

# **Select Board**

## **Meeting Minutes**

*Town Hall - Select Board's Conference Room*

***Monday August 29, 2022 @ 6:00 p.m.***

*All meetings of the Select Board are recorded*

**ATTENDANCE:** Chairman, Russell S. Fox  
Vice-Chairman, Doug Moglin  
Clerk, Jason Perron  
Chief Administrative Officer, Karl J. Stinehart-Absent  
Select Board Secretary, Lisa A. Anderson

### **Conducted Pledge of Allegiance.**

A moment of Silence for Donna Charron, a 6 year member of C.O.A. Board of Directors and a dedicated pole worker who worked up until COVID.

### **Public Comments:**

***Deb Horath, 3 Shore Road.*** Thanked Select Board member Doug Moglin for attending the last LMC meeting. We are trying to work out testing South Pond and the other ponds. Since there is no further testing of the lake, there are a lot of people still worried and have questions about the test.

***Dr. Eric Mueller, 12 Shore Road.*** I am on here to speak to the people that have concerns about the E.coli in the lake, my intent is to try and answer their general questions. E.coli is different than the Siena Bacteria we find in the lake Siena can propagate itself in the lake, where the E.coli needs a source, such as human or animal. Most of the time you won't find it in the middle of the lake when testing, it tends to stay at the edge of the shore. Questions as could it have come from Suffield side to our lake, the answer is no it cannot make its way across the lake, it stays near the source. We don't know if the water is safe, if you're concerned about your area of water you could test it and then you'll know. It would be different at any given spot, you would have to test it to know. When we say it is 1 above or 1 below that level and it is safe or unsafe, you need to understand the safety level is statistical analytical data meaning 8 out of 1000 people could get sick. People were concerned about eating the fish. The E.coli that is in the water cannot get into the fish skin and is ok to eat. Lake management tested in the middle of the lake and it came back negative.

Chairman Fox thanked Dr. Mueller and stated that he would like to invite Dr. Mueller and the Board of Health to a future meeting to discuss this issue and come up with a plan.

***Michelle Pratt, 152 Berkshire Avenue.*** I am president of CRC, and would like to say we will be having our annual Golf Tournament on September 17<sup>th</sup>, we still have spots for golfers and sponsors. We know that Tri-PBI Marina is on the agenda tonight for the Beaver lodge issue, and if it can be moved or removed, we have a member of CRC that would volunteer to help with that. If there is a cost associated with it we could bring it to our board, and ask for help. If it can be moved it would make it a lot more room to navigate and be much safer, we would be willing to help with that.

**Cindy Lamoureux, 132 Granville Road.** I would just want to make a comment about the comments about the conservation area and the trash being dumped there. Is it being patrolled? Is there a ranger there? I am very familiar with Mclean refuge in Granby CT, it's a beautiful conservation area with wildlife all around and there is a rangers on mountain bikes and jeeps, and making sure there is no one throwing trash around and doing something they shouldn't. If we don't have it controlled we can't count on people being decent now a days. People online are saying its people from Ct. cars there we should be monitoring it or posting it for Southwick residents only. We can't blame that on Marissa. The only other thing I have to say is the way you treated Marissa – Karma

#### **Zoom Comments:**

**Joanne LeBlanc, 38 Reservoir Road.** I want to make a comment that I read in the newspaper. Your comment regarding serious conservation issues that worsened over the last year, and that Reardon would be a good person to address some of it. That you met with Wildlife Fish & Game and the situation has gotten worse. To me that sounds like your blaming Marissa, and that can't be farther from the truth.

#### **6:05p.m. Public Hearing for Verizon Wireless to install a small cell wireless antenna with fixtures on a WMECO pole #9S located at 238 Sheep Pasture Road.**

Chairman Fox read the Public Hearing notice. Present is Paula Foley who is a network real estate consultant with Verizon wireless, Kip DeVito Engineer with Verizon, Ellen Cummings, with Verizon Government affairs, and Corey Vicario, sight acquisition specialist with structure consulting who worked with Verizon on this project.

We are asking the permission from the Select Board to attach small cell wireless equipment located in the right of way. This consists of a small canister shaped antenna 35" in height and 14" in diameter. An electric meter, a radio unit low down on the pole. No ground disturbance, and no equipment on the ground. This is to provide better wireless service in the immediate area. Questions?

Russ Fox ask for a motion to open the hearing at 6:15pm.

**A MOTION** was made by Doug Moglin, seconded by Mr. Perron to open the hearing.  
**Roll Call Vote: R. Fox – Yes, D. Moglin – Yes, J. Perron – Yes.**

Russ Fox asked if this is similar to the pole hearing on Point Grove Road. Paula Foley answered that it is identical. Doug Moglin asked if this is LTE? Paula Foley answered that it is LTE 4G.

Diane Gale asked what is the radius that it will reach? Kip DeVito answered roughly 750ft.

Doug Moglin asked if the one on Point Grove Road is up and running? Paula Foley stated that it will before the end of this year.

**A MOTION** was made by Doug Moglin, seconded by Mr. Perron to close the hearing at 6:18pm.

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

**A MOTION** was made by Doug Moglin, seconded by Mr. Perron to approve the application as presented.

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

## **6:15p.m. Conservation Commission Vacancy Interview with Norm Cheever:**

Norm Cheever, 100 Berkshire Avenue, just would like to make a few comments about my background. I have an Engineering degree and a master's in Business Administration and worked 35 years as a manager at GE, Blocked Martin, Barns Aerospace, Old Town Canoe and Cobble. At Barns Aerospace I received the Employee of the year out of 1000 employees. I am an Eagle Scout. Where I learned my love for the woods and environment and all the respect for natural resources and to give back to the community. I have been a City Counselor in Pittsfield for 8 years. My family has lived in Southwick twice. My Career took us away, but we came back. In 2018 this Board has assigned me to the LMC. I noticed a relationship on the Conservation Commission that needed improvement and volunteered to be the liaison on that board. The last three years the communication and cooperation between the two has improved. This past spring the Conservation Commission naming me to the position of their unpaid consultant. There has been some discussion whether or not a person should be on more than one board/committee, my opinion a year ago a person was not reappointed to a specific commission and there was no discussion. There are boards that work closely aligned as these two. I was a OMC volunteer to the Master Plan Committee as well. My strengths I follow religiously. Be righteous, build relationships, be dedicated to a cause be a worker and a contributor, be a believer and continuous processing improvement in everything you do. It would be an honor to serve on this Board in Southwick. One of the benefits of attending the boards the last few years, is not only to absorb knowledge but to observe the individuals of the Commission. I believe Marissa Cook-Obregon has done her job extremely well, she is bright, she has been a contributor and always come prepared for meetings. I would have no issue putting myself aside if you chose to put her to the Commission. This is my statement.

## **Payables, Payroll and Minutes**

The Board acknowledged Payables Warrant #2307B, dated 08/23/2022 in the amount of \$1,380,686.40

The Board acknowledged Payroll Warrant #2308B dated 8/25/2022 in the amount of \$5,855.70

- **A MOTION** was made by D. Moglin, seconded by J. Perron to approve the Payables and Payroll Warrants.
- **Roll Call Vote: R. Fox – Yes, D. Moglin: Yes, J. Perron - Yes.**

Doug raised a question that he made a few changes with Robin on the August 8<sup>th</sup> meeting minutes, but we don't have those tonight. Doug said they were minor changes.

- **A MOTION** was made by Doug Moglin, seconded by Mr. Perron to accept the meeting minutes as amended.
- **Roll Call Vote: R. Fox – Yes, D. Moglin – Yes, J. Perron – Yes.**
- **A MOTION** was made by Doug Moglin, seconded by Mr. Perron to accept the Executive Session minutes dated 8/22/2022.
- **Roll Call Vote: R. Fox – Yes, D. Moglin – Yes, J. Perron – 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:**

- **A MOTION** was made by Jason Perron, seconded by Doug Moglin to send the OML Complaint from Jeff Neece of Westfield to designate Town Counsel to work with the Chairperson to respond to the complaint.  
**Roll Call Vote: R. Fox – Yes, J. Perron – Yes, D. Moglin: Yes**
- **A MOTION** was made by D. Moglin, seconded by J. Perron, to approve the One Day LL and entertainment license for One Call Away with the waiver for Police.  
**Roll Call Vote: R. Fox – Yes, D. Moglin - Yes, J. Perron - Yes**
- The Board acknowledged an invitation from the Southwick Police Association Golf Tournament Columbus Day, Monday, October 10, 2022 at Edgewood Golf Course 9am. For additional information email Kevin Bishop at kbish164@comcast.net.
- **A MOTION** was made by D. Moglin, Seconded by J. Perron, to endorse the Hidden Heroes Recognition Program by the Southwick Civic Fund to be held on October 25, 2022 at 6pm at the Southwick Regional School auditorium.  
**Roll Call Vote: R. Fox – Yes, D. Moglin – Yes, J. Perron - Yes**
- **A MOTION** was made by D. Moglin, seconded by J. Perron, to accept the Pioneer Valley Planning Commission Invoice #14, Block grant for North Lake Avenue Engineering & Design Project, Housing Rehabilitation Program and our Food Pantry.  
**Roll Call Vote: R. Fox – Yes, D. Moglin – Yes, J. Perron - Yes**
- The Board will review the Cable Television Contract for September 30, 2022 – September 29, 2027. The Adhoc Cable Commission will be having a meeting in the next week to discuss and then they will attend our next meeting September 12, 2022 to review and give their recommendations.
- Russ Fox is recommending to stay with the same schedule (every other week) for the Select Board meetings. The new schedule includes September – December 2022. The Board members all agreed.
- Chief Landis stated that they finished cycling the vehicles, one will go to the Building Inspector and one will go to auction. Since we implemented the Traffic Control program, and have retired officers in place and those officers have no police powers we don't put them in the cruisers. We will just mark it up as Southwick Traffic Control. We get requests for details with vehicles, so this will allow us to cover those details. We can charge a rate also, and the revenue that we take in goes into the general fund will definitely cover insurance. The vehicle will go to Scibelli who does all our cars, the cost should be around \$1000.  
**A MOTION** was made by D. Moglin, seconded by J. Perron, to keeping a surplus vehicle for Traffic Control.  
**Roll Call Vote: R. Fox – Yes, D. Moglin – Yes, J. Perron - Yes**
- Chief Landis explained to the Board that they awarded the Department with an impact crate for the dog. It will be used as a safe place when the K9 is left for an extended period.

**A MOTION** was made by J. Perron, seconded by D. Moglin to accept Vest A Dog grant in the amount of \$1994.00 for an Impact Crate.

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

- **A MOTION** was made by D. Moglin, seconded by J. Perron to change the LEPC SPD alternate member from Officer Seigel to Sgt. Paul Miles.

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

- Chief Anderson stated that they had ordered a SFD pickup truck and a utility and that the pricing has shot up since last year. Once we get the vehicles we will have a great universal too to use. Mr. Stinehart informed the Chief that he could request ARPA funds to cover the increase of \$15,604.00 instead of going to the Finance committee so we don't deal with delays.

**A MOTION** was made by D. Moglin, seconded by J. Perron to use ARPA funds to cover the increased cost of \$15,604.00 for the Utility Truck and New pickup Truck for the SFD.

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

### **New Business:**

- The Board received a letter from the owners of TRI-PBI Marina located at 81 Point Grove Road in regards to a Beaver Hut on the shore of Lake Congamond. The letter was sent to Dick Grannels, Lake Management, Chief Robert Landis, Southwick Harbormaster, Dave MacWilliams, Chairman Conservation Commission and Russ Fox, Select Board Chairman. Mr. Fox stated that he talked with Dick Grannels and he went down to the Lake to see the Beaver Hut, and it is huge. In the letter the land owner is thinking that the Town has money to dredge the Lake. The Town has applied for multiple grants to get dredging done but we do not have funds in our budget for this. Tomorrow the Fish & Game will be in Town and the Police Chief and Chairman will asked them to go see the Beaver Hut and let us know if there is anything we can do. So for now we will take this under advisement. The chair will draft a letter to go with Dick Grannels email to the home owner.
- Any New Business:
- D. Moglin – Attended a LMC meeting, and discussed e-coli in the lake issue with the beach closure. I talked to the BOH Agent, and his purview is to test the beach only. I would like to see a group of the BOH, LMC to discuss what we do next year if this happens, what testing we need to do, and post the results so people are able to see them and make their own informed decision. We need to have a process for this issue.
- J. Perron – Public comments is being up all the time, there are some things we can and cannot do, but I would like to take a limited amount of questions or comments and come back with answers.
- R. Fox – None.

### **Old Business:**

- North Pond violations. The Select Board Chair will be meeting with the Commonwealth, a representative from Conservation, LMC, Police, Fire. Chairman will let you know what comes out of that meeting.

- Town Hall HVAC Design Work. Is almost complete.
- Sewer System IMA with City of Westfield. The Lawyers are getting a date to begin that process, because we need to finalize to take action at Annual Town Meeting in May.
- HSIC will have a future presentation for Select Board.
- Conservation Commission Vacancy. Mr. Cheever's was the only applicant.  
**A MOTION** was made by D. Moglin, seconded by J. Perron to appoint Norm Cheevers to the Conservation Commission.

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

- Review the Southwick PB Comprehensive Impact Statement Hand Book. D. Moglin met with them and they have made some changes at the last meeting and they will meet again next week.
- Military Leave Research. J.Perron stated that they are waiting for Town Counsel to approve and advise if it has to go on Warrant at Town Meeting for approval.

Mr. Fox would like to add under new business to mention the Rotary Club is having their annual Steak Roast on September 14, 2022 at 6pm, at the American Legion.

**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 6:36 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).

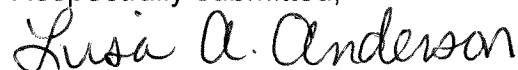
**Exception #3: Move to go into Executive Session to discuss strategy with respect to collective bargaining and that the Chair Move to go into Executive Session to conduct strategy sessions in preparation for negotiations with nonunion personnel, and to**  
Not to reconvene Open Session  
(Chair Must 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. Perron: Yes, R. Fox – Yes.**

Respectfully submitted,



Lisa A. Anderson

Select Board Secretary

# SIGN IN SHEET

Select Board's Meeting, August 29, 2022

Dilvito, Kip VZW 20 Alexander Dr Wallingford CT

Paula Foley, Verizon, 15 Chestnut St., Worcester, MA

Weste St. Jacques 22 Deer Run

Cindy Lamoureux 132 Brancille Rd

Inga Hotaling 45 Kline Rd

Guerrero Hansen 153 Mort Viney

Deb Herroth 3 Shore Rd

NOLA CHEEVER 100 BERKSHIRE

Burt Hansen 153 Mort Viney Rd

Daniel Andrew Gale 5 Pond Grove Rd

Brian Hackman 157 Klaus Anderson Rd

Michelle Pratt 152 Berkshire

Sabrina Pader 12 3rd Street