

# Select Board Meeting Minutes

Town Hall - Select Board's Conference Room

**Monday April 5, 2021 @ 5:30 p.m.**

*All meetings of the Select Board are recorded*

**ATTENDANCE:** Chairman, Doug Moglin - Remote  
Vice-Chairman, Joseph J. Deedy - Remote  
Clerk, Russell S. Fox - Remote  
Chief Administrative Officer, Karl J. Stinehart – Remote  
Select Board Floater, Lisa A. Anderson- Town Hall

Meeting Notices: Pursuant to the Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Select Board will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the office of the AG Web page at <https://www.mass.gov/guides/resources-during-covid-19#open-meeting-law>.

No in-person attendance of members of the public will be permitted. We will post on the town's website an audio recording as soon as possible after the meeting.

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 Doug Moglin at 5:30 p.m. Mr. Moglin read above State Laws and Governor Order into record.

**Chairman roll call attendance of Board Members present for meeting.** All present.

**Attendees:** Chief Bishop, Terry Mish, Kyle Scott, Hope Trembly, Mark Rabinsky (MA DOER), Town Counsel, Mark Beglane, Alan Slessler, Michael Doherty, Sheila Chamberlin, Randy Brown, Linda Bathel, Labor Counsel, Kimberly Roche, Bob Horacek, Karen DeMaio, Kerry Doherty, Art Pinell, Anthony Gentile, Josephine T, Rhett Bannish, Will D'Arrigo(MA DOER), Deputy Stefanowiz, Chief Anderson.

**Conducted Pledge of Allegiance.**

**Public Comments: None.**

- **Acknowledge Payroll Warrant #2122, dated 03/30/2021 in the amount of \$227,967.00.**
- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote-Unanimous) to approve Open Session Minutes of March 29, 2021.
- **Roll Call Vote: D. Moglin: Yes, J. Deedy: Yes, R. Fox: Yes.**
- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote-Unanimous) to approve Executive Session Minutes of March 29, 2021.
- **Roll Call Vote: D. Moglin: Yes, J. Deedy: Yes, R. Fox: Yes.**

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

**5:30p.m. Mark Rabinsky, Regional Coordinator, Green Communities, MA DOER**

Mark Rabinsky went over the Green Communities Designation and Grant Program Presentation. The qualification Criteria; 1) Adopt as-of-right siting RE/AE manufacturing. 2) Adopt expedited permitting process. 3) Create an energy reduction plan to reduce by 20% in 5 years. 4) Adopt fuel efficient vehicle purchases. 5) Minimize life cycle cost in new construction, the Stretch Code. Mr. Rabinsky talked about HERS rating, which is a home energy rating system. An inspection where they test the heating, cooling, water heating, lighting and appliances. The inspection includes a duct tightness test, and insulation test and a blower door test.

The Stretch Code 780 CMR 115.AA needs to be adopted at Town Meeting. There are currently 288 Municipalities that have adopted the Board of Building Regulations and Standard (BBRS) Stretch Energy Code. The current Stretch Code only applies to NEW Construction and NEW Commercial construction up to 100,000sq. ft. and no less than 40,000sq. ft. for conditioned spaces. Additions, renovations and repairs are EXEMPT. The Current Base Code allows builders two options; Prescriptive & Performance. The Town must adopt the Stretch Code as is, without any amendments or conditions.

Mr. Rabinsky briefly commented on Fuel Efficient Vehicle Policy. In which the Town will adopt a policy to purchase only fuel efficient vehicles. As an example: If the Police or Fire Departments go to replace a vehicle, if the old one got 20mpg and they replace it with a car/truck that gets 21mpg then this new purchase would be allowed.

Mr. Rabinsky stated that he will see the Select Board in May at our Annual Town Meeting.

**New Business:**

- **A MOTION** was made by Mr. Fox, seconded by Mr. Deedy (Vote: Unanimous) to vote and approve the below vote related to maximum useful life of the departmental equipment listed below to be financed with the proceeds of \$116,000 borrowing authorized by the vote of the Town passed May 17, 2016 (Article 10) and \$100,000 borrowing authorized by the vote of the Town passed May 21, 2013 (Article #8) is hereby determined pursuant to G.L. Chapter 44, Section 7(1) to be as follows: Purpose: Storage Tanks, Borrowing Amount: \$216,000, Maximum useful life: (7).
- **Roll Call Vote: D. Moglin: Yes, J. Deedy: Yes, R. Fox: Yes**

VOTE OF THE  
SELECT BOARD  
REGARDING USEFUL LIFE

I, the Clerk of the Select Board of the Town of Southwick, Massachusetts, certify that at a meeting of the Select Board held \_\_\_\_\_, 2021, of which at meeting all members of the Board were duly notified and at which a quorum was present, the following vote was unanimously passed, all of which appears on the official record of the board in my custody:

Voted: that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of \$116,000 borrowing authorized by the vote of the Town passed May 17, 2016 (Article #10) and \$100,000 borrowing authorized by the vote of the Town passed May 21, 2013 (Article #8) is hereby determined pursuant to G.L. Chapter 44, Section 7(1) to be as follows:

PURPOSE	BORROWING AMOUNT	MAXIMUM USEFUL LIFE
Storage Tanks	216,000	7

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above vote) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located, or, if applicable, in accordance with an alternative method of notice prescribed by or approved by the Attorney General as set forth in 940 CMR 29.3(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberation or decision in connection with the subject matter of this vote were taken in executive session, all in accordance with G.L. c. 30A, sections 18-25, as amended.

\_\_\_\_\_, 2021

\_\_\_\_\_  
Clerk of the Select Board

- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote: Unanimous) to approve the letters by Dick Grannells and move forward regarding Canal Brook, Great Brook & Congamond Coves and to send them to the Congressional Legislators U.S. Senators Elizabeth Warren, Senator Edward J. Markey and Representative Richard E. Neal.
- **Roll Call Vote: D. Moglin: Yes, J. Deedy: Yes, R. Fox: Yes**
- Randy Brown stated that Fuss & O'Neill submitted an Amendment #3 request to extend the contract, for the Bungalow Street Reconstruction project duration through June 30, 2021. There will be no costs impacts associated with this request. Fuss & O'Neill is close to completing the design but needs more time. There is no added cost it is merely need more time.
- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote: Unanimous) to approve and have the Chair sign the Amendment #3 request from Fuss & O'Neill.
- **Roll Call Vote: D. Moglin: Yes, J. Deedy: Yes, R. Fox: Yes**
- C.A.O. Stinehart discussed need for a MOA with Town of West Springfield for Covid-19. West Springfield will do the billing through FEMA and then seek reimbursement from participating Town's for expenses not recovered.

- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote: Unanimous) to approve and have the Chairman execute an MOA with the Town of West Springfield for Covid-19, Big E Vaccination Clinic Program.
- **Roll Call Vote: D. Moglin: Yes, J. Deedy: Yes, R. Fox: Yes**
- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote: Unanimous) to approve the Seasonal Liquor License Renewal form for Edgewood Golf Course of Southwick for 2021 year.
- **Roll Call Vote: D. Moglin: Yes, J. Deedy: Yes, R. Fox: Yes**
- Doug Moglin said he was approached from a representative for Westfield StarFires if we are interested in a Southwick Night. Potentially August 5<sup>th</sup>. We need to reach out to the Rec Center and Park & Rec. Doug Moglin also reminded everyone that the Public Safety Night is that week also.
- Russ Fox asked if we could go back to meetings at 6pm instead of 5:30pm.
- **A MOTION** was made by Chairman Moglin, seconded by Mr. Deedy (Vote: Unanimous) to approve the time change, have the April 12<sup>th</sup> meeting at 5:30pm then we have a holiday for the 19<sup>th</sup> and start it for the April 26<sup>th</sup> meeting.
- **Roll Call Vote: D. Moglin: Yes, J. Deedy: Yes, R. Fox: Yes**

#### **Old Business:**

- The Select Board requesting a joint meeting with DOT regarding the construction of the bridge in Westfield
- Road Name Change Southwick Hill Road to Iron Horse Lane.
- Regional Dispatch research is ongoing, legal review. IMA discussions structured with Mayor, CAO and Chair.
- Items for STM & ATM Warrants for May 18, 2021 action. Karl informed the Board that we will probably have 12 more articles than last year. The Annual Town Meeting is in May instead of June this year, so we will need extra lighting from the Fire Department. We have the Budget, Bond Issues, School Assessment & Capital, 5/6 CPC Votes, Revere Road, Stormwater Articles and Zoning Articles. We may be able to block some items together.
- We still have a Historical Commission Vacancy, Karl mentioned one vacancy still exists. Hope Trembly of Westfield News will contact a Board member tomorrow.
- Russ Fox stated that it was an unfortunate vote outcome at the CPC meeting. The Chairman of the Community Preservation Committee Chris Pratt, spoke with a member of an Association for CPC that we believe gave him the wrong information regarding the Town Hall Roof project. Chris Pratt called it a maintenance issue, and as such it does not qualify. Russ Fox would like to take it back to the CPC Commission to have them reconsider their answer along with members of the Select Board, CAO, Historical Commission, and the Finance Committee. We will also have letter from Town Counsel. If this doesn't go through there will be \$85,000 which will come out of the budget line items and proposals since the matter must be addressed.
- **MOTION** was made by Mr. Fox, seconded by Mr. Deedy (Vote: Unanimous) for Mr. Fox to reach out to the CPC Commission to set up another meeting with all Boards to bring forward more information and re-submit the project.
- **Roll Call Vote: D. Moglin: Yes, J. Deedy: Yes, R. Fox: Yes**

- Town Hall re-opening. Chairman Moglin stated we will review status with BOH Director, Tammy Spencer. At this point there is a 1/3 of the Town population that has their first shots.
- SPD Temporary Sgt. Recruitment process. The Chief and Lt. Landis are getting a package together to include an administrative Sargent position before they come in front of the Select Board. The FY22 budget will determine if one or two Sergeants will be recruited.

**A MOTION** to go into Executive Session Pursuant to M.G.L. Chap. c. 30A, S21 (2) & (3) Ch. 214, Section 1B and; CMR 20.03 (1) B at 6:35 p.m.

RE: Labor Counsel RE; Collective Bargaining Police, DPW, Dispatch, Fire IAFF, and Library Units, Deputy Fire Chief, and non-union COLAS.

**Executive Session RE: M.G.L. Chap. c. 30A, S21 (2) & (3) Ch. 214, Section 1B and; CMR 29.03 (1)(b).**

RE: Police, DPW, Clerks, Dispatch Unions, Dept. Heads and Non-Union Staff

**Exception #2:**

Move to go into Executive Session to conduct collective bargaining sessions, with nonunion personnel and to: not to reconvene in Open Session

(Chair Must Declare).

Move to go into Executive Session to conduct contract negotiations with nonunion personnel, and to:

not to reconvene in Open Session

(Chair Must Declare). declare that an open meeting may have a detrimental effect on the bargaining position of the body, and to

not to reconvene in Open Session

(Chair Must Declare).

**Exception #3:** Move to go into Executive Session to discuss strategy with respect to collective bargaining and that the Chair Move to go into Executive Session to conduct strategy sessions in preparation for negotiations with nonunion personnel, and to

Not to reconvene 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:

not to reconvene in Open Session

(Chair Must Declare).

**RE: Ch. 214, Section 1B**

**Roll Call Vote: D. Moglin: Yes, J. Deedy: Yes, R. Fox: Yes.**

Respectfully submitted,



Lisa A. Anderson

Select Board Floater