

Select Board Meeting Minutes

Town Hall - Select Board's Conference Room

Monday, September 12, 2022 @ 6:00 p.m.

All meetings of the Select Board are recorded

Location: Town Hall Auditorium

All meetings of the Select Board are recorded except Executive Session

Date of this meeting: September 12, 2022

Meeting Notice: This meeting held Pursuant to Chapter 20, Acts of 2021

Hybrid Meeting

In the event of any technical difficulties, we will ensure a recorded tape of the proceedings is placed on the Town Web page 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 Russ Fox at 6:00 p.m.

ATTENDANCE: Chairman, Russell S. Fox – Present
Vice-Chairman, Doug Moglin - Present
Clerk, Jason Perron - Present
Chief Administrative Officer, Karl J. Stinehart – Zoom
Administrative Assistant, Robin A. Solek – Present

Chairman roll call attendance of Board Members present for meeting.

6:00 p.m. Public Comments:

B. Hansen, Mort Vining Road filed OML Complaint, would like to see more open and clearer on appointments and re-appointments.

J. LeBlanc, Reservoir Road,(Zoom) answer the questions from Public Comments

M. Pratt, Berkshire Avenue, waiting for an update on North Pond, concerned about ecoli, available to volunteer with outreach.

For verbatim please visit www.southwickma.org 8/8/22 audio minutes.

6:05 p.m. Adhoc Cable TV Committee, Comcast and Town Counsel, Review, Update Cable Television Contract with Comcast for September 30, 2022 – September 29, 2027. Discuss any and all related actions (ie) Approvals, Authorizations and Renewals:

The Adhoc Cable TV Committee (Paul Connolly – in person, Thomas Bengston – in person, Sue Fox – Zoom) met with the Select Board to recommend to approve the Cable Television Contract as presented for the next 5 years. There are no changes in subscribers. Mr. Fox thanked the Adhoc Cable TV Committee for their time.

- **A MOTION** was made by Mr. Moglin, seconded by Mr. Perron (Vote-Unanimous) to approve the Cable Television Contract for the next 5 years.

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

6:15 p.m. Southwick Greenhouse, Inc, Business Plan Review Related to Marijuana Grow Operation and Town Agreement for Hudson Drive:

Mr. Paul Dellatorre and Attorney Parzybok updated the Select Board on the grow operation.

Mr. Delatorre has been working on the project for a while. Mr. Moglin had worked with the subcommittee of the Planning Board on the topic. There have been updates at the last Mass State Legislative Session with impact fees and regulations changes related to host agreements. The Planning Board has approved a special permit for use. The Select Board will continue to watch over the progress on the project for future approval. An updated Community Agreement will be developed with Counsel and Mr. Moglin.

Payables, Payroll and Minutes:

- Acknowledge Payroll Warrant #23065, dated 8/29/22, in the amount of \$251,248.73
- Acknowledge Payables Warrant #2309B, dated 9/6/22, in the amount of \$555,021.29
- **A MOTION** was made by Mr. Moglin, seconded by Mr. Perron (Vote-Unanimous) to approve the Open Session Minutes 8/22/22.
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes.
- **A MOTION** was made by Mr. Perron, seconded by Mr. Moglin (Vote-Unanimous) to approve the Open Session Minutes 8/29/22.
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve the Executive Session Minutes 8/29/22.
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 Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to accept the recommendation for Pare Corporation for the FY 20 North Lake Avenue Design Engineering Project and award contract.
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes.
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to approve the schedule change for the Wick 338 Motocross 2022 Calendar Open Practice 9/30/2022.
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes.
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to authorize Chairman and Legal Counsel to respond to (2) Open Meeting Law Complaints from Angelina Simone and Burton Hansen.
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes.
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to authorize Chairman to sign a Discharge of Lien FY 16 Southwick Community Development Program
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes.

- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to authorize Chairman to sign a Subordination Agreement in the amount of \$35,000.00 for Johnny and Rebecca Hundley, 403 College Highway, Southwick MA for CDBG Program.
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes.
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to table the SPD updated policy for School Resource Officer for Police Reform Bill.
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes.
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to 2 one day Liquor Licenses for Rugged Maniac to be held on 9/24/22 from 10:00 am – 6:00 p.m. & 9/25/22 11:00 a.m. – 6:00 p.m. approved with Police, Fire, Building and Board of Health conditions.
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes.
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to approve donations in the amount of \$338.00 from Prospect Mountain Camp Ground, \$225.00 from Southwoods Magazine, and \$540.00 from Scibelli's Mobile to the
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes.
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to authorize Chairman and C.A.O. to finalize Letter of Understanding for Southwick Fire Deputy Chief Selectee Jessica L. Bishop.
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes.

New Business:

- Rotary Club 2022 Vocational and Community Service Recognition Nomination
- Select Board receipt of Local Government Workforce Skills GAP Report for Massachusetts Cities and Towns by Lt. Governor Polito
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to authorize select Board to enter into IMA Amendment #2 with City of Westfield for Sealer and Weights Measures services.
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes.
- Inform about EVERSOURCE presentation at future meetings for a Solar Project with battery back-up at 68 Feeding Hills Road next to existing panels.

Old Business:

- North Pond violations site waiting for Fish & Game Agreement – Becoming a serious problem.
- HVAC – design work out to bid.
- Sewer System IMA with City of Westfield update
- Request from High Speed Internet to put forth a Warrant Article for next Town Meeting Approval to form a MLP (Municipal Light Plant)
- Review Southwick PB Comprehensive Impact Statement Hand Book – assigned to Mr. Moglin
- Military Leave Research for Labor Counsel to review
- Beaver Hut at Tri-Pri Marina, 81 Point Grove Road. Letter sent to complainant, Board of Health, Conservation and Board of Assessors.
- OML complaint from Jeffrey Neece, Westfield MA. Town Attorney replied, in his opinion the Town is not in violation.
- Research on Public Comments. Brief discussion about procedure and process.

- A thank you to the Fire and Police Department for the 911 Service that was held at the Fire Station.
- The One Call Away events held were a tremendous success. A thank you to all that participated.
- A COVID Clinic will be held on 9/15/22 at Powder Mill School, vaccines and boosters will be available.
- The Senior Center Open House was well attended, a thank you to Cindy Sullivan COA Director.
- Southwick Police Department and STGRSD met to discuss security issues. They will continue to meet on a quarterly basis.
- **A MOTION** to go into Executive Session Pursuant to M.G.L. Chap. c. 30A, S21 (2) & (3) and Ch. 214, Section 1B at 7:25 p.m.
Litigation Matters or Threatened Litigation & Southwick PD Coalition under strategy for Collective Bargaining with Police Chief and Labor Counsel
Executive Session RE: M.G.L. Chap. c. 30A, S21 (2) & (3) Ch. 214, Section 1B and;
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes.

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:

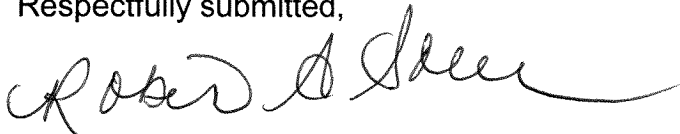
not to reconvene in Open Session

(Chair Must Declare).

RE: Ch. 214, Section 1B

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

Respectfully submitted,



Robin A. Solek
Administrative Assistant