

Select Board
Meeting Minutes
Town Hall - Select Board's Conference Room
Monday November 13, 2023 @ 6:00 p.m.
All meetings of the Select Board are recorded

Roll Call Attendance:

ATTENDANCE: Chairman, Doug Moglin – In person
Vice-Chairman, Jason Perron – In person
Clerk, Diane Gale – In person
Chief Administrative Officer, Karl J. Stinehart – In person
Select Board Secretary, Lisa A. Anderson- In person

Jason Perron led the Pledge of Allegiance.

Public Comment: None.

Moment of Silence: Giles Daigneau, Fire Commissioner, Joan Hagen, a teacher at our schools and Housing Authority, and John Andrews, Graves Officer.

6:05 pm EDC Members, Inga Hotaling-Washington, Craig Samuelson, and Greg Deily. We want to share our mission statement, what are the parameters for this board, and what is the Board's expectations to allow us to perform. We have 3 initiatives that we can accomplish by the end of this year. One, Shop Local, Dine Local for the weekend of Thanksgiving. Two, a website implementation, hopefully live with resource guide. Three, engagement survey, for the business community, what can we do to help them.

Mr. Moglin asked what is your Mission Statement. (See zoom video for complete EDC Mission Statement). Diane Gale stated once the website is up and linked to ours, you can promote our Town, schools and amenities

Jason Perron stated that he agreed with Diane Gale but believes every potential business should go through the same process. I don't want to be known for not being business friendly.

Karl Stinehart stated that prospective businesses won't always come from the same place, one place, might come into the Select Board office another to Planning dept., etc.

Inga Hotaling-Washington stated they will come back to the Board for more on business development.

6:05 pm Hilltop Café' Michael Lenihan. Mr. Lenihan ask the Board why he is here. Doug Moglin stated that the Select Board are the Liquor License authority and would like an update on how business is going. Mr. Lenihan stated that he has been open since October 2021. The hours are not consistent, business isn't consistent. Some days he opens at 5pm and stays open till 1:30 am, he is closed Tuesdays and Wednesdays since there is no business then. Jason Perron mentioned that he was being told you're not open, so we are just looking for clarification.

Mr. Lenihan stated that he was doing good till Covid hit. He takes offense that people are saying he isn't open when he is. The cops have stopped by for a safety check, so you can ask them that he is open. The Board thank Mr. Lenihan for coming in and updating the Board on his business.

6:30 pm: Kurt Saunders, Franklin House. Mr. Saunders stated that he now owns the oldest business in Southwick. Mr. Saunders told the Board that his wife, himself and his main worker all came down with Covid. Mr. Saunders and his worker were out for a few weeks. Mr. Saunders wife was hospitalized and on a ventilator for four weeks. In December 2021 Mr. Saunders closed on the sale of Franklin House. They started to clean up the business and then he was in a car accident where he was run over, couldn't walk but he was still caring for his sick wife as she was now on oxygen from Covid. His wife then relapsed and was sent to Beth Israel Hospital in Boston, where Mr. Saunders travelled to everyday and back to take care of his business. Then his wife passed away.

Mr. Saunders stated that he is finishing up with the Marina, then he plans with his daughter's help to get back to cleaning up the Franklin House. This isn't the best season to open a business, but he is hopefully trying for first of year.

Diane Gale asked if he renewed the License for 2023. Mr. Saunders stated he is up with all his licenses. Mr. Perron told Mr. Saunders that he had not known about his wife's passing or what he has been going through.

Mr. Saunders stated he gave his daughter and son-in-law who is a chef, the restaurant as a wedding gift. So, they are hoping to get it in shape to open soon. Mr. Saunders thanked the Board for giving him the opportunity to come in and explain why it was closed.

Diane Gale asked if he intended to keep the same hours and Mr. Saunders stated yes.

The Board decided since Jen Nolasco was in the meeting, that she have the opportunity to talk about what is going on with Prim3 Steakhouse.

Ms. Nolasco stated that they did close but are in the process of renewing the Liquor License so that sometime after the first of the year they will come in to transfer it to the next business looking to come in there. Jen asked the Board if we have been in contact with their Lawyer, and Karl Stinehart stated that the correspondence is in the Boards folder under new business. The Board thanked Ms. Nolasco for coming in and explaining what is going on with the business.

Payables , Payroll and Minutes:

- Acknowledged Payroll Warrant #2410, dated 11/7/2023, in the amount of \$2,81,310.85.
- The Board accepted the Open Session Minutes dated 11/6/2023.
 - **A MOTION** was made by Jason Perron **Seconded by** Diane Gale (Vote-Unanimous) to accept the Open Meeting Minutes dated 11/6/2023.
Roll Call Vote: Doug Moglin – Yes, Jason Perron – Yes, Diane Gale – Yes.
- The Board accepted the Executive Session Minutes dated 11/6/2023
 - **A MOTION** was made by Jason Perron **Seconded by** Diane Gale (Vote-Unanimous) to accept the Executive Session Minutes dated 11/6/2023.
Roll Call Vote: Doug Moglin – Yes, Jason Perron – Yes, Diane Gale – Yes.

Action Items, Correspondence:

- The Board approved the One Day Liquor License for the Southwick Rec Center for 12/2/2023, Agawam Karate Christmas Party.

- **A MOTION** was made by Jason Perron **Seconded by** Diane Gale (Vote-Unanimous) to approve the One Day Liquor License for the Southwick Rec Center event on 12/2/2023 for the Agawam Karate Christmas Party.
Roll Call Vote: Doug Moglin – Yes, Jason Perron – Yes, Diane Gale – Yes.
- The Board approved the DPW Snow & Ice Removal Contractor vendors lists for FY24.
- **A MOTION** was made by Jason Perron **Seconded by** Diane Gale (Vote-Unanimous) to approve the DPW Snow & Ice Removal Contractors vendor list for FY24.
Roll Call Vote: Doug Moglin – Yes, Jason Perron – Yes, Diane Gale – Yes.
- The Board approved the donation for \$31 to go into the Library’s gift account.
- **A MOTION** was made by Jason Perron **Seconded by** Diane Gale (Vote-Unanimous) to approve the donation for \$31 to go into the Library gift account.
Roll Call Vote: Doug Moglin – Yes, Jason Perron – Yes, Diane Gale – Yes.
- The Board approved and authorized the Library to surplus and dispose of old computer equipment.
- **A MOTION** was made by Jason Perron **Seconded by** Diane Gale (Vote-Unanimous) to approve and authorize the Library to surplus and dispose of old computer equipment.
Roll Call Vote: Doug Moglin – Yes, Jason Perron – Yes, Diane Gale – Yes.
- The Board approved the request from Police Chief Landis to make Sergeant Thomas Krutka the designated Liquor License Agent and Liaison to the Local Licensing Board.
- **A MOTION** was made by Jason Perron **Seconded by** Diane Gale (Vote-Unanimous) to approve the request from the Police Chief to make Sergeant Thomas Krutka the designated Liquor License Agent and Liaison to the Local Licensing Board.
Roll Call Vote: Doug Moglin – Yes, Jason Perron – Yes, Diane Gale – Yes.
- The Board discussed the Proposed Parking Expansion adjacent to Town Hall. Mr. Stinehart stated that there are times when you come to Town Hall and it is very difficult to find parking. Some people park on the grass across from the volleyball courts. Mr. Stinehart stated that about a month ago Mr. Whalley, Mr. Levesque and Mr. Stinehart walked the grounds of Town Hall to see if the area south of the basketball court would work for more parking or if an adjacent parcel owned by Mr. Whalley would give a better opportunity. That is what this document is, a review of what it might cost, if the opportunity is there to purchase another parcel. If this is something that we are interested in then we should look at having this as a budget item.

Diane Gale asked are we looking to purchase the property. Mr. Stinehart stated that it would be either acquiring or whether or not it would be an easement depending upon what the zoning, the size of the lots and the zoning. Looking at the map of the property there could be issues related to wetlands, bordering vegetation, but if the Board is interested in it, then we can all go for a site visit.

Mr. Moglin stated that the land to the left is Park & Rec land, and the basketball court is already used as overflow parking quite often.

Mr. Stinehart stated that the parking is under a special permit for the Town Hall building. We have to be careful to not change this parcel so we stay in compliance with the zoning bylaws.

Mr. Perron asked what is wrong with the land to the left of the basketball court that we already own, converting that into a parking. To the right of the road going out back.

Jason Perron stated he is looking at the \$29,000.00 price tag from Levesque Associates for permitting Wetlands Filing etc. Mr. Perron stated he is a no on spending for this project with union negotiations coming up, he is 100% no on this one.

Diane Gale asked that they don't have to make a decision right now. Mr. Stinehart said this has been talked about for quite some time, and that this can be put on a list to go forward.

- The Board approved the Southwick Police Chief to pursue a Department of Mental Health Grant.
- **A MOTION** was made by Jason Perron **Seconded by** Diane Gale (Vote-Unanimous) to approve the Southwick Police Chief to pursue a Department of Mental Health Grant and have the Police Dept. manage it.
Roll Call Vote: Doug Moglin – Yes, Jason Perron – Yes, Diane Gale – Yes.

New Business:

- The Board reviewed the update package from Prim3 Steak House Liquor License renewal for 2024. Prime Steak House is now closed, and they will be transferring the Liquor License to the new License holder sometime in early winter 2024.
- The Board reviewed the letter from Lucky Stop, Maunish Shah looking for a full liquor license. They hold a wine and malt license. It would require a special act to secure more licenses. No action taken at this point.
- The Board had a discussion on increasing the Capital Expenditures Classification threshold amount from \$1000.00 to \$5,000.00 per outside auditor recommendation.
- **A MOTION** was made by Doug Moglin **Seconded by** Diane Gale (Vote-Unanimous) to move this forward at \$5,000.00 threshold and bring it for a second reading at the next meeting.
Roll Call Vote: Doug Moglin – Yes, Jason Perron – Yes, Diane Gale – Yes.
- Discuss the request for hunting by-law. They are looking for the Select Board to put this forward as a by-law just as the Town of Tolland did. Mr. Moglin read the by-law proposal. Mr. Stinehart recommended that this go to the Police Department for a review and their recommendation after consulting with EPO.
- **A MOTION** was made by Jason Perron **Seconded by** Diane Gale (Vote-Unanimous) to send this to the Police department for a recommendation.
Roll Call Vote: Doug Moglin – Yes, Jason Perron – Yes, Diane Gale – Yes.

Any other New Business:

Karl Stinehart: After Covid and MIIA we reinstituted our safety subcommittee being chaired by Health Director as our right to know person. Looking at issues with Police, Fire department and help us with evaluating loss control issues, risk management issues, pursue grants and develop policies that will make us a better member of MIIA in good standing. We just finished the AED/CPR training and all the go bags have been updated and we did the public facilities training all through a MIIA Grant. We are going through a work order application for a work order system type software.

Old Business:

- Marijuana, we have a request for a Host Community Agreement from Holyoke Cannabis, but we should wait to address this until the December 6th, Town Meeting to see if it gets passed there first.
- Select Board Goals & Objectives, no new updates, working on the list.
- American Legion Post#338, ongoing, Mr. Moglin stated he wants to sit down with Darcy and bring back some thoughts to the Board.
- Recruitment Panel. We did execute the contract with the company chosen by the Board and they are developing all the information they need in terms of the names of the committee members, they will be scheduling time with all the department heads with Mr. Stinehart.
- T-Mobile HomeTown Grant. Jason Perron spoke with Cindy Sullivan today, and they need a fence in the softball field and a request for a sunshade for the playground area. No one else has come forward with anything I think would get approved. Cindy will be putting together all the plans, financials paperwork we need. Then we can submit the package.
- STM Warrant, December 6, 2023: We received an updated version. Article 1 is to impose a local sales tax upon sale or transfer of marijuana products by a marijuana retailer operating within the Town to anyone other than a marijuana establishment at a rate of three percent.
Article 2 to amend the list of prohibited uses under Chapter 185, ss35.2 by deleting the section in its entirety as shown.
Article 3 to see if the Town will vote to amend Chapter 185, ss 35.2 of the code of the Town of Southwick and further that the Town authorize non-substantive changes to the lettering and numbering of the By-law be authorized in order to make it consistent with the numbering format.
Article 4 to vote to amend the town zoning map as referenced under Chapter 185-5 for 157 Feeding Hills Road.
Article 5 to vote to appropriate \$207,990.12 from CPC general fund in order to construct four pickleball courts at Whalley Park, 42 Powder Mill Road.
Article 6 to vote to appropriate and transfer \$115,006.00 from CPC general fund in order to construct two pickleball courts at Prifti Park, 454 College Highway.
Article 7 at a previous meeting the board voted to do the composition change in the Conservation Commission.
Question from the audience, Joseph Deedy, 258 Feeding Hills Road, is article one the 3% forever, is it a limit. Mr. Moglin stated that you would have to come back in front of Town meeting to change it.
Question from the audience, Celeste St. Jacques, do we have to come back and do another by-law if the State changes it.

- **A MOTION** was made by Doug Moglin Looking for a second, to remove article 7 and put it forth at the ATM where it should be considered with more voters present. Hearing no second, motion dies for lack of a second.
- **A MOTION** was made by Jason Perron **Seconded by** Diane Gale (Vote-Unanimous) to approve the warrant as presented.

Roll Call Vote: Doug Moglin – Yes, Jason Perron – Yes, Diane Gale – Yes.

Going back to discuss cancelation or rescheduling of the December 4th, Select Board meeting, due to STM on December 5th. Consent Agenda for 12/5/2023 at 5:45pm. Everyone is ok with this.

Diane would like the Board to make a decision on the protocols so we can get it done. You need to decide which version of number 7. Mr. Moglin stated that the Mass General Law tells you how to remove a commissioner. Diane Gale suggested to keep the original number 7 but add in front of it The Mass General Law the Select Board may.

- **A MOTION** was made by Jason Perron **Seconded by** Diane Gale (Vote-Unanimous) to accept the change of number 7, and approve the final select board protocols.

Roll Call Vote: Doug Moglin – Yes, Jason Perron – Yes, Diane Gale – Yes.

Any Other Old Business:

Karl Stinehart: A while ago the board authorized a community compact grant to the State for our IT issues, cyber security, they are receptive to giving us \$139,000 our commitment would be about \$13k for the remainder this year. We would have an obligation for funding \$71,500 for the next two fiscal years and there would leverage the state funds.

Doug Moglin: I would just like to thank the VFW, American Legion, Civic Fund anyone who had a part in planning and executing the Veterans Day Parade and thank you Senator Marks, and representative Boldyga for coming out for that event. Our new Police Boat is in Town. Congratulate the Fire Dept. they had a recognition ceremony on Friday night for Matt Gaugh and David Smith and gave out some other awards to firefighters for heroic acts.

- **A MOTION** was made by Jason Perron **Seconded by** Diane Gale (Vote-Unanimous) to adjourn at 8:02.

Roll Call Vote: Doug Moglin – Yes, Jason Perron – Yes, Diane Gale – Yes.

Respectfully submitted,

Lisa A. Anderson