

**TOWN COUNCIL MEETING
MACKINNON COUNCIL CHAMBER
MONDAY – JUNE 8, 2009 – 7:00 PM**

A meeting of the Southbridge Council was held on Monday June 8, 2009, in the Robert MacKinnon Council Chambers.

Chairwoman Nikolla called the meeting to order at 7:04pm.

1. Pledge of Allegiance Chairwoman Nikolla led the Council in the Pledge of Allegiance.

2. Roll Call Councilors present: **KING, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL, and VECCHIA.** Late: **LAZO (7:10pm)**

3. Consider and accept the minutes of the following meetings:

May 18, 2009-A motion was made by Councilor Livengood and seconded by Councilor Logan. **VOTE BY ROLL CALL Those in favor: KING, LIVENGOOD, LOGAN, NIKOLLA, REGIS, VANDAL and VECCHIA. Abstain: MCDONALD.** (Councilor Lazo was not present for this vote) **MOTION PASSES.**

May 21, 2009 – Public Hearing FY 2010 Budget A motion was made by Councilor Livengood and seconded by Councilor Logan. **VOTE BY ROLL CALL Those in favor: LIVENGOOD, LOGAN, NIKOLLA, REGIS, VANDAL and VECCHIA. Abstain: KING and MCDONALD.** (Councilor Lazo was not present for this vote) **MOTION PASSES.**

May 21, 2009 – regular meeting FY 2010 Budget A motion was made by Councilor Livengood and seconded by Councilor Logan. **VOTE BY ROLL CALL Those in favor: LIVENGOOD, LOGAN, NIKOLLA, REGIS, VANDAL and VECCHIA. Abstain: KING and MCDONALD.** (Councilor Lazo was not present for this vote) **MOTION PASSES.**

4. Subcommittee Reports:

(a) **General Government**-Councilor King read the minutes of June 1, 2009. Please note a request made to change the figures in Agenda Item # 3 to reflect \$75,000 and figures in Agenda Item #4 to reflect \$617.10. Next meeting scheduled for June 9, 2009

(b) **D.P.W.**-Councilor Vandal read the minutes of June 2, 2009. Update to Agenda Item #6 was discovered that each resident is responsible for their section of the road as it is a private road. No meeting scheduled.

- (c) **Education and Human Services-** Councilor McDonald read the minutes of June 3, 2009. No meeting scheduled.
- (d) **Planning and Development-**Councilor Livengood had no minutes and no meeting to report.
- (e) **Protection of Persons and Property-**Councilor Lazo read the minutes of May 26, 2009. No meeting scheduled.
- (f) **Town Manager-**Councilor Regis had no minutes and no meeting scheduled.

5. **Swearing In Ceremony-**Mr. James Morin was sworn in as the Health Director to the Town of Southbridge for a 3 year term until June 30, 2012.

6. **Chairman's Announcements-**Councilwomen Nikolla was few announcements:

- a. Mr. Patten Kallian, 4th grade student of Ms. Carol Iozzo-Langley read a speech on her academic achievements and interactions with students over the years. Councilwomen Nikolla presented Ms. Iozzo-Langley with Certificate of Appreciation for 35 years of service in teaching at the Southbridge Public Schools.
- b. A Certification of Appreciation was recognized on behalf of Patricia Clemens for 40 years of service to the Town of Southbridge. It will be mailed to her as she was unable to attend.
- c. On June 5, 2009 Councilwomen Nikolla had the opportunity to read to the 2nd grade class at the Charlton Street School. She thanked the PTA for the experience, looks forward to next year and complimented the school.
- d. Summer reading program at Jacob Edwards Library June 19, 2009-August 16, 2009. Open House June 18, 2009 3:00-7:00pm. Early registration Monday June 15, 2009.
- e. June 18, 2009 6:00-8:00pm Community Meet and Greet at the Community Center
- f. Great job at Southbridge Festival over the past weekend.

7. **Town Manager's Announcements-**Town Manager Clark had several announcements:

- a. Public Hearing Monday June 15, 2009 10:00am in Rice Conference Room to discuss new water/sewer bills and 3% increase effective July 1, 2009
- b. New England Rain Barrel has water Conservation offer for \$120.00 that expires June 26, 2009. Wednesday July 1, 2009 4:00-7:00pm at 153 Chesnutt Street they will hold an information session. They can be contacted at 877-977-3135 or www.nerainbarrel.com
- c. Scholarship cover letter read on behalf of two Southbridge High School Senior recipients. Jullian Gibeault and Allison Garieri were awarded \$500.00 each.
- d. Monday June 15, 2009 at 6:00pm Jacob Edwards Library will host a meeting on summer programs.
- e. Clean-up groups have been established by local citizens and organizations to clean area's of town in need.
- f. Southbridge Fest was a great success.

- g. Information is available for summer jobs for youth ages 16-24 through Worcester Community Action Council (WCAC) Contact Nancy Jackson, Program Manager 508-754-1176 x 112 www.wcac.net or Jenna Mosley, Center of Hope 508-764-4085

8. Citizen's Forum

- a. Ron Chernisky of 158 Clemence Hill Road congratulated Ms Iozzo. As the coordinator of the Southbridge Fest, he was pleased to hear the great response and thanked councilors for attending. He mentioned graduate for the quick response from the Southbridge Fire Department and Harrington Hospital for their quick response to an ill child during the Fest. He lastly thanked the Southbridge Police and DPW as there are no government funds for the event and appreciates the towns help.
- b. Marc Cournoyer of 19 Locust Ave reported that he can't afford the water bill and rent increase. Also, the Pleasant Street Highway Department Building and property is in need of cleaning
- c. Monique Manna of 20 Maple Street and Denise Clemons of 120 Country Club Road together encouraged the public to attend the next Meet and Greet June 18, 2009 6:00-8:00pm. There will be table service displays with town supported organizations. Denise also commented that she is part of the Pleasant Street cleanup project.
- d. Nelson Gagnon of 32 Central Street would like to see some area's cleaned up in town, specifically Central Street and the downtown waste baskets emptied weekly. He added that side walks need to be cleaned, not just swept into the gutter. He also commented that Dresser Street Park closes at 8:00pm, but parties and alcohol is consumed well into the night.
- e. Dick Whitney of 5 Pine Ridge Road was proud of the Southbridge Fest turnout. As an employee of the Southbridge Hotel and Conference Center, he let the public know that Transitional Optical, a world organization, was impressed by the hotel and the town. On June 9, 2009, the hotel will host a lunch-in open house at 11:30am for those interested. Lastly, the second Future of Southbridge Meeting is scheduled for June 25, 2009. Location TBA.
- f. Madaline Daoust of 33 Westwood Parkway reminded the public June 10, 2009 is the last day to register to vote up until 8:00pm.
- g. Larry Beinema of 79 Dennison Hill Road announced a candidate forum debate on June 17, 2009 at 7:00pm
- h. Stephanie Anderson of 3 Jennison Street reported that last Thursday June 4, 2009, her husband was denied booth space at the Southbridge Fest as candidates were not being permitted booths, yet Madeline Daoust had a booth and it's now an unfair advantage.
- i. Debbie Gregoire-Lefebvre of 3 Violet Ave. who is a member of the Southbridge Disability Commission reported on two scholarships awarded 1) Michael Murray of Bay Path High School for \$1,000.00 and Ashley Ruppert of Southbridge High School for \$500.00. She reported that Southbridge Fest was a great success and inquired about fireworks for the 4th of July. Most likely not in the budget this year.

Councilwomen Nikolla requested a vote to be put on agenda to waive the rules and add a new vote regarding the School Building Project. A motion was made by Councilor McDonald and seconded by Councilor Lazo. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.**

8a. Vote to award the Designer Services Contract to Tappee Associates, Inc. and approve a \$175,000.00 fee for Feasibility Study Portion. Scott Lazo reviewed the conditions and public input from the town and the school as to the need for a new building that best suits the students and growth of the town. Councilor Logan inquired about the Feasibility Study and cost for the new building. Scott Lazo reported that it break down the needs with cumulative data to determine what is appropriate, estimated cost will be projected as well. Councilor Regis inquired about options and plans for existing buildings. Scott Lazo responded the options are to Renovate current High School. Build new Junior/Senior High School or a separate High School. The long range plans are up to the Town Council to decide what to do with existing buildings. He commented that Wells Junior High is viable to sell, preferably to Harrington Hospital. A motion was made by Councilor McDonald and seconded by Councilor Lazo. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.**

9. Vote to accept and sign the Warrant for the June 30, 2009 Annual Town Election. A motion was made by Councilor McDonald and seconded by Councilor Livengood. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.**

10. Vote to confirm the appointment of Steven M. Sutton as a Constable for the Town of Southbridge for a three-year term to expire June 30, 2012. Favorable recommendation of subcommittee. A motion was made by Councilor Lazo and seconded by Councilor McDonald. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.**

11. Vote to confirm the appointment of Michael Daniels to the Conservation Commission for the Town of Southbridge for a three-year term to expire June 30, 2012. Favorable recommendation of subcommittee. A motion was made by Councilor McDonald and seconded by Councilor Livengood. **VOTE BY ROLL CALL. Those in favor: KING, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. Abstain: LAZO. MOTION PASSES.**

12. **Vote to confirm the appointment of James J. Marino to the Planning Board for the Town of Southbridge for a three-year term effective July 1, 2009 through June 30, 2012. *Pending vote of P & D Subcommittee on June 4, 2009.* . A motion was made by Councilor McDonald and seconded by Councilor Logan. **VOTE BY ROLL CALL. Those in favor: LAZO, LOGAN, MCDONALD, VANDAL and VECCHIA. Those opposed: KING, LIVENGOOD, NIKOLLA and REGIS.MOTION PASSES.****
13. **Vote to confirm the appointment of Charles Bickerstaff to the Recreation Committee for the Town of Southbridge for a three-year term to expire June 30, 2012. *Favorable recommendation of the subcommittee.* THIS VOTE WAS REMOVED.**
14. **Vote to confirm the appointment of Lorrie Jesky to the Recreation Committee for the Town of Southbridge for a three-year term to expire June 30, 2012. *Favorable recommendation of the subcommittee.* . A motion was made by Councilor McDonald and seconded by Councilor Logan. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.****
15. **Vote to confirm the appointment of Wallace MacKenzie to the Recreation Committee for the Town of Southbridge for a two-year term to expire June 30, 2011. *Favorable recommendation of the subcommittee.* . A motion was made by Councilor McDonald and seconded by Councilor Logan. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.****
16. **Vote to confirm the appointment of Gloria Barthelmes to the Recreation Committee for the Town of Southbridge for a two-year term to expire June 30, 2011. *Favorable recommendation of the subcommittee.* . A motion was made by Councilor McDonald and seconded by Councilor Lazo. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.****
17. **Vote to confirm the appointment of Walter Bird, Jr., to the Recreation Committee for the Town of Southbridge for a one-year term to expire June 30, 2010. *Favorable recommendation of the subcommittee.* . A motion was made by Councilor McDonald and seconded by Councilor Logan. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.****

18. **Vote to authorize the Town Manager to enter into an agreement with Roselli, Clark & Associates for auditing services. *Favorable recommendation of subcommittee.*** . A motion was made by Councilor McDonald and seconded by Councilor Logan. After a brief discussion initiated by Councilor Logan, Town Manager Clark explained the process of the audit services. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.**
19. **Vote to authorize the Town Manager to enter into an agreement with Berry insurance Agency for property/casualty insurance coverage effective July 1, 2009. *Favorable recommendation of subcommittee.*** . A motion was made by Councilor Livengood and seconded by Councilor McDonald. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.**
20. **Vote to authorize the Town Manager to sign a Tax Increment Financing Agreement with Superior Cake Products, Inc. *Favorable recommendation of subcommittee.*** . A motion was made by Councilor Livengood and seconded by Councilor McDonald. Councilor Lazo requested a clarification. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.**
21. **Vote to appropriate \$617.10 from Overlay Surplus to Assessors' FY 2004 Allowance for Abatements, Account Number 001.0001.1230.2004. *Favorable recommendation of subcommittee.*** . A motion was made by Councilor McDonald and seconded by Councilor Livengood. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.**
22. **Vote to transfer \$22,000.00 from Sewer Retained Earnings to the Sewer Fund Legal Account 600.0440.5761.0.00000573. *Favorable recommendation of subcommittee.*** . A motion was made by Councilor McDonald and seconded by Councilor Lazo. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.**
23. **Vote to authorize the Town Manager to enter into an agreement with Penta Corporation in the amount of \$1,668,700.00 for Water Treatment Plant Improvements. *Favorable recommendation of subcommittee.*** . A motion was made by Councilor Lazo and seconded by Councilor McDonald. Councilor Logan requested initially to table this discussion and vote until he next meeting. He expressed concern that not having a contract to review or adequate information from the sub-committee report makes his decision difficult. Town Manager Clark explained process already taken to date and this is a timely manner for the decision. He added that sub-committee reports in the future will provide more detail.

Councilor Regis clarified that 2.2million was approved and SRS will be looking for an amendment decrease. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, MCDONALD, NIKOLLA, REGIS, and VANDAL. Those opposed: LOGAN and VECCHIA. MOTION PASSES.**

24. **Vote to authorize the Town Manager to enter into an agreement with Borges Construction, Inc. in the amount of \$141,365.00 for the South Street Sewer Improvements. *Favorable recommendation of subcommittee.*** . A motion was made by Councilor Lazo and seconded by Councilor Livengood. Councilor Lazo commented that this has been in the pipeline for a long time. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.**
25. **Vote to authorize the Town Manager to enter into a three-year extension agreement with Veolia Water North America – Northeast, LLC for maintenance and operation of the Southbridge Wastewater Treatment Facility. *Favorable recommendation of subcommittee.*** . A motion was made by Councilor McDonald and seconded by Councilor Livengood. Councilor Logan requested meeting minutes be more comprehensive in the future. Town Manager Clark provided an overview of the contract that was a 10 year term ending August 2010. The request is to extend the contract three years with the same terms and regulations as the current, adding a 2% increase in maintenance. This will allow an appropriate assessment before agreeing to a long-term contract. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, and VANDAL. Those opposed: VECCHIA. MOTION PASSES.**
26. **Vote to make the necessary repairs to Off West Street, a Private Way, in the maximum amount of \$500.00 for materials and labor contingent upon receiving the Petition from abutters to Off West Street. *Favorable recommendation of subcommittee.* VOTE NOT BROUGHT TO COUNCIL.**
27. **Vote to authorize the Town Manager to enter into a lease for the Colognesi-St.Jean property located on Dudley River Road in the amount of \$4,500.00. *Favorable recommendation of subcommittee.*** . A motion was made by Councilor Logan and seconded by Councilor McDonald. **VOTE BY ROLL CALL. Those in favor: KING, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. MOTION PASSES.**
28. **Councilor’s Forum**
 - a. Councilor McDonald is glad to be back
 - b. Councilor Logan had a few comments. Welcome back Councilor McDonald. Had a great time at Southbridge Fest. Requested council review Espira letter before next council meeting. Requested June 15, 2009 water/sewer meeting be postponed if possible.

- c. Councilor Vandal congratulated Southbridge High School graduates. He voiced concern for cars driving with music loud and agreed that waste baskets downtown needs to be emptied on schedule.
- d. Councilor Lazo welcomed back Councilor McDonald. He encouraged citizens to attend the water/sewer meeting Monday June 15, 2009 at 10:00am.
- e. Councilor King welcomed back Councilor McDonald. A few additional comments followed. He had a great time at the Southbridge Fest; congratulated Southbridge High School graduating class; agrees with car stereos too loud in cars; and stated that water/sewer increase is affecting everyone, including himself.
- f. Councilor Regis welcomed back Councilor McDonald. She congratulated the Southbridge High School class of 2009. Lastly, Ms. Iozzo was her 3rd grade teacher and she congratulated her on her certificate of appreciation.
- g. Councilor Vecchia had a few comments. He received the water/sewer packet her requested, and will fax additional requests to the town manager. Requested follow up on the missing log book. Town Manager Clark was happy to respond that the misplaced field notes were recovered and there will be some no cost re-testing completed. Lastly, Councilor Vecchia was impressed by the Southbridge High School graduation, however, commented the school is in disrepair.
- h. Councilor Livengood reported he had a good time at the Southbridge Fest. He congratulated the Southbridge High School class of 2009. He welcomed back Councilor McDonald. Lastly reported his experience reading at the 5th grade class was enjoyable.

29. Discussion of next meeting date- Councilor Lazo made a motion to have next meeting June 22, 2009 at 6:00pm with Town Council and School Committee, Town Council meeting directly to follow. **VOTE BY SHOW OF HANDS. ALL IN FAVOR. MOTION PASSES.**

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

Meeting adjourned at 8:55pm.

Respectfully Submitted,

Deborah Williams, MASc
Recording Clerk