

Select Board Meeting Minutes

Town Hall - Select Board's Conference Room

Monday, March 7, 2022 @ 6:00 p.m.

All meetings of the Select Board are recorded

Location: Town Hall Auditorium

All meetings of the Select Board are recorded except Executive Session

Date of this meeting: March 7, 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.

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

Chairman roll call attendance of Board Members present for meeting.

Public Comments: Inga Hotaling Washington, 56 Kline Road, inquiry of the \$800,000.00 grant award from CDBG. Could any of this be used for the Master Plan?

Zoom: There were none.

Payables, Payroll and Minutes:

- Acknowledge Payables Warrant #2221, dated 3/1/22, in the amount of \$232,708.21
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve the Open Session Minutes dated 02/28/22.
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 02/28/22.
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.

6:05 p.m. Diane Gale Discussion possible ban on sale of nip bottles:

Diane Gale met with the Select Board to discuss banning the sale of nip bottles. She brought with her 2 bags of evidence from her dog walk route. She also distributed a hand out. Please see attachment.

6:15 p.m. Burt Hansen Agricultural Commission Chairman: Discussion related to 61A sign off for 72 Mort Vining Road:

Burt Hansen discussed preserving the acreage at 72 Mort Vining Road and was seeking direction from the Select Board. There is a 120 day time frame for the Right of First Refusal. The Select Board recommended to review the Open Space list of parcels. In addition the Town would not be interested in the house and barns, only the acreage.

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. Deedy seconded by Mr. Moglin (Vote- Yes: Abstain: R.F.) to approve a Hawker's and Peddler's for Fox Brothers Inc. on 4/15, 4/16 & 4/17.
Roll Call Vote: J. Deedy: Yes, R. Fox: Abstain, D. Moglin: Yes.
- **A MOTION** was made by Mr. Deedy seconded by Mr. Moglin (Vote- Yes: Abstain: R.F.) to approve a Hawker's and Peddler's for Fox Brothers Inc. on 5/6, 5/7 & 5/8.
Roll Call Vote: J. Deedy: Yes, R. Fox: Abstain, D. Moglin: Yes.
- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Unanimous) to approve a One Day Liquor License for the Art Show to be held on 4/22/22 and a Police Officer presence waived.
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 E-911 Board Incentive Grant of \$40,648.00 to SPD Dispatch.
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 DPW applications for Culvert Grants to Mass D.E.R. for Kline Road and Davis Road Culvert.
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 Chairman to sign MOA with DPW Unit for Temporary Supervisor role.
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 increase Park & Recreation Beach salaries to minimum wage. \$14.25 per hour Gates and Concessions, \$15.50 per hour Beach Manager.
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 Agreement with CAO, K. Stinehart for 3 years.
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 SPD request for SPD O/T Police and Dispatch Accounts supplemental appropriation funding for STM.
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 Chairman to sign Federal FY 19 CDBG Grant Amendment for PVPC for time extension 6/30/22.
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.

New Business:

- Planning Board Zoning referral for Bylaw changes related to Major Development Review Bylaw. **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Unanimous) to refer to the Planning Board to hold a Public 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 authorize Chairman to submit a CPC Application for funds related to Town Hall Roof segment.
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 for Chairman Deedy to sign Conservation Restriction Baseline Documentation.
- **Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.**

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 Giguere, Agricultural Commission- Sage Fury, Historical Commission – Linda McQuade***
- ***Board and Committee procedure***
****This will be an agenda appointment on 3/21/22.***
- 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. ****Attorney O'Hara discussed with the Select Board the prepared revision for White Street. DPW agreed with the revision.***
- **A MOTION** was made by Mr. Fox seconded by Mr. Moglin (Vote-Unanimous) to approve the recommendation prepared by Attorney O'Hara for ATM.
Roll Call Vote: J. Deedy: Yes, R. Fox: Yes, D. Moglin: Yes.
- Truck parking and air brake regulations/bylaws documentation will be resent to PD Chief and Sgt. Miles. ***Refer to the Master Plan Committee***

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