

## **Select Board Meeting Minutes October 16, 2018**

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

***Select Board Conference Room, Town Hall  
All meetings of the Select Board are recorded***

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

**OTHERS IN ATTENDANCE:** See Attachment "A" – 2 Page(s)

**6:50 p.m.** 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 Joseph J. Deedy at 6:50 p.m.

***A Moment of Silence for Eugene Steward  
(Retired DPW Employee & Southwick Volunteer Fire Department)***

**Public Comments:** None.

### **Payables, Payroll and Minutes:**

- The Board acknowledged Payroll Warrant #1909, dated 10/15/18, in the amount of \$229,986.82.
- The Board acknowledged Payables Warrant 1909B, dated 10/9/18, in the amount \$489,147.51.
- The Board acknowledged Payables Warrant 1910B, dated 10/12/18, in the amount of \$641,032.59.
- **A MOTION** was made by Mr. Moglin, seconded by Mr. Fox (Vote-Unanimous) to accept the Regular Session Minutes of 10/01/18.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to accept the Executive Session Minutes of 10/1/18.

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

- The Board was informed that the Southwick Rotary Outstanding Vocational and Community Service Awards will be at 6:00 p.m. on October 24, 2018 at Tucker's Restaurant. Recipients are:

Michael McMahon-Chairman of Economic Development  
Christopher D. Boyd – Director and Former President of the Rotary Club of Southwick  
Southwick Police K-9 Unit – Town of Southwick  
John Jeneral – Major Donor Southwick K-9 Unit

Mr. Deedy will attend and Mr. Fox will attempt to attend.

**Action Items, 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. Fox, seconded by Mr. Moglin (Vote-Unanimous) to reaffirm the appointment of Mike Theroux as Sealers/Weights and Measures as the Board authorized Mr. Moglin to set on 10/1/18.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve 18 hours vacation leave advance request for Council on Aging Aide Denise Hills-McGarry.

**7:00 p.m. Hearing: Sterling Catering, LLP d/b/a The Launch  
RE: The transfer of On Premises Beer, Wine, Cordials and Liqueurs Liquor License at 81 Point Grove Road, previously owned by Legends of the Lake LLC.**

- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to open the Hearing at 7:00 p.m.
- Mr. Deedy read the Legal Ad in its' entirety.
- There was no paperwork to be "entered into the record".
- The below spoke *in favor* of the transfer.  
James Jones – 86 Point Grove Road  
Sharon Jones – 86 Point Grove Road  
Mike Pinella – 84 Point Grove Road
- There was no one who cared to speak *against* the transfer.
- **General Discussion** regarding transfer:  
Fred Bohn – 78 Point Grove Road – questioned entertainment.  
Richard Kellett - 196 Berkshire Avenue – questioned hours of operation.  
Both residents were informed the entertainment and hours of operation will not change from what is licensed presently.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to close the Hearing at 7:10 p.m.
- **General Discussion** regarding transfer: The Board had no issues with the Transfer.
- **A MOTION** to grant the transfer of the On Premises Beer, Wine, Cordials and Liqueurs Liquor License at 81 Point Grove Road, previously owned by Legends of the Lake LLC to the Launch.

**7:10 p.m. Hearing: Ranpat, Inc. d/b/a The Sky Box  
RE: Change of Manager, Change of Officers/Directors and a Change of Issuance/Transfer of Stock/New Stockholder**

- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to open the Hearing at 7:10 p.m.
- Mr. Deedy read the Hearing Notice (no need to advertise) in its' entirety.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to continue the hearing to October 30, 2018 at 7:10 p.m.

**Action Items, 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. Fox, seconded by Mr. Moglin (Vote-Unanimous) to reaffirm the Chair signing the PVPC CDBG Grant Invoice #22 for \$3,644.56.

**Action Items, 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. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve a Mass Cultural Council Grant Contract to the Town of Southwick for \$5,300.00.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to advertise in the 2019 Business and Industry Journal for 2019 WENS and take \$600.00 out of the Select Board Gift Account to cover the expenses.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to nominate Liz Bennett as an Animal Inspector along with Tracy Root.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve a grant application for a "Jaws of Life" for the Southwick Fire Department.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve a SAFER staffing grant submission for the Southwick Fire Department.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to authorize a grant application to the Mass DOR for FY19 Sewer Rate Relief.
- DPW Director, Mr. Brown, is looking to the Board to initiate conversations with our MPO Representative (Mayor Sullivan), Senator Humason and Representative Boldyga to discuss plans to update the Regional Transportation Plan. The Board is supporting the expansion of Route 57, Cowles Bridge and Granville Road (Route 57 West) which are significant projects they would like to see included in the new Plan.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to accept the resignation of Ruth Preston as CPC Secretary.
- The Select Board received another letter from the residents of 158 South Longyard Road requesting a 2 1/2 to 3 inch berm put at the roads edge in front of their property to stop rain water/snow melting from running onto their property. The Board will contact the DPW Director for his input.
- The Board received an invitation from Southwick Community Episcopal Church to a Revival Livestream Pot Luck Dinner 10/21/18 @ 4:00 p.m. Mr. Deedy and Mr. Fox are unavailable, however Mr. Moglin will try to attend.
- The Board received an invitation to a dedication of the Richard W. Power Memorial Plaque on 11/9/2018 @ 9:30 a.m. at the Southwick Regional High School.
- A meeting has been planned for all Boards, Committees, Commissions and Departments to attend regarding the Open Space Plan Update on 10/25/18 @ 6:00 p.m.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to have the Board approve Mass DAR Notice Forms related to the APR Project for North Longyard LLC. The Notice of proposed acquisition by MDAR, Confirmation of Notice, Consent to Reduce Notice period from 120 to 60 days were approved to sign.

**Action Items, 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. Fox, seconded by Mr. Moglin (Vote-Unanimous) to appoint Barbara Westcott and Cynthia Marshall to the Southwick 250<sup>th</sup> Anniversary Committee.

**Old Business & Dates to Remember:**

- Whip City Fiber WG&E – Booked for 11/13/18 with GE Manager or designee.
- Update on 250<sup>th</sup> Anniversary Meeting – Meeting of 10/15/18 @ 6:30. Mr. Fox reported that the Committee voted how to earmark \$25,000.00 from the State, which needs to be used as early as possible so that this funding doesn't go back to the State. The following is the earmarked Scope and Budget for the State Funding:
  - 30 brackets for the lights in the center of Town - \$9,997.00
  - 58 banners - \$6,500.00
  - Prepaid Fireworks - \$4,500.00
  - Misc. promotional/commemorative items - \$4,003.00
- Mr. Stinehart reported that 3 firms will be interviewed by the Chief Administrative Officer, PVPC, DPW Director, Supervisor of Buildings and Grounds, Building Inspector and the Town Planner to perform the Municipal Building Feasibility Study for the Town of Southwick.

**New Business:**

- Discussion on use of Flaggers for infrastructure Projects (i.e. Aux. Police) – The Police Chief is looking into.
- Mr. Fox stated that the resident of 72 Tannery Road has requested the Town provide traffic control if he pays for the cost of removing trees in the Town's Right of Way. **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to provide and pay for traffic control out of the DPW Budget for the residents at 72 Tannery Road to remove trees in the Town's Right of Way. It is a trade off that will save money now for some trees falling and others in the near future.
- Mr. Moglin gave credit to everyone involved in the First Annual Animal Parade. **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-2 yes, Mr. Deedy abstained) to use \$500.00 out of the Select Board's Gift Account to use for the costs of Southwick Police Department Details during the parade.
- Mr. Moglin stated he met with Mass DOT and the contractor for the Congamond Road Project to discuss the poor condition of the road.
- Mr. Fox stated that we have been awarded a \$91,380.00 grant through the Community Compact Cabinet's (CCC) Information Technology Grant Program.
- Mr. Fox inquired into line striping and whether it would be done before Halloween.

***The following is a listing of all documents viewed or discussed during the Open Session part of the meeting:***

- Hearing Paperwork for Sterling Catering, LLP d/b/a The Launch  
RE: The transfer of On Premises Beer, Wine, Cordials and Liqueurs Liquor License at 81 Point Grove Road, previously owned by Legends of the Lake LLC.
- Hearing Paperwork for Ranpat, Inc. d/b/a The Sky Box  
RE: Change of Manager, Change of Officers/Directors and a Change of Issuance/Transfer of Stock/New Stockholder
- Payroll Warrant #1909, dated 10/15/18, in the amount of \$229,986.82.
- Payables Warrant 1909B, dated 10/9/18, in the amount \$489,147.51,
- Payables Warrant 1910B, dated 10/12/18, in the amount of \$641,032.59
- Regular Session Minutes of 10/01/18
- Executive Session Minutes of 10/1/18
- Southwick Rotary Outstanding Vocational and Community Service Awards Information and Invitation October 24, 2018
- Sealers/Weights and Measures Appointment of Mike Theroux
- Request for Counsel on Aging Staff Member Vacation Leave advance
- A CDBG Grant PVPC Invoice #22 for \$3,644.56
- Mass Cultural Council Grant Contract to Town for \$5,300.00
- 2019 Business and Industry Journal Pricing for WENS
- Nomination of Animal Inspector
- Grant for "Jaws of Life"
- SAFER staffing grant submission
- grant application Mass DOR for FY 19 Sewer Rate Relief
- Regional Transportation Plan
- Community Preservation Commission Secretary, Ruth Preston, resignation
- Berm Issue letter for 158 South Longyard Road
- Invitation from Southwick Community Episcopal Church to a Revival Livestream Pot Luck Dinner 10/21/18 @ 4:00pm
- Dedication of the Richard W. Power Memorial Plaque 11/9/2018 @ 9:30 a.m.
- Notification of Open Space Plan Update Meeting 10/25/18 @ 6:00 p.m.
- APR Project North Longyard LLC (Notice of proposed acquisition by MDAR, Confirmation of Notice, Consent to Reduce Notice period From 120 to 60 days)
- Appointment of 2 Southwick 250<sup>th</sup> Anniversary Committee Members

**A MOTION was made to go into Executive Session RE: M.G.L. Chap. 30A, S20 (b), S21 (3) Ch. 214, Section 1B and; CMR 29.03 (1) (b). at 7:40 p.m. by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous).**

RE: Threatened Litigation and strategy for Collective Bargaining with Clerical Unit

Exception #3: X      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:  
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 not to reconvene to 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