

**TOWN COUNCIL MEETING
MACKINNON COUNCIL CHAMBER
MONDAY – APRIL 13, 2009 – 7:00 PM**

A meeting of the Southbridge Council was held on Monday April 13, 2009, in the Robert MacKinnon Council Chambers.

Chairwoman Nikolla called the meeting to order at 7:05pm.

1. **Pledge of Allegiance-** Chairwoman Nikolla led the Council in the Pledge of Allegiance.
2. **Roll Call-** Councilors present: **KING, LAZO, LIVENGOOD, MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: LOGAN and REGIS**
3. **Consider and accept the minutes of the following meetings:**
 - March 30, 2009 – Special Meeting-** A motion was made by Councilor Livengood and seconded by Councilor King. **VOTE BY SHOW OF HANDS. KING, LIVENGOOD, MCDONALD, NIKOLLA, VANDAL and VECCHIA in favor. LAZO abstain.**
 - March 30, 2009 – Regular meeting-** A motion was made by Councilor Livengood and seconded by Councilor King. **VOTE BY SHOW OF HANDS. KING, LIVENGOOD, MCDONALD, NIKOLLA, VANDAL and VECCHIA in favor. LAZO abstain.**
4. **Subcommittee Reports:**
 - (a) **General Government-**Councilor King read the minutes of April 7, 2009.
 - (b) **D.P.W.-**Councilor Vandal had no minutes. Meeting scheduled April 14, 2009 8:00pm.
 - (c) **Education and Human Services-**Councilor McDonald had no minutes. Meeting scheduled April 15, 2009 7:00pm
 - (d) **Planning and Development-**Councilor Livengood had no minutes. Meeting scheduled April 16, 2009 7:00pm.
 - (e) **Protection of Persons and Property-**Councilor Lazo had no minutes. Meeting scheduled April 14, 2009 7:00pm.
 - (f) **Town Manager-**Councilor Nikolla had no minutes to report. No meeting scheduled.
5. **Swearing In Ceremony-**Nothing to report

6. Chairman's Announcements –Chairwoman Nikolla had two items:

- a. Read Housing Census Bureau letter. Poster will be made available in the Town Hall with criteria.
- b. April 18, 2009 9:00-3:00pm there is a basket raffle at the Knights of Columbus to support the Cancer Center at Harrington Hospital.

7. Town Manager's Announcements-Town Manager Christopher Clark reported the following:

- a. The DEP granted The Town of Southbridge a 401 Water Quality Certification for the Southbridge Industrial Park.
- b. The DEP decision to support the Southbridge Industrial Park Road Infrastructure Improvements Superseding Order of Conditions.
- c. Reminder of Green School Recycling Recycle Bank (888-727-2978) is offering grants to area schools for recycling/environmental efforts/projects now through April 15th.
- d. Curbside collection of leaves has started April 13, 2009-Friday May 22, 2009
- e. Yard Waste Drop-Off Site-Dresser Hill Road site opened today Monday April 13, 2009. Mon-Fri 7am-5pm and Sat 7am-Noon
- f. Drop and Swap Day is Sat April 25, 2009 9:00am-1:00pm at the Southbridge Community Center. They will be collecting new, gently used clothing to donate to local charities. Call the Health Department at 508-764-4252 for additional information.
- g. Neighborhood Clean-up starts April 17, 2009 9:00am on Pine Street. Call Health Department for more information at 508-764-4652.
- h. The Southbridge Fire Department is seeking a volunteer CERT (Citizen Emergency Response Team) member, preferably with a medical background. Please call the Fire Department at 508-764-5430.
- i. A Health Director Salary Analysis was conducted by utilizing statistics on population, operating budget, income per capita, and median family income in order to justify the current salary bracket for this position.
- j. Reviewed press release on Settlement Agreement with Town of Sturbridge. It reported an estimate of approximately \$185,000 in back pay which includes \$20,000 in interest. Please call Town Manager Clark at 508-764-5405 for more information.

8. Citizen's Forum-

- a. Robert Clemence of 128 Country Club Place is employed by Hyde Tools Inc as a 4th generation family member. He expressed interest in Southbridge Industrial Park and Access Road. He reports that companies are seeking areas where business can operate.
- b. Alan Peppel, Charlton resident and CEO of Dexter Russell encouraged the town to endorse the concept of an access road to the Southbridge Industrial Park.

- c. Gabriel McCarthy of 22 School Street reviewed the history of Industrial Park process in other towns and encourages Southbridge to go forward with the Access Road. He feels that no road equals larger loss to the town in the long run. Surrounding communities will benefit from Southbridge's loss by taking away the potential business.
- d. Holly Christo of 382 High Street read a business letter on behalf of Superior Cake Products encouraging the Industrial Park and access road. Submitted by Christopher Smith, CEO
- e. David Manna of 20 Maple Street read a letter on behalf of D& D Welding stating this project is an asset to infrastructure, new business, new/more jobs and more income and more revenue to the town. Submitted by Mark DiPietro.
- f. Richard Whitney of 5 Pine Ridge Road has been a business man for 35 years and reviewed a list of facts he provided to all council about the access road. He provided a Diagram of the local area with the landfill and access road highlighted to demonstrate the growth potential. He provided a website www.whitney.net for more detailed information and will be holding a meeting April 16, 2009 for concerned citizens, this project being the focal point on the agenda.
- g. Rod Murphy of 95 Dresser Street seeking access road and Industrial Park in order to gain local business, create jobs, generate revenue and would like the town to "get going on it"
- h. Ronald Chernisky of 158 Clemence Hill Road sees the landfill project as at least 4 potential new business ventures as of now, with plenty of room to expand. He commented on Southbridge high rate of unemployment, these new businesses will benefit community as well as promote "green" products. He added that stock value is down everywhere and since the Landfill is not going away, why not make the trash profitable. He re-supported his view on the need for the Industrial Park.
- i. Denise Clemence of 128 Country Club Place appreciates the Town of Southbridge, elected to raise her own family here and concerned that not going forward will be a breach of contract in the amount of 14 million absorbed by the town. She complimented Council on past support on this issue, commending them on supporting the citizens since June 2006 when this originally came to discussion, quoted both Councilor Lazo and Councilor Vandal from previous meetings and was pleased thus far.

A vote was taken to allow Denise Clemence to continue an additional 5minutes. A motion was made by Councilor King and seconded by Councilor Lazo. Vote by show of hands. All in Favor.

Although, she is now not pleased with the Council's decision. She cited a hypothetical overview of what the town may look like with no landfill, no trash removal, etc and it was not pleasant. She is strongly encouraging the town to proceed with this access road and Industrial Park.

- j. Robert Clemence of 128 Country Club Place asked to reconsider the vote on the access road.
- k. Kenneth O'Brien of 858 N Woodstock Road started by paying respects to Raymond Brousseau. Kenneth was very concerned regarding the presentation from Mike Loin at the March 30th Town Council Meeting. He reviewed a press release that put the PIM presentation in question and reported ERT was not in fact sold as reported by Mike Loin. In addition, he reported no business specific plan was in place, and the rush on a decision in 6-8 weeks was disconcerting. He is not opposed to PIM as a recycling company, although cite assignment should be a question as well as Council to review a plan as such in advance.
- l. John Pulawski of 3 Jennison Street had serious concerns about the landfill discussion is strongly opposed to the landfill and access road due to misrepresented terminology. He referred to it as the "Big Lie" that when the story is told enough it becomes true. He feels the citizens never had the vote and with informed consent they should be able to vote in June 2009. He also made comments that whether entrance/access is on Worcester Street or Pleasant Street is irrelevant as they are both two lane roads. John exceeded his 5 minute time at the podium and Councilor Lazo made motion seconded by Councilor King to continue. Vote by show of hands, All in Favor.
- m. Ronald Chernisky of 158 Clemence Road recommended that the Town Council already approved this money for the road and urged to make motion to reconsider access road.
- n. George Chenier of 235 Pleasant Street voiced concern about Pleasant Street and Worcester Street not being comparable when discussing impact of the access road. He supports access road and Industrial Park.
- o. Mike Loin of 120 Harwood Farm Road referenced the comments made by Kenneth O'Brien in regards to the press release as having major errors and in the process of correcting at this time. He added he was appalled at the conditions of the school systems and having Industrial jobs available locally may allow parents to make a better income in order to be home more with their children and enhance quality of education in schools.
- p. Gabrielle McCarthy of 22 School Street returned to the podium to comment on the cleanliness of Industrial Parks he has been affiliated with in the past. The Town has to be willing to go forward and the cost to Southbridge residents will be greater if not invested in the Industrial Park project.

- q. Dean Cook of 432 South Street reported that Green Technology will help business grow and supports the Landfill.
- r. Monique Manna of 20 Maple Street stated examples of businesses looking for a location and Southbridge can provide that by the access road and Industrial Park. She asked that it be re-voted.
- s. Richard Whitney of 5 Pine Ridge Drive pointed out that the visual map represents the growth and wanted to clarify the difference between Pleasant Street and Worcester Street after John Pulawski's earlier comment.
- t. Holly Christo of 382 High Street commented on the Breach of Contract if road not built. She recapped the viability of comments heard tonight and feels that if the Town follows the will of the voters, the growth will prevail.

9. Vote that the Town Council reduce \$125,000.00 from the FY 2009 School Appropriation accounts as follows:

School Committee Legal	001.1100.6052.0000.00000100	\$50,000.00
School Contract Adj.	001.1100.1010.0000.00000100	\$45,000.00
SHS Electrical	001.4133.5085.0030.00000150	\$15,000.00
WMS Electrical	001.4133.5085.0020.00000140	\$10,000.00
WSS Electrical	001.4133.5085.0010.00000110	\$ 5,000.00

Favorable recommendation of the subcommittee. . A motion was made by Councilor McDonald and seconded by Councilor King. **VOTE BY ROLL CALL. THOSE IN FAVOR: KING, LAZO, LIVENGOOD, MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: LOGAN and REGIS. MOTION PASSES**

10. Vote to amend the Town of Southbridge Revised Personnel Regulations Schedule 1 of the Classification and Compensation Plan by removing the 2% increase effective January 1, 2010 and replacing it with a 0% increase. *Favorable recommendation of the subcommittee.* After Town Manager Christopher Clark clarified Councilor Vandal's question as to why Jan 1, 2010, in which the 4% increases were separated as 2% each, allows a full 2% increase in fiscal year 2010. A motion was made by Councilor King and seconded by Councilor Lazo. **VOTE BY ROLL CALL. THOSE IN FAVOR: LAZO, LIVENGOOD, NIKOLLA, VANDAL and VECCHIA. Opposed: KING. Excused: LOGAN and REGIS. MOTION PASSES**

11. Vote to ratify a Memorandum of Understanding with Group Benefits Strategies in the amount of \$1,500.00 for benefit comparison. *Favorable recommendation of the subcommittee.* . A motion was made by Councilor King and seconded by Councilor Lazo. **VOTE BY ROLL CALL. THOSE IN FAVOR: KING, LAZO, LIVENGOOD, NIKOLLA, VANDAL and VECCHIA. Excused: LOGAN and REGIS. MOTION PASSES**

12. Vote to amend the Town of Southbridge Code of By-Laws by adding the following:

Section 3-215 Recreation Committee

3-215.1 *Establishment* - The Recreation Committee shall be comprised of a five (5) member board. Members shall be appointed by the Town Manager and confirmed by the Town Council. Members of the Recreation Committee shall serve an office term of three (3) years. Terms are to be staggered. At the first appointment, two members shall be appointed for three year terms, two members shall be appointed for two year terms and one member shall be appointed for a one year term, with all subsequent terms to be three years. After the first appointment under this section, all appointed terms of the Recreation Committee shall terminate upon swearing in of new appointed members. All members of the Recreation Committee shall at all times be a resident of the Town of Southbridge, provided however, non-residents who hold a town office or town employment may serve by virtue of their office. The members of the recreation committee shall be impartial and may not actively participate in any active leagues, which utilize the town recreation areas.

3-215.2 *Authority and Responsibility* - The Recreation Committee shall conduct programs for the town, under the direction of the Town Manager. The committee shall propose new program activities and review existing programs for approval by the Town Manager and shall be responsible for the scheduling of activities on town recreation areas. It shall perform such other duties as the Town Manager may require from time to time. An advisory group of leagues that do utilize the town recreational areas will also be constructed. The advisory board will work with the Recreation Committee regarding town recreation areas. An advisory group consisting of the presidents/chairperson of each organized sport league or their designee shall be eligible to participate on the advisory group. All members of the Recreation Committee shall serve without compensation.

Third and Final Reading

Favorable recommendation of the subcommittee. .

A concern was raised by Councilor Lazo and Councilor Vecchia who wanted the non-resident line removed. Councilor King expressed concern that several respectable community members are not citizens who have an impact, such as the Chief of Police and the Town Manager. A motion was made by Councilor Lazo and seconded by Councilor Livengood. **VOTE BY ROLL CALL. THOSE IN FAVOR: LAZO, MCDONALD, VANDAL and VECCHIA. THOSE OPPOSED: KING, LIVENGOOD, and NIKOLLA Excused: LOGAN and REGIS. MOTION FAILED as Councilor McDonald pointed out that 5 votes are needed to pass.** At this time a five minute recess was requested to clarify the vote process. Upon return, it was determined that a five person vote was required to pass. An addition vote took place which amended the previous vote to read as follows:

Section 3-215 Recreation Committee

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Third and Final Reading

Favorable recommendation of the subcommittee. .

A motion was made by Councilor Lazo and seconded by Councilor King. **VOTE BY ROLL CALL. THOSE IN FAVOR: LAZO, LIVENGOOD, MCDONALD, NIKOLLA, VANDAL and VECCHIA. THOSE OPPOSED: KING. Excused: LOGAN and REGIS. MOTION PASSES.**

13. Councilor’s Forum

- a. Councilor Livengood-Expressed deep concern for the Access Road discussion that is still continuing at this point.
- b. Councilor Vecchia-No comment
- c. Councilor King-No comment
- d. Councilor Lazo-Thanked Town Manager Clark for his efforts in the Sturbridge Settlement Agreement.
- e. Councilor Vandal-No comment
- f. Councilor McDonald-No comment

14. Discussion of next meeting Councilor date Lazo recommended April 27, 2009 as the next meeting date. Councilor Lazo made a motion, seconded by Councilor Livengood. **VOTE BY SHOW OF HANDS. ALL IN FAVOR.**

15. Adjournment. A motion was made by Councilor Livengood and seconded by Councilor King. **VOTE BY SHOW OF HANDS. ALL IN FAVOR.**

Meeting adjourned at 9:20pm

Respectfully Submitted,

Deborah Williams MASc Recording Clerk