

## ***Select Board Minutes***

***November 27, 2017***

***Monday, 6:50 p.m.***

***Select Board Conference Room, Town Hall***

***All meetings of the Select Board are recorded***

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

**OTHERS IN ATTENDANCE:** See Attachment "A" - 2 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 6:50 p.m.

**Public Comments:** Mr. Rindels (Skybox) came to the meeting to discuss what he claimed was the DPW's intention to use property adjacent to their property for the storing of a variety of construction equipment as well as construction supplies to provide ease of access for the Veteran's Street Project. Mr. Rindels was referred to Safety Officer Sanders and the DPW Director to discuss. See Attachment "B" - 4 Page(s)

### **Payroll/Payables Warrants:**

- The Board acknowledged Payables Warrant #1813B, dated 11/20/17, in the amount of \$373,199.97.
- The Board acknowledged Payroll Warrant #1813, dated 11/27/17, in the amount of \$215,136.02.
- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote-Unanimous) to approve the Minutes (Regular Session) of 11/13/17.

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

- Mr. Moglin, Mr. Fox and Mr. Stinehart will attend the STGRSD School Committee Budget Roundtable Meeting on 11/30/17 at 5:30 at the Superintendent's Conference Room.
- A joint appointment with the Planning Board, to appoint an Associate Member, will be set up for the next Board meeting.
- Town Counsel will be asked to address the legal steps regarding Renaming of Streets. Southwick Hill will be added into the process. This is part of the new Next Generation 011 Project
- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote-Unanimous) to approve a donation for the Southwick Police Department, from Louise Alberti, for the Police Academy, in the amount of \$25.00.

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

- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote-Unanimous) to approve a donation for the Southwick Police Department, from the VFW for the K-9 Account, in the amount of \$700.00.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Deedy (Vote-Unanimous) to appoint Mr. Moglin to speak at the Citizen's Police Academy Graduation on 12/5/17. Mr. Moglin and Mr. Fox will attend.
- The Administrative Assistant gave a Liquor License status update to the Board.
- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote-Unanimous) to approve all Liquor/Entertainment Licenses renewals for Calendar Year 2018 pending receipt of all Local Licensing Board requirements being met.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Deedy (Vote-Unanimous) to authorize the Chair to sign a MA D.E.P. Recycling Grant Award for \$6500.00.
- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote-Unanimous) to designate the Town Clerk as Federal Census L.U.C.A. Liaison.
- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote-Unanimous) to authorize the Chair to sign the updated Net Meter Credit Estoppel Agreements.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Deedy (Vote-Unanimous) to approve appointment of a Assistant Library Director Jacklyn Hart.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Deedy (Vote-Unanimous) to authorize posting for a Young Adult Librarian to fill a vacancy.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Deedy (Vote-Unanimous) to approve a donation of \$400.00 to Council on Aging for their Holiday Gathering Event.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Deedy (Vote-Unanimous) to accept a donation of a portable Light Tower unit from the Southwick Fire Association.
- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote-Unanimous) to authorize 5 new Call Force EMT(s) for the Southwick Fire Department: Joseph Martinez, Liam Jackson, Michael Perault, Clarke Robinson, and Kelsey Murry per State HRD Standards for Fire Fighters
- **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote-Unanimous) to approve a PVPC CDBG Invoice #13 for \$12,350.44.



### Old Business:

- The Chairman as anyone present at the meeting if they wanted to speak regarding sign on the 61B for 739 College Highway, Southwick Country Club First Right of Refusal. None. **A MOTION** was made by Mr. Deedy, seconded by Mr. Fox (Vote-Unanimous) to sign off on the 61B for 739 College Highway, Southwick Country Club First Right of Refusal.

- The Chief of Police Selection Process: Chairman Moglin announced the applicants for the position of Police Chief for the Town of Southwick:

*Sergeant Rhett E. Bannish  
Lieutenant Kevin Bishop  
Detective Sergeant Robert Landis  
Sergeant Kirk Sanders*

Interviews will be ½ hour on 12/11/17 starting at 5:30.

- Covered Bridge: The Fire Chief called the engineer twice with no response. **A MOTION** was made by Mr. Fox, seconded by Mr. Deedy (Vote-Unanimous) for the Board will work with Town Counsel before hiring another engineer.
- North Pond PWC Bylaw: nothing yet.
- War Memorial at High School: The Select Board will be taking \$3,000.00 from the War Memorial Gift Account for Southwick High School Memorial plaques.
- Mr. Moglin reviewed the Town Attorney letter regarding recreational Marijuana regulations coming and options for votes. It will be discussed with the subcommittee studying the subject.

### New Business:

- DPW Veteran Street Project Staging: See Public Comments.
- The Building Inspector would like a MOU with Westfield for Electrical Inspection Services. The COA will discuss with City Officials.

**A MOTION** was made by Mr. Fox, seconded by Mr. Deedy (Vote-Unanimous) to go into Executive Session RE: M.G.L. Chap. 30A, S20 (b), S21 (2) (3) (6) & (7) Ch. 214, Section 1B and; CMR 29.03 (1) (b), not to reconvene at 7:45. **ROLL CALL VOTE:** Moglin-Yes, Deedy-Yes, Fox-Yes.

IAFF Negotiations  
Non Union Personnel Matters  
Litigation

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

- XX Move to go into Executive Session to conduct contract negotiations with nonunion personnel, and to:  
Not to reconvene into Open Session
- Exception #3: XX 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:  
Not to reconvene into Open Session  
(Chair Must Declare).
- XX 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 reconvene into Open Session  
(Chair Must Declare).
- Exception #6: XX Move to go into Executive Session to consider the purchase, exchange, lease or value of real property, and that an open meeting the chair declare that an open meeting may have a detrimental effect on the negotiating position of the body and to:  
Not to reconvene into Open Session  
(Chair Must Declare).
- Exception #7: XX Move to go into Executive Session to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements, and to:  
Not to reconvene into Open Session
- 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.

*The Administrative Assistant was asked to leave the meeting.*

*Respectfully submitted,*

Sondra S. Pendleton  
Administrative Assistant

cc: Town Clerk

# Sign In Sheet 11/27/17

## Select Boards Meeting

Please Print \*\*\***Legibly**\*\*\*

**Sign in Below**

*All meetings of the Select Board are recorded.*

NAME	COMPANY/ADDRESS/PHONE/INFO (whichever)
RANDY RIVDALS	SKY BOX
DAN RICARDI	POLICE
Diane Caruso	Library
Russ Anderson	Fine
Kirk Sanders	Police
Randy Boun	DPW
Dr. Alex	COMARK
Meghan Hess	Rovithu Realty
Alexander Zingaleski	Crestview Construction
Steven Furtis	Kenith Realty

Select Board Meeting  
November 27, 2017  
Attachment "A"  
2 Page(s)



# Sign In Sheet 11/27/17

## Select Boards Meeting

Please Print \*\*\***Legibly**\*\*\*

**Sign in Below**

*All meetings of the Select Board are recorded.*

NAME	COMPANY/ADDRESS/PHONE/INFO (whichever)
Mike McMahon	
Randy Rindels	
Diane Griso	
Russ Anderson	
Chief Ricciardi	
Greg FitzPatrick	
Randy Brown	
Kirk Sanders	
Moje Trembley	
Richard Fiore	
Jack Fiore	
Jason Fiore	
Kenny Roberts	
Jason Fiore	
Bill Najam	

Friday, November 24, 2017

Cindy Pendelton  
Town of Southwick  
454 College Hwy  
Southwick, MA 01077

**Select Board Meeting  
November 27, 2017  
Attachment "B"  
4 Page(s)**

Re: Veteran Street Project

Dear Cindy,

We were recently informed of the DPW's intention to use property adjacent to our property for storing a variety of construction equipment as well as construction supplies to provide ease of access for this project.

Storing these supplies and equipment on our shared properties will negatively impact revenue for a variety of reasons.

- People that use the walking/bicycle path will be prevented from using the trail at our location and as a result we will lose that business
- The equipment and supplies are an eye sore and customers may be turned away for fear of damage to their vehicles or navigating in and out of the parking lot while construction is in process
- Peak business hours throughout the day/week will be negatively affected due to a lack of parking resulting a loss of business

We would like to suggest alternative locations for storing the construction equipment and supplies for this project. The public boat launch is less than one eighth of a mile from our business and currently not used in the off season. There is farm land with close-proximity of the project site as well as vacant land on Berkshire avenue.

Throughout the years we have worked together with town officials to better serve our community. For example, we agreed to share the expense of installing surveillance cameras to provide 24/7 video monitoring to prevent vandalism, which is tied into our electric service and housed in our office.

In closing we would like to be placed on the agenda for the upcoming meeting to further discuss alternative storage locations. Thank you for your time and attention.

Respectfully,

Patrick Lynch & Randy Rindels  
The Sky Box Sports Bar  
25 Point Grove Road  
Southwick, MA 01077



This aerial map shows a residential development with various lots and streets. A white box with the text "Proposed Construction Storage Area" is overlaid on the map, pointing to a specific location. The map includes lot numbers (e.g., 1, 10, 12, 25, 72, 73, 74), acreage (e.g., 0.22 Ac, 0.39 Ac, 0.97 Ac), and street names (e.g., GROVE, POINT). The proposed storage area is located near the intersection of GROVE and POINT, adjacent to lot 73.

Proposed Construction  
Storage Area



Horacek

DRIVE (APW)

Kirpicher

4 Country Club

2 Country Club

13 Point Grove

Town of Southwick

Kolosov  
37 Point Grove

Putnam  
33 Point Grove

25 Point Grove

Sky Box

Kauppen  
43 Point Grove

POINT

GROVE

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BUNGALOW CT (PVT)

## Cindy Pendleton

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**From:** Randy Brown  
**Sent:** Monday, November 27, 2017 1:01 PM  
**To:** Cindy Pendleton; Karl Stinehart  
**Subject:** RE: Veteran Street Construction  
**Attachments:** Construction storage area figure.pdf

Karl/Cindy,

I reviewed the letter from the owners of The Skybox dated 11/24/17 regarding the Veteran Street construction project. Construction is not expected to start until Spring 2018, though there may be some miscellaneous work such as tree removal/trimming that occurs over the winter months and would require use of a laydown area.

As I explained to Mr. Rindels, the location being considered for the storage of construction equipment and supplies is Town-owned property along the Rail Trail corridor. Refer to the attached figure. I am not sure why The Skybox owners are referring to this location as "shared properties". In regards to the alternative locations referred to, none are as advantageous as this location. The boat ramp's peak seasonal use is summer which will conflict with the Veteran Street construction. The other properties listed are privately owned and further away from Veteran Street.

Room can be easily left to allow bike trail users to access The SkyBox if needed.

Randy

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**From:** Cindy Pendleton  
**Sent:** Monday, November 27, 2017 9:15 AM  
**To:** Randy Brown  
**Cc:** Cindy Pendleton  
**Subject:** Veteran Street Construction

Randy-  
The Board would like your recommendation on the attached for tonight's meeting.  
Thanks!!!!

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**From:** Patrick Lynch [<mailto:pjlynchmob@gmail.com>]  
**Sent:** Friday, November 24, 2017 10:00 AM  
**To:** Cindy Pendleton  
**Cc:** Randy Rindels  
**Subject:** Veteran Street Construction

Good Morning Cindy,

Hope you had a nice Thanksgiving. Please confirm receipt.

Pat