

**Select Board Meeting Minutes**  
*Town Hall - Select Board's Conference Room*  
**Monday, February 28, 2022 @ 6:00 p.m.**  
*All meetings of the Select Board are recorded*

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

**FINANCE COMMITTEE:** Chairman, Art Pinell - Present  
Vice-Chairman, Terry Mish - Remote  
Karen DeMaio - Present  
David Methe - Present  
Paul Connolly – Present

***Location: Town Hall Auditorium***  
***All meetings of the Select Board are recorded except Executive Session***

Date of this meeting: February 28, 2022

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

Notice: Hybrid meeting with limited technology until new equipment comes  
in the future. In the event of any technical difficulties, we will ensure a recorded tape of the proceedings is placed  
upon 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 Joe Deedy at 6:00 p.m.

**Chairman roll call attendance of Board Members present for meeting.**  
**Roll call vote Finance Committee Members present for the meeting.**

**Public Comments:** Deb Herath, Miller Road asked the Select Board for permission to use the owl (auditorium) on Saturday March 5<sup>th</sup> for the Democratic Caucus. Permission was granted.

**Zoom:** There were none.

**Payables, Payroll and Minutes:**

- Acknowledge Payables Warrant #2219B, dated 2/22/22, in the amount of \$536,938.21
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve the Open Session Minutes dated 02/07/22.  
**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 Open Session Minutes dated 02/22/22.  
**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 Executive Session Minutes dated 02/22/22.  
**Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**

**6:05 p.m. Russo Barr, Finance Committee Members, Art Lawler, & Dave Sutton:**

The Select Board, Finance Committee Members and representatives of Russo Barr; Clerk of the Works, and Supervisor of Buildings & Grounds met to review and update the Town Hall & HVAC Repairs. See Attachment.

- Roof estimate at \$850,000.00
- HVAC 2 options
  - (1) VR5
  - (2) Heat H20
- Vendor will provide energy savings cost analysis
- ATM deadline will need total price for vote
- **A MOTION** was made by Mr. Moglin seconded by Mr. Fox (Vote-Unanimous) to proceed with the Town Hall Roof & HVAC project.  
**Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**

**6:20 p.m. Olde Ranch Golf Club Change of Manager from Peter Clark to Dennis Henry, Jr.:**

**A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote – Unanimous) to open the Hearing.

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

No need to advertise, there was no reading of the legal ad

There was no paperwork to be entered

There was no one to speak in favor of the Change of Manager

There was no one to speak against the Change of Manager

A general discussion included an introduction of Mr. Dennis Henry, Jr. and to affirm he met all the requirements (SAFE and Tip Certified).

**A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote – Unanimous) to close the Hearing.

**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 Change of Manager to Dennis Henry, Jr. for the Olde Ranch Golf Club

**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 approve Contract Amendment #5 with Fuss & O'Neill for Bungalow Street Engineering Design in the amount of \$3,500.00 from CDBG 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 authorize Contract extension for time until 6/30/22 with PVPC for Green Energy Communities Certification Services at no extra cost.

**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 accept COA Member Charron's resignation.  
**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 appoint Carol Smith as a full COA member and Elaine Boucher as an Associate Member.  
**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 accept the resignation from P/T Dispatcher A. Rowley.  
**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 accept SPD Grant in the amount of \$1,300.00 for Drug Take Back with education and disposal activities.  
**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 Letter of Understanding for Services with K. Stomski Ch. 15 Director.  
**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 Department of Fire Services S.A.F.E. (\$4,575.00) and Senior Safe (\$2,855.00) Grants.  
**Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**

#### **New Business:**

- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Unanimous) to draft a Proclamation in support of Ukraine.  
**Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**
- ***\*Mr. Moglin expressed his commendation to the SFD and SPD with their performance and actions, putting the injuries of others before their own during a violent crash over the weekend. Their bravery, response was extraordinary. A future presentation will be held to recognize our Police and Fire.***
- A discussion around Whalley Park increase of rental fee and consideration of one day LL for out of Town residents. A work session will be scheduled at a future date to discuss. Reach out to Town Counsel for an opinion.
- The Historical Society is requesting the use of the Town Hall Auditorium on March 27<sup>th</sup> for a presentation on the 400<sup>th</sup> Anniversary of the Mayflower. Mr. Fox volunteered the Select Board to sponsor the event.
- Mr. Stinehart informed the Select Board the importance of proofing the draft job description for an Assistant to the CAO provided by Labor Counsel along with posting timelines to begin the recruiting.

## **Old Business:**

- North Pond violations site waiting for Fish & Game Agreement.
- Town Hall Roof / HVAC Design & Project Status – Carry Forward
- Sewer System IMA with City of Westfield update – Carry forward  
Mr. Fox has spoken with Westfield Council Members about increasing rates and felt they are receptive to our concerns. The Town has invested millions of dollars along with mutual aid for various situations. Mr. Fox also mentioned to State Representative Boldyga that we will be recruiting a H.R. Procurement new position and will be relocating offices in the near future.
- Appointments for Town Boards/Committees Ad-Hoc Cable TV- Mr. Thomas Bengston and High Speed Internet – Mr. Bob Boyd, Dave LaBombard, Ian Creswell, Jess Bishop & Jason Giguire, Agricultural Commission- Sage Fury, Historical Commission – Linda McQuade and ConCom – Andy Reardon
- Board and Committee procedure  
***\*Mr. Moglin has a tele conference re: appointments with Counsel.***
- 24 White Street Layout Legal Agreement actions per M.G.L. Ch. 82, Section 21 for Private Way. Legal Counsel O'Hara (Bacon & Wilson) discussed the White Street (Ludorf property) layout and to relocate boundaries and a proposed resolution that the Select Board will need to vote to recommend and present at a future Town Meeting. The Select Board would like Town Counsel to review with Randy Brown, DPW Director. The Board tabled the vote until the 2/28/22 Select Board Meeting.  
***\*Attorney O'Hara recommended to hold off. Congamond Heights has an adjustment on the proposed resolution.***
- Truck parking and air brake regulations/bylaws documentation will be resent to PD Chief and Sgt. Miles.
- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Unanimous) to adopt the Lake Closure Protocol submitted by D. Grannells and Lake Management and supported by Police Chief and Harbormaster.  
**Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**
- Mr. Stinehart and Mr. Deedy will be meeting with the Mayor of Westfield on Thursday.

**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 7:10 p.m.

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

RE: Labor Counsel Litigation and Threatened Litigation and strategy for Collective Bargaining with Local IAFF 4919 and all Non-Union Department Heads

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

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 Solek  
Administrative Assistant