk in T/C/C Office and as a Floater.
- **A MOTION** was made by Mr. Moglin, seconded by Mr. Deedy (Vote-Unanimous) to approve an Application for an Auctioneer's Permit to Joseph Rossi for an auction at the Christ Lutheran Church on 4/4/2020.

- The Board received a thank you card for their donation of Bingo Equipment for Council on Aging.
- The Green Energy Program will be set up for an appointment with the Board.
- **A MOTION** was made by Mr. Moglin, seconded by Mr. Deedy (Vote-Unanimous) to approve 2 Southwick Fire Department Provisional FF/EMT's for temporary backfills and has requested to interview them.
- The Board received notification of Comcast Cable Comm., Inc. expiration of Contract and information for an Ascertainment Hearing for the formal renewal process. **A MOTION** was made by Mr. Moglin, seconded by Mr. Deedy (Vote-Unanimous) to table until June.
- **A MOTION** was made by Mr. Moglin, seconded by Mr. Deedy (Vote-Unanimous) to approved a Finance Committee Reserve Fund Transfer Request for the Library for repair and maintenance for \$7,000.00 for the HVAC System.
- **A MOTION** was made by Mr. Moglin, seconded by Mr. Deedy (Vote-Unanimous) to nominate Liz Benette and **Dawn Angell** to be the Inspector of Animals for the Town of Southwick.
- The Board received a request for removal of barriers to open Whalley Park from Park and Rec. **A MOTION** was made by Mr. Moglin, seconded by Mr. Deedy (Vote-Unanimous) for the barriers to be put to the side until removed on 4/15/2020.

Old Business & Dates to Remember:

- LMC Mission Statement – in process.
- Remote Participation Program – further study needed.
- Hearing Decision: Teresa Darosa–130 Berkshire Avenue and ACO Officer Bennett
RE: Dangerous Dog Hearing
ACO Liz Bennett read her recommendation. See Attachment "C" - Page(s)
The Board discussed the matter.
A MOTION was made by Mr. Moglin, seconded by Mr. Deedy (Vote-Unanimous) to declare the Darosa dog a dangerous dog.
The Board will have counsel write up the following stipulations:
 - If another incident occurs the owner will immediately have the dog euthanized.
 - Behavior training will continue
 - Needs insurance
 - Wear a muzzle when not on a leash at all times when not in fenced area
 - A double fence is to be installedCounsel will be asked to act on this order immediately and Ms. Darosa is to sign.

Old Business & Dates to Remember cont.:

- Special Town Meeting is 3/23/2020.
- Fire Station Project Plans and Specifications – comments submitted a meeting with design firm will be held soon.
- Revere Road Layout Services Scope – Agreed to go to Town Meeting.

New Business:

- May Special and Annual Town Meeting Articles are due 4/3/2020.
- Open Space Facilities Policies and Signage – another work session to take place.
- Mr. Stinehart stated the Go Bag training is completed for most staff at Town Buildings.
- Mr. Moglin and Mr. Stinehart are working on Community Compact. **A MOTION** was made by Mr. Moglin, seconded by Mr. Deedy (Vote-Unanimous) to enter into state contract for grant agreements and authorize the chair to sign.
- The Board will meet on 4/5/2020 and cancel the 4/11/2020 meeting.
- The Donate Life flags will be put up on 4/1/2020 and the ceremony will be 4/3/2020 at 6:00 pm.

A MOTION was made by Mr. Moglin, seconded by Mr. Deedy (Vote Unanimous) to go into Executive Session RE: M.G.L. Chap. c. 30A, S21 (2) & (3) Ch. 214, Section 1B and; CMR 29.03 (1) (b) at 7:35 P.M.

**RE: Director of Assessment
FF/EMT IAFF**

Exceptions #2 & #3

Exception #2: Move to go into Executive Session to conduct strategy sessions in preparation for negotiations with union personnel, and to:
X not to reconvene in Open Session
Move to go into Executive Session to conduct collective bargaining sessions, with nonunion personnel and to:
X not to reconvene into Open Session
Move to go into Executive Session to conduct contract negotiations with nonunion personnel, and to:
X not to reconvene into Open Session


Executive Session continued.

Exception #3: Move to go into Executive Session to discuss strategy with respect to collective bargaining and that the Chair declare that an open meeting may have a detrimental effect on the bargaining position of the body, and to
X not to reconvene into Open Session
 (Chair Must Declare).
 Move to go into Executive Session to discuss strategy with respect to litigation, and that the Chair declare that an open meeting may have a detrimental effect on the litigating position of the body, and to:
X not to reconvene into Open Session
 (Chair Must Declare).

RE: Ch. 214, Section 1B

A person shall have a right against unreasonable, substantial or serious interference with his privacy. The superior court shall have jurisdiction in equity to enforce such right and in connection therewith to award damages.

Respectfully submitted,


Sondra Pendleton
Administrative Assistant