

Select Board Meeting Minutes

Town Hall - Select Board's Conference Room

Monday June 14, 2021 @ 6:00 p.m.

All meetings of the Select Board are recorded

ATTENDANCE: Chairman, Doug Moglin - Remote
Vice-Chairman, Joseph J. Deedy - Remote
Clerk, Russell S. Fox - Remote
Chief Administrative Officer, Karl J. Stinehart – Remote
Select Board Secretary, Robin A. Solek –Town Hall

Meeting Notices: Pursuant to the Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Select Board will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the office of the AG Web page at

<https://www.mass.gov/guides/resources-during-covid-19#-open-meeting-law->

No in-person attendance of members of the public will be permitted. We will post on the town's website an audio recording as soon as possible 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 Doug Moglin at 6:00 p.m. Mr. Moglin read above State Laws and Governor Order into record.

Chairman roll call attendance of Board Members present for meeting. All present

Public Comments:

There was a vast amount of residents in the SB meeting waiting for Public Comments regarding the Carvana project. For a verbatim dialogue please log on to southwickma.org under Select Board page and click on audio minutes dated 6/14/2021.

The concerns were traffic, water usage, impact on wildlife. Many residents expressed wanting an in person public meeting where questions and concerns could be addressed.

- **Acknowledge Payroll Warrant #2127, dated 06/08/2021 in the amount of \$293,493.59.**
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve Open Session Minutes dated June 7, 2021.
- **Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: 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. Fox, seconded by Mr. Moglin (Vote-Unanimous) to sign a Proclamation for May related to Apraxia Awareness Day.
- **Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**

- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve (2) Ch. 61A First Right of Refusals for Radwilowicz for parcels Book 5216, page 61, Map 66, Parcel 003-000-000-000 and Map 50, Parcel 002-000-000-000.
- **Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve Chairperson to sign off any necessary year end FinCom Reserve Transfers or Municipal Modernization Account Transfers.
- **Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: 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. Fox, seconded by Mr. Moglin (Vote-Unanimous) to apply for and accept Federal A.R.P.A. Funds.
- **Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to sign a PVPC Invoice #14 in the amount of \$2,363.63.
- **Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve the FY 22 contract extension Heavy Equipment Services Bid to Crestview Construction. The Select Board expressed that they were pleased to award the bid to a local business.
- **Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Yes: 2; Abstain: J.D.) to approve a one day Liquor License for the Wick 338 on July 10, 2021 (National's)
- **Roll Call Vote: J. Deedy: Abstain, R. Fox: Yes, D. Moglin: Yes.**
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to authorize Chairperson/CAO to approve Town/LPVEC 3 year electricity contract to a supply vendor.
- **Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**

New Business:

Southwick Firefighters Association turn back of leased premises/building.

- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to accept the property back to the Town upon removal of anything remaining in the building for 7/1/2021.
- **Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**

Old Business:

- Waiting for dates with DOT to discuss the construction of the bridge in Westfield. Mr. Fox will be representing the Select Board.
- Road Name Change Southwick Hill Road to Iron Horse Hill waiting for Public Session.
- Green Energy receiving input from Town Departments.

- Regional Dispatch has been negotiated with Westfield City Council and Mayor is to sign along with Select Board. The Select Board will revoke the offer with Westcomm by withdrawal of Letter of Attestation.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to revoke the Regional Dispatch Offer with Westcomm.
- **Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**
- There is a vacancy on the Historical Commission. Mr. Moglin has a candidate, and Mr. Fox has a couple of people interested.
- Town is seeking interest for occupancy for the vacant medical building on College Highway. The Board is continuing to reach out for any interest in renting the building for a medical practice.
- The Select Board received an updated version of their Goals and Objectives.
- Revisit Peddling and Soliciting Bylaw amendment. Hours for soliciting 10:00 a.m. – 6:00 p.m. Consideration of finger printing incorporated in the Bylaw amendment to be done by Town Counsel.
- 102 Mort Vining Road Dog Hearing disposition. The Select Board has Town Counsel giving a determination on proceeding forward with the violation. The Select Board consider this a serious matter and will follow through with the ACO and schedule a Hearing to address non-compliance of an earlier order.
- A reminder of a date August 6th Southwick Night Starfires game @ Bullens Field in Westfield.
- Appointments for Town Boards/Committees, Emergency Management Agency, RACES and CERT.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to re-appoint t Eric Carroll, Pauline Dunlap, Charles Darling, and Keith Stromgren and Charlie Dunlap
- **Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**

Mr. Moglin spoke about Carvana, the Griffin Land applicant. Discussion with the Planning Board informally for a couple of months. The land is zoned Industrial, they wouldn't need any variances, Ch. 185 complies. Carvana would need a Special Permit from Planning Board, and they can put restrictions on the Special Permit. Carvana is an online service for car buying and selling cars. It is a Fortune 500 Company.

Mr. Moglin explained how to mitigate negative impact:

- Traffic safety measures
- Lighting
- Screening @ Rail Trail
- Signalization and turn lanes
- Town has capacity for water service
- Sewer user fee will have a connection to Westfield
- Above ground fuel tanks to be approved by Fire Chief
- Potential tax revenue of up to \$900,000.00

The applicant has not sought any tax breaks from the Town or State for the project and investment.

Mr. Moglin stated that in his opinion, the Planning Board has done a yeoman job. The Planning Board is the voting board. The Planning Board will be meeting June 29, 2021 to continue the discussion.

Mr. Fox supported Mr. Moglin's comments.

- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to support the Planning Board Carvana project.
- **Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**

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 7:20 p.m.

RE: Labor Counsel and Police Chief Re: Police Union Negotiations Litigation. Non-Union Personnel Collective Bargaining and Strategy.

Executive Session RE: M.G.L. Chap. c. 30A, S21 (2) & (3) Ch. 214, Section 1B and; CMR 29.03 (1)(b).

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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: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**

Respectfully submitted,

Robin A. Solek
Administrative Assistant