

## **Select Board Minutes**

**February 19, 2019**

**Tuesday, 5:30 p.m.**

***Town Hall Auditorium/Select Board Conference Room***

***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

**5:30 p.m.      Convene in Open Session**  
**Public Comments**

None.

### ***Payables, Payroll and Minutes:***

- The Board acknowledged Payroll Warrant #1919, Dated 2/19/19, in the amount of \$219,132.54.
- The Board acknowledged Payables Warrant #1919B, dated 2/11/119, in the Amount of \$683,587.05.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve the Regular Session Minutes of 2/5/19.

### ***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 appoint Susan Wagner to the Library Circulation position.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve a support letter written by Mr. Deedy agreeing to participate with Westfield in the study grant for forming of Regional Emergency Communication Center
- Determine level of interest for 17 Depot Street: taken under advisement.

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

- Mr. Fox gave an update on the 250<sup>th</sup> Anniversary Meet and Greet held on 2/11/19 which he stated was well attended by both businesses and residents.
- North Pond Land Acquisition and Potential Town Meeting dates: Mr. Deedy gave an update to the residents in attendance explaining that the Community Preservation Committee was asked by the Select Board to hold a meeting for a revote regarding reconsideration for Franklin Land Trust for the transfer of \$500,000.00 in additional funds for the North Pond Project. The revote passed and a Special Town Meeting date was set for 3/19/19 @ 6:30. **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to place a warrant article in this regards on the Special Town Meeting Warrant.
- A Board Member will attend a Citizen's Restoring Congamond meeting on 4/9/19.
- Old Cemetery Water Line: the Cemetery Commission has been asked for their recommendation on getting water to the Old Cemetery.
- Lakeview Village Sewers: the Board is waiting for a recommendation from DPW.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote 2 Yes-Mr. Deedy abstained) to approve the Wick 338 Race Schedule for 2019 as amended.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve archiving of all employment applications through 12/31/18.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to approve the Select Board Annual Town Report.
- The Board will attend the FY20 School Budget Public Hearing on 3/5/19 at 6:30 p.m.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to accept a Southwick Police Department donation in the amount of \$25.00 from Carey Leckie.
- Mr. Stinehart stated he has asked Town Counsel to draft a document as to zoning enforcement issues on Air B and B's. He stated some web pages showed advertisements for approximately 31 to 48 places in Southwick.

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

- Mr. Fox and Mr. Brown will schedule a meeting with the schools to discuss Safe Routes to Schools.
- Mr. Deedy and Mr. Stinehart will be on the Westfield State University radio station tomorrow morning, 2/20/19 at 8:00 a.m.
- Mr. Stinehart and Mr. Moglin will meet with Suffield's First Selectman regarding the LLP Program.

**6:00 p.m.**

**Sunmart LLC 801 College Highway**

**RE: Issuance of Sec. 15 Package Store Liquor License**

- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to open the Hearing at 6:00 p.m.
- Mr. Deedy read the Legal Ad in its' entirety.
- Mr. Deedy asked for any paperwork to be "entered into the record" – None.
- The attorney for Mr. Sunil Patel state he has requested a public hearing for a Beer and Wine Section 15 Off Premise Liquor License for Sunmart LLC to: 1. Apply for the Package Store, Wine and Malt License 2. Approve a Manager Sunil Patel and 3. Approve new officers and directors for Sunmart LLC. The proposed premise is at 801 College Highway. Mr. Patel has spent approximately \$300,000.00 on the underground storage tanks on the property and feels with a Liquor License it would increase his profit somewhat to recoup some of the costs for repairing the tanks. The building is a 1300 square foot building with a 10 door walk in cooler.
- Mr. Deedy asked for anyone to speak ***in favor*** of the transfer – None.
- Mr. Deedy asked for anyone to speak ***against*** the transfer – None.
- **General Discussion** regarding transfer:
  - Kristine Gaugh, who is an abutter of the property at 805 College Highway just stated she had concerns about traffic, etc. however, was not speaking against the issuance of the license.
  - Mr. Grimaldi asked the acreage of the property, as he owns 797 College Highway.
  - Marcus Phelps, a Planning Board Member, stated the owner has met all approvals in regards to the site plan for the property.
- **A MOTION** was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to close the Hearing at 6:15 p.m. and to take under advisement until the 2/26/19 Select Board Meeting.

Ms. Sebrina Pooler – 12 Third Street  
Mrs. Michelle Pratt – 152 Berkshire Avenue  
North Pond Land Acquisition Lead Petitioners

The above addressed the Board and informed them that they will be submitting a petition, signed by residents, to the Clerk's Office in the morning to ask the townspeople to vote at the Special Town Meeting, being held on 3/19/19 @ 6:30, to go out for bond for the remaining \$1.2 million for the purchase of the North Pond property. They stated that they will continue to fundraise as much money as they possibly can. The board members and Chief Administrative Officer explained the concerns with petition route and its' effect on the Town's bargaining position for the land.

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

- Regular Session Minutes of 2/5/19
- Paperwork on Susan Wagner Library for the Circulation position
- A support letter agreeing to participate with Westfield in forming of Regional Emergency Communication Center
- Paperwork for the interest for 17 Depot Street
- Wick 338 Race Schedule for 2019 as amended
- Select Board 2018 Annual Town Report.
- Southwick Police Department Donation

**A MOTION was made by Mr. Fox, seconded by Mr. Moglin (Vote-Unanimous) to go into Executive Session at 6:43 p.m. RE: M.G.L. Chap. 30A, S20 (b), S21 (3) Ch. 214, Section 1B and; CMR 29.03 (1) (b).**

RE: Litigation and Collective Bargaining with the Supervisor of Buildings and Grounds & Town Accountant

Exception #3: X Move to go into Executive Session to discuss collective bargaining 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:

Move to go into Executive Session to discuss strategy with respect to collective bargaining, and that the Chair declare that an open meeting may have a detrimental effect on the bargaining position of the body, and not to reconvene to 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 excused from the Executive Session.***

***Respectfully submitted,***



Sondra (Cindy) Pendleton

Cc: Town Clerk