

.06.05.23

Select Board Meeting Minutes

Town Hall - Select Board's Conference Room

Monday, June 5, 2023 @ 6:00 p.m.

All meetings of the Select Board are recorded

Select Board Conference Room

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Date of this meeting: June 5, 2023

Meeting Notice: This meeting held Pursuant to Chapter 2, Acts of 2023

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 Acting Chairman at 6:00 p.m.

ATTENDANCE: Chairman, Doug Moglin – Present
Vice-Chairman, Jason Perron - Present
Clerk, Diane Gale - Present
Chief Administrative Officer, Karl J. Stinehart – Present
Assistant C.A.O., Nadine Cignoni - Present
Administrative Assistant, Robin A. Solek – Present

Chairman roll call attendance of Board Members present for meeting.

6:00 p.m. Public Comments:

Roger Cataldo, Field Street: Asked the Select Board if they received his letter. He would like to have a future meeting or hearing with the Select Board.

Zoom: There were none

6:05 p.m. Cindy Sullivan and B. Sullivan re: Senior Center Garden Grant Update:

Cindy Sullivan discussed with the Board the grant received by the Boys & Girls Club. Where the garden would be placed on the south side of the COA @ Town Hall Building. Seniors working with school age youths. The Boys & Girls Club will provide transportation to Town Hall. This will be a first collaborative garden grant in the area.

6:10 p.m. Southwick Fire Department Interviews for Call Force Interviews:

- Chris Brown
- Benjamin Cleland
- Michael Westcott
- Melanie Wicken

The Select Board asked each of the candidates to give an introduction of themselves and experience. The candidates will be notified by the Fire Chief on the Select Board's decision.

Fire Chief Stefanowicz and the Select Board recognized Anthony Cigal for earning his Fire Fighter One Certification. Congratulations Anthony Cigal.

Payables, Payroll and Minutes:

- Acknowledge Payroll Warrant #2326, dated 5/23/23, in the amount of \$274,673.23
- Acknowledge Payables Warrant #2331B, dated 5/30/23, in the amount of \$572,734.31
- **A MOTION** was made by Mr. Perron, seconded by Ms. Gale (Vote: Unanimous) to approve the Open Session Minutes of 5/22/23
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: 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. Perron seconded by Ms. Gale (Vote – Unanimous) to designate Doug Moglin as Chairman
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Ms. Gale seconded by Mr. Moglin (Vote – Unanimous) to designate Jason Perron as Vice- Chairman
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Mr. Perron seconded by Ms. Moglin (Vote – Unanimous) to designate Diane Gale as Clerk
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to assign Mr. Moglin to CapCom and Mr. Perron to L.E.P.C.
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to delegate Mr. Moglin to sign Warrant for payables and payroll
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to authorize the Chair/CAO for hiring approvals and all other personnel actions below department head level
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to authorize the Chair to handle year end Municipal Modernization Act transfers between line items and FinCom Reserve Requests through 6/30/23
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to approve a Reserve Fund Transfer in the amount of \$1,000.00 for Police Detail Town Elections & Town Meetings for T/C/C
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes

- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to acknowledge PVPC Invoice #23 Southwick Community Assistance Program in the amount of \$603.48
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to acknowledge PVPC Invoice #8 Southwick Community Assistance Program in the amount of \$6,622.51.
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to appoint Chris Brown, Benjamin Cleland, Michael Westcott and Melanie Wicken as Southwick Fire Department Call Force pending passage of all employment requirements set by the Fire Chief.
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to approve Library \$262.55 refund from Southwick Friends of the Library back into the Library's Gift Account.
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to appoint SPD request Hampden County Sherriff's Department Marine Unit members Frank Ott, John Muscaro and Edward Diaz to Southwick Police Department Lake Patrol in accordance with MOA through June 2024.
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- The Select Board reviewed MGL Ch. 268A Disclosure of Appearance of Conflict of Interest for Library Summer Page position.
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to accept Emergency Management Director, Charles Dunlap's retirement notification and discussed vacancy. The Select Board will review the job description and posting the authorized vacancy.
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to approve a request to loan a surplus cardiac monitor to Westfield State University
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to approve ACO donations in the amount of \$502.00 to be deposited in the ACO Medical Gift Account and ACO Gift Fund.
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to approve Library request in the amount of \$27.00 to be deposited in the Library Gift Account
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- Discussion of Civic Fund leading the planning and implementation of parades in our Community. The Select Board advised Mr. Deedy to speak with the American Legion and the VFW about the planning and implementation of parades and designated Ms. Gale to work on that matter.

- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to authorize the Chair to sign the PVPC City/Town Owner Contract Amendment #1 at 52 Bungalow Street change order total to add another \$10,900.00
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes

New Business:

- Discussion PVPC M.O.U. for Regional Energy Planning Assistance Services
A MOTION was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) for the Chair to sign the M.O.U. with PVPC for Regional Planning Assistance Services
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- Southwick Civic Fund Town Wide Tag Sale Permit Waiver for Community Event
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to waive the fee for the Community Tag Sale to be held on June 11, 2023.
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- The Select Board received Holyoke Correspondence Cannabis and the Mensing Group LLC. They are requesting to attend a future Select Board Meeting.
M. Perron, Vice-Chairman will send J. Goddard, Town Planner an email regarding the next steps in the process and to recommend no more than 2 dispensaries.
- Discussion of SEMA Exercises for annual Emergency Communications Exercise
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to approve the use of Alternate EOC facilities at DPW Garage for the annual Communications Exercise
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes
- FY 24 Appointments and Re-appointments – process discussion, upcoming vacancies:
Mr. Moglin discussed the process of the FY 24 Appointments. He shared his thoughts and demonstrated to go live on the town website for the application process. The Select Board will begin the process with Police, Fire, SEMA and Departments Heads appointments at the next Select Board Meeting.
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to go live with the Appointment/Re-appointment application process. The lists will be provided by M. Hill T/C/C through the on board software.
Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes

Old Business:

- 141 Congamond Road – progress being made. A mutual compromise with the Town and the owner due to an appeal to MA DEP was reached on the amount and placement of the docks.
- Dog Hearing Disposition for 39 Lakeview Street – Dziura (5/22/23 Meeting).
The Select Board discussed the written ACO recommendations submitted and agreed with her findings. The Select Board explained the recommendations and Town By-laws for clarification within the ACO recommendations to the Dziura's.

- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to approve the Animal Control Officer's recommendations as submitted and no designation on the dog. Not dangerous. The Select Board will file the decision in writing and deliver to the parties concerned.

Roll Call Vote: Yes, D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes

- Select Board Summer & Fall Schedule
- North Pond violations site waiting for Fish & Game Agreement –waiting for delivery and installation of porta-potty and cameras for North Pond
- Sewer IMA met with the Mayor of Westfield set up final meeting – Mr. Perron
- **A MOTION** was made by Ms. Gale seconded by Mr. Moglin (Vote – Unanimous) for Mr. Perron to negotiate on the I.M.A.

Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes

- Speed limits in Deer Run area signs are posted, radar will be set-up
- Flag and Banner being finalized
- Ironman Triathlon June 11, 2023
- **A MOTION** was made by Mr. Perron seconded by Ms. Gale (Vote – Unanimous) to assign Mr. Moglin to lead the MLP process.

Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes

- SB Goals & Objectives – table
- Conservation Commission Vacancy will address at the FY 24 appointments and to confirm the end of term.
- AgCom Update from Town Counsel review of Commission Composition – determined by Town Counsel; 7 members and up to 5 alternates.
Discussion of AgCom web site approval per Town Policy
- **A MOTION** was made by Ms. Gale seconded by Mr. Perron (Vote – Unanimous) to approve Ag Com web site per Town Policy.

Roll Call Vote: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes

A MOTION to go into Executive Session at 9:00 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: D. Moglin: Yes, J. Perron: Yes, D. Gale: Yes

Respectfully submitted,

Robin A. Solek

Administrative Assistant