

# **October 30, 2018**

## **Tuesday, 6:50 p.m.**

**Select Board Conference Room, Town Hall**

*All meetings of the Select Board are recorded*

**ATTENDANCE:** Chairman, Joseph J. Deedy  
Vice-Chairman, Russell S. Fox  
Clerk, Doug Moglin  
Chief Administrative Officer, Karl J. Stinehart  
Administrative Assistant, Sondra S. Pendleton

**ATTENDANCE:** See Attachment "A" - 1 Page(s)

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 Joseph J. Deedy at 6:50 p.m.

**Public Comments:** None.

**7:00 p.m. Dog Hearing:**  
**MGL Chap. 140 Sec. 17 Ms. Alyssa Mcguire and David and Kaitlin Massai**

- **A MOTION** was made by Mr. Mr. Fox, seconded by Mr. Moglin (Vote: Unanimous) to open the hearing.
- Chairman Deedy read the hearing notification letter in it's entirety.
- **A MOTION** was made by Mr. Mr. Fox, seconded by Mr. Moglin (Vote: Unanimous) to continue the hearing until 11/13/18 at 7:30 p.m.

**7:25 p.m. Aynsley Davidson**  
**RE: Red Ribbon Week Proclamation**

Ms. Davidson came to the meeting to have the Board declare 10/23/18 through 10/31/18 Red Ribbon Week honoring KiKi Camarena, a DEA agent who died while fighting substance abusers. **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) for the Chair to sign the proclamation for the Board to proclaimed 10/23/18-10/31/18 Red Ribbon Week.

**7:10 p.m. Continuation Liquor License Hearing: Ranpat, Inc. d/b/a The Sky Box**  
**Supervising Liquor License Agent: Lt. Detective Landis**  
**RE: Change of Manager, Change of Officers/Directors and a Change of Issuance/Transfer of Stock/New Stockholder**

- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to continue the Liquor License Hearing for Ranpat, Inc. d/b/a The Sky Box RE: Change of Manager, Change of Officers/Directors and a Change of Issuance/Transfer of Stock/New Stockholder Hearing at 7:10 p.m.
- Mr. Deedy read the Hearing Notice (no need to advertise) in its' entirety.
- Mr. Deedy read any paperwork to be "entered into the record"  
None.
- Mr. Deedy asked for anyone to speak *in favor* of the Change of Manager, Change of Officers/Directors and a Change of Issuance/Transfer of Stock/New Stockholder None.
- Mr. Deedy asked for anyone to speak *against* the Change of Manager, Change of Officers/Directors and a Change of Issuance/Transfer of Stock/New Stockholder None.

**Continuation Liquor License Hearing: Ranpat, Inc. d/b/a The Sky Box continued...**

- **General Discussion** regarding change of manager and officers and directors: The Lynch's gave a brief description of the plans they have regarding the Liquor License Establishment. They would like to make it more of a restaurant than bar. Detective Lieutenant Landis stated that there was a hearing regarding the noise regulations not too long ago and since then the establishment has had very little complaints. Although this hearing is not addressing noise regulations a brief conversation took place so that the owners understand the concept of respecting neighbors rights regarding noise.
- **A MOTION was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to close the Hearing.**
- **A MOTION was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve the request for Ranpat, Inc. d/b/a The Sky Box RE: Change of Manager, Change of Officers/Directors and a Change of Issuance/Transfer of Stock/New Stockholder Hearing**

**Payables, Payroll and Minutes:**

- The Board acknowledged Payroll Warrant #1910, Dated 10/29/18, in the amount of \$220,371.88.
- **A MOTION was made by Mr. Mr. Fox, seconded by Mr. Moglin (Vote: Unanimous) to accept the Regular Session Minutes of 10/22/18.**

**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. Mr. Fox, seconded by Mr. Moglin (Vote: Unanimous) to reaffirm signing off on a Discharge of Lien on Real Estate at 22 Castle Street for Robin Solek in the amounts of \$26,000.00 and \$1,500.00.**
- The Board has been invited to a Council on Aging Presentation of a Grant Check earmarked in the FY19 budget for Senior Centers in Senator Humason's district in the amount of \$5,500.00 on 10/31/18 at 11:45 a.m.
- **A MOTION was made by Mr. Mr. Fox, seconded by Mr. Moglin (Vote: Unanimous) to sign the 3 year Southwick Police Department IBPO Contract covering FY 18-20.**
- The Board received a Mass DOT Congamond Road update from DPW Director Randy Brown. The Board inquired as to being able to store material off site somewhere in case an emergency repair was needed.
- **A MOTION was made by Mr. Mr. Fox, seconded by Mr. Moglin (Vote: Unanimous) to accept a Southwick Police Department K-9 gift from the Joyce Arnold Revocable Trust in the amount of \$150.00.**
- The Board received an invitation to attend a Barnes-Great Brook Aquifer Meeting with several Town's in and around the Barnes Aquifer to discuss expanding the group to include Southwick and West Springfield. Mr. Fox will represent the Board.

**Action Items, Bills, Mail, Correspondence, Vendor and/or Personnel Contracts, Personnel Decisions, Policy Adoptions, Payroll Actions, Old Business, New Business, Etc. – Possible Motions/Votes continued:**

- The Board received a FEMA Correspondence regarding the Lower CT Watershed.
- **A MOTION** was made by Mr. Mr. Fox, seconded by Mr. Moglin (Vote: Unanimous) to accept the resignation of the Lake Management Committee Secretary/Ramp Coordinator Susan A. Hepburn, effective 12/30/18.
- The MMA's 40<sup>th</sup> Annual Meeting and Trade Show will be held 1/18 and 1/19/2019. Mr. Deedy will be unable to attend.
- There will be a Recognition and Pinning Ceremony for:

Chief Kevin A. Bishop  
Lt. Robert D. Landis  
Sgt. Paul Miles  
Officer Andres J. Smith  
Officer Michael J. Bridges

on 11/16/18 at 3:00 p.m. in the Town Hall Auditorium.

- **A MOTION** was made by Mr. Mr. Deedy, seconded by Mr. Moglin (Vote: 2 Yes, Mr. Fox abstained) to approve a One Day Liquor License for the Rec. Center for a Basketball Fundraiser on 11/17/18 from 4 to 11 p.m. and to waive the presence of a Police Officer.

***Old Business & Dates to Remember:***

- Whip City Fiber WG&E – Booked for 11/13/18.
- Update on 250<sup>th</sup> Anniversary Meeting – next meeting is 11/19/18 at 6:30 p.m.
- DPW Director update on 158 South Longyard Road - A letter was sent to Mrs. Dame at 158 South Longyard Road informing her that the request for DPW to build up the berm in front of her property has been denied. DPW Director, Mr. Brown, has stated it will not improve the drainage problem.
- Mr. Stinehart informed the Board that DPW Director, Town Planner, Building Department and the Superintendent of Buildings and Grounds interviewed 3 companies who showed interest in doing the Municipal Buildings Feasibility Study.
- Mr. Fox inquired of Mr. Stinehart that Mr. Gunn (Historical Commission) will forward input on the Historical Preservation Restriction final document to Mr. Stinehart regarding the sale/rental of the Old Library.

***New Business:***

- Mr. Stinehart informed the Board that he learned at the LEPC Meeting that FEMA is sending a reimbursement of approximately \$3,500.00 from the 2011 Summer Tropical Irene Storm. **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote: Unanimous) to approve the Chair to sign the agreements.

***New Business continued:***

- The Board has stated 12/14/18 will be the Employee Volunteer Recognition Holiday Gathering. Chairman Deedy will head up the plans.
- Mr. Stinehart informed the Board that Accounting and the Finance Committee would like to use the -5/level/+5 budgets approach submitted this year.
- Mr. Stinehart informed the Board Southwick will receive an extra \$74,545.00 in Chapter 90 Funds due to the state supplemental budget adopted.

***The following is a listing of all documents viewed or discussed during the Open Session part of the meeting:***

Dog Hearing Notification Letter: Ms. Alyssa Mcguire and David and Kaitlin Massai  
Hearing Notification of Continuation of Liquor License Hearing: Ranpat, Inc. d/b/a The Sky Box  
Red Ribbon Week Proclamation  
Payroll Warrant #1910, Dated: 10/29/18, in the amount of \$220,371.88  
Regular Session Minutes of 10/22/18  
Executive Session Minutes of 10/22/18  
Reaffirm signing off on Discharge of Lien on Real Estate – 22 Castle Street  
COA Gran Check Ceremony on 10/31/18  
Southwick Police Department IBPO Contract  
Mass DOT Congamond Road update correspondence  
Request for Southwick Police Department K-9 gift from Joyce Arnold  
Invitation to Barnes-Great Brook Aquifer Meeting  
FEMA Correspondence on Lower CT Watershed  
Resignation of LMC Secretary/Ramp Coordinator  
MMA's 40<sup>th</sup> Annual Meeting and Trade Show Invitation  
Recognition and Pinning Ceremony Invitation 11/16/18 – 3 pm  
DPW Director update email on 158 South Longyard Road

The Board recessed until the 8:00 p.m. Executive Session.

The Board reconvened at 8:00 p.m.

**8:00 p.m. Executive Session RE: M.G.L. Chap. 30A, S20 (b), S21 (1) and (3) Ch. 214, Section 1B and; CMR 29.03 (1) (b).**

**Labor Counsel**

Exception #1: X Move to go into Executive Session to discuss the reputation, character, physical condition or mental health of an individual, rather than professional competence of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual and not to reconvene into Open Session

Move to go into Executive Session to consider the discipline or dismissal of or to hear complaints or charges brought against, a public officer, employee, staff member, or individual and to not reconvene into Open Session

Exception #3: X RE: Threatened Litigation

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 reconvene into Open Session

RE: Ch. 214, Section 1B

A person shall have a right against unreasonable, substantial or serious interference with his privacy. The superior court shall have jurisdiction in equity to enforce such right and in connection therewith to award damages.

The Administrative Assistant was asked to leave the meeting.

*Respectfully submitted,*

Sondra S. Pendleton  
Administrative Assistant

Cc: Town Clerk