

Select Board Meeting Minutes

Town Hall - Select Board's Conference Room

Monday, March 6, 2023 @ 6:00 p.m.

All meetings of the Select Board are recorded

Location: Select Board Conference Room

All meetings of the Select Board are recorded except Executive Session

Date of this meeting: March 6, 2023

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

Hybrid Meeting

In the event of any technical difficulties, we will ensure a recorded tape of the proceedings is placed on 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 Russ Fox at 6:00 p.m.

ATTENDANCE: Chairman, Russell S. Fox – Present
Vice-Chairman, Doug Moglin - Present
Clerk, Jason Perron - Present
Chief Administrative Officer, Karl J. Stinehart – Zoom
Assistant C.A.O., Nadine Cignoni - Present
Administrative Assistant, Robin A. Solek – Present
Ch. 15 Director, Ken Stomski – Present

Chairman roll call attendance of Board Members present for meeting.

****A MOMENT OF SILENCE FOR CLYDE JONES, SFD & PLANNING BOARD****

6:00 p.m. Public Comments:

There were none.

Zoom: There were none.

Payables, Payroll and Minutes:

- Acknowledge Payroll Warrant #2320 dated, 3/1/2023 in the amount of \$254,577.21
 - Acknowledge Special Warrant #232B, dated 3/3/23, in the amount of \$1,000.00
 - **A MOTION** was made by Mr. Moglin, seconded by Mr. Perron (Vote: Unanimous) to approve the Open Session Minutes of 2/27/23
- Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes**

6:10 p.m. Sawgrass Lane Public Hearing Jason Firoe Developer, Petitioner, DPW and Planning Board:

Mr. Fox read the Hearing Notice in its entirety.

- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to Open the Hearing for Sawgrass Lane.

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

Mr. Jason Fiore, 104 Feeding Hills Road, applicant spoke of the intentions for road acceptance of Sawgrass Lane.

Speak In favor: Trudy Chianciola, 17 Sawgrass is in favor. She would like assurance all items are completed and to have some clear notification

Speak Against: Resident 17 Sawgrass is against. She states items are not completed. Berms, tree replacement.

Mr. Brown, DPW Director and Mr. Goddard, Town Planner were satisfied with the punch list completed. Mr. Goddard will follow through with the Planning Board.

- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to Close the Hearing for Sawgrass Lane.

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

- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to authorize Resolution of Determination and Intention to Lay Out Sawgrass Lane.

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

- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to authorize Warrant Article for Acceptance of Sawgrass Lane and certain Easements.

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

6:30 p.m.: Liquor License Transfer Wines and Malts from Partheonon Pizza Restaurant Inc. d/b/a Zanto to ILMU, LLC d/b/a Zanto Restaurant and Change of Manager to Ibrahim Unal:

Mr. Fox read the Liquor License Hearing Notice in its entirety.

- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to Open the Hearing for the LL Transfer from Partheonon Pizza Restaurant Inc. d/b/a Zanto to ILMU, LLC d/b/a Zanto and Change of Manager to Ibrahim Unal.

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

Mr. Fox opened the Hearing for General Discussion. There were no comments

Mr. Moglin asked about being TIP Certified. They will enforce that once approval of the LL Transfer.

Mr. Fox reminded that the Town enforces Liquor Licenses with caution and takes violations very seriously.

- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to Approve the LL Transfer and Change of Manager to ILMU, LLC d/b/a Zanto

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

Mr. Moglin recognized the previous owner in the audience and the Select Board thanked him for many years of service and a good business relationship.

Enjoy retirement, Congratulations.

6:45 p.m. Interview Candidates for Southwick Housing Authority (until 5/23 Annual Election) Jason Grunwald:

Jason Grunwald met with the Select Board to discuss his interest in being appointed to the Housing Authority. He is willing to run for election in May for the new term. He has a strong interest in this role and feels he would be a good candidate.

The Select Board acknowledged they had 2 good candidates. Jeff Turcotte currently is a member on Capital Expenditures Committee.

- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to appoint Jason Grunwald as a member of the Housing Authority until 5/23.

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

Mr. Moglin will notify the acting Chairman of the Housing Authority.

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:

- Acknowledge Board of Governors Wester Hampden District Veteran Services FY 24 Assessment
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to approve the ACO & SPD request to remove R. Bridges Assistant ACO as not available.
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to authorize a Memorandum of Understanding with the Hampden County Sheriff's Department Marine Unit for Lake Patrols.
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to approve PVPC Invoice #20 for FY 20 Southwick Community Assistance Program in the amount of \$2,724.64
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to approve PVPC Invoice #5 for FY 21 Southwick Community Assistance Program in the amount of \$7,827.14
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes
- Acknowledge Proclamation for International Women's Day on March 8, 2023 to be placed on the town website
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to approve a revised job description for the Assistant Treasurer Collector Clerk
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to approve PVPC recommended submission to MA DOER for Green Energy Program
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes

New Business:

- The Select Board acknowledged receipt of Citizen petitions for Select Board Term Limits and Conservation Commission by appointment and election
- A Petition for a Zone Change at 771 College Highway submitted by R. Levesque Associates, Business Restricted (BS) to Residential 20A (R-20-A). Greg Hamlin discussed the intentions of the zone change, to construct condominiums (no age restriction) that would blend with the current outlay of the corridor.
- **A MOTION** was made by Mr. Moglin seconded by Mr. Perron (Vote - Unanimous) to forward to the Planning Board as the next step in the process.
Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes

- Mr. Moglin informed the Select Board about the Governor's Executive Order regarding Hybrid Meetings is coming to a conclusion. He would like the Select Board's support for Hybrid Meetings to be permanent and will send a letter to the Legislature.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Perron (Vote-Unanimous) to support the letter as drafted by Mr. Moglin to be sent to the Legislature.
- **Roll Call Vote: R. Fox: Yes, D. Moglin: Yes, J. Perron: Yes**

Old Business:

- North Pond violations site waiting for Fish & Game Agreement – meeting in February
- Sewer System IMA with City of Westfield update.
- Marijuana dispensary – Carry forward
- Calyx Pistils at 74 College Highway for an update on the marijuana grow facility.
- Cannibas Survey results presented.
- Speed limits in Deer Run area
- Research Veteran's Tax Break
- Municipal Aggregation for Electricity
- Greens West Road Acceptance – March 6, 2023 Public Hearing
- Flag Policy – Mr. Perron is developing a formal policy
- SB Goals & Objectives
- Whip City Fiber – HSIC to prepare Second Phase MLP for Second Vote to prepare for ATM
- Budget Hearing Dates March 11th & March 25th Land Use Hearing Room

A MOTION to go into Executive Session at 7:15 p.m. Pursuant to M.G.L. Chap. c. 30A, S21 (2) & (3) and Ch. 214, Section 1B Litigation Matters and Strategy for Collective Bargaining with Police Union Coalition, Fire IAFF, , Non-Union Staff and Clerk Union UPSEU, **Executive Session RE: M.G.L. Chap. c. 30A, S21 (2) & (3) Ch. 214, Section 1B and;**
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.

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

Respectfully submitted,

Robin A. Solek
Administrative Assistant