

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

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

Chairman Lazo called the meeting to order at 7:00pm.

1. **Pledge of Allegiance** Chairman Lazo led the Council in the Pledge of Allegiance.
2. **Roll Call**- Councilors present: **CLEMENCE, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, VANDAL, and VECCHIA.** Excused: **REGIS**
3. **Consider and accept the minutes of the following council meetings:**

**June 22, 2009 regular meeting**-A motion was made by Councilor McDonald, seconded by Councilor Vecchia. **VOTE BY ROLL CALL. Those in Favor: CLEMENCE, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: REGIS. MOTION PASSES.**

**July 2, 2009 reorganizational meeting** A motion was made by Councilor McDonald, seconded by Councilor Livengood. **VOTE BY ROLL CALL. Those in Favor: CLEMENCE, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: REGIS. MOTION PASSES.**

**July 2, 2009 regular meeting** A motion was made by Councilor McDonald, seconded by Councilor Clemence. **VOTE BY ROLL CALL. Those in Favor: CLEMENCE, LAZO, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: REGIS. MOTION PASSES.**

4. **Subcommittee Reports:**
  - (a) **General Government**
  - (b) **D.P.W.**
  - (c) **Education and Human Services**
  - (d) **Planning and Development**
  - (e) **Protection of Persons and Property**

Sub-committee reports were omitted from the agenda as sub-committee has not been established.

**5. Chairman's Announcements** Chairman Lazo announced new sub-committee chair as follows: General Government-Councilor McDonald

D.P.W. - Councilor Vandal

Education and Human Services- Councilor Clemence

Planning and Development- Councilor Logan

Protection of Persons and Property- Councilor Vecchia

There will be no Town Manager Sub-committee

Lastly, Councilor Lazo reminded the public of Concerts on the Common started July 12, 2009-September 12, 2009

**6. Town Manager's Announcements** –Acting Town Manager Karen Harnois reported that Massachusetts Executive Office of Town and Human Services requires Medicaid contract be updated.

**7. Citizen's Forum**

a. Monique Manna of 20 Maple Street reminded of next Meet and Greet July 28, 2009 at 7:00pm. Location TBA. Guest speaker Kelly Pagan from the EPA.

b. Roger Caouette of 82 Tillyer Ave expressed concern of Registry of Motor Vehicle moving from current location to Charlton rest area on the Mass Pike. Councilor Lazo will address further in this meeting

c. Howard Hall of 49 Coon Street inquired about a cross walk needed by Center of Hope. Councilor Lazo will look into it.

d. Kevin Buxton of 28 Otis Street thanked all members of sub-committee for their work and asked to consider cable access for all those meetings. Secondly he commented that the strong need for employment in town starts with the students of Southbridge High School. He requested consideration for vocational training at the new school to draw students back to town. The residents are the backbone to keep business growing in town. Councilor Nikolla responded that vocational training courses are in consideration to be added to the curriculum to the new High School, there is no budget to build a vocational high school program at this time.

e. Javier Melendez of 257 Mechanic Street came to the podium and started by stating it was the first time in a long time he wasn't angry. Instead he thanked the town manager, DPW and schools for working together and reported he is a work product of the stimulus funds thru the Center of Hope. He is working to clean up Southbridge and expressed thanks to the town for making this happen.

**8. Vote to authorize the Town Council Chairman to sign a letter, on behalf of the Town Council, to the Department of Utilities in opposition to a request by National Grid to raise rates.** A motion was made by Councilor Livengood and seconded by Councilor McDonald. Councilor Livengood commented on the strong terminology in the letter and will vote no. Chairman Lazo reported Town Manager wrote the letter. Councilor Logan asked the letter be read aloud for the residents, Lazo complied. Acting Town Manager Karen Harnois clarified the letter was written by the office and comments will be accepted. **VOTE BY ROLL CALL. Those in favor: CLEMENCE, LAZO, LOGAN. MCDONALD, NIKOLLA, VANDAL and VECCHIA. Those opposed: LIVENGOOD. Excused: REGIS. MOTION PASSES.**

**8a. A Vote to suspend the rules to vote to send a letter to the Registry of Motor Vehicles, Governor Patrick and two Senators from the Town Council opposing the closing of the RMV on Monday August 10, 2009 and moving to an adjacent location on the Mass Pike rest are in Charlton Ma. A motion was made by Councilor McDonald and seconded by Councilor Vandal. VOTE BY ROLL CALL. Those in favor: CLEMENCE, LAZO, LIVENGOOD, LOGAN. MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: REGIS. MOTION PASSES.**

**8b. Vote to send a letter to the Registry of Motor Vehicles, Governor Patrick, State Representative Geraldo Alicia and State Senator Richard T Moore from the Town Council opposing the closing of the RMV on Monday August 10, 2009 and moving to an adjacent location on the Mass Pike rest are in Charlton Ma. A motion was made by Councilor McDonald and seconded by Councilor Livengood. Councilor Clemence inquired about a citizen petition. Councilor Nikolla offered and agreed to write the letter on behalf of the council. VOTE BY ROLL CALL. Those in favor: CLEMENCE, LAZO, LIVENGOOD, LOGAN. MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: REGIS. MOTION PASSES.**

**9. Vote to confirm the Town Manager's reappointment of Rinaldo Bernardone to the Board of Health for a 3-year term to expire June 30, 2012. A motion was made by Councilor Livengood and seconded by Councilor Vandal. Councilor Nikolla commented that he is already on the Liquor Licensing Board and this is a very powerful board that requires full attention. VOTE BY ROLL CALL. Those in favor: LAZO, MCDONALD, VANDAL and VECCHIA. Those opposed: CLEMENCE, LIVENGOOD, LOGAN and NIKOLLA. Excused: REGIS. MOTION FAILS.**

**10. Vote to confirm the Town Manager's reappointment of Thomas Smalarz to the Scholarship Committee for a 3-year term to expire June 30, 2012. A motion was made by Councilor McDonald and seconded by Councilor Livengood. VOTE BY ROLL CALL. Those in favor: CLEMENCE, LAZO, LIVENGOOD, LOGAN. MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: REGIS. MOTION PASSES**

**11. Vote to confirm the Town Manager's appointment of Paul D. Musci to fill the unexpired term of Robert Tremblay on the Planning Board which expires June 30, 2010. A motion was made by Councilor McDonald and seconded by Councilor Livengood. VOTE BY ROLL CALL. Those in favor: CLEMENCE, LAZO, LIVENGOOD, LOGAN. MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: REGIS. MOTION PASSES**

**12. Vote to approve the following transfer:**

**Transfer \$16,000.000 from account 1.190.5212.99.736 Town Heating Fuel to account #1.151.5300 Town Attorney Specialized Services.**

A motion was made by Councilor McDonald and seconded by Councilor Livengood. Councilor Vandal asked for clarification as to if the Town was in deficit by \$16,000. Karen Harnois responded that approved budget for fiscal year was less than anticipated and these funds are available. **VOTE BY ROLL CALL. Those in favor: CLEMENCE, LAZO, LIVENGOOD, LOGAN. MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: REGIS. MOTION PASSES**

**13. Vote to ratify the agreement with Jennifer Reynolds to provide aerobics classes at the Casaubon Senior Center in the amount of \$6,250.00** A motion was made by Councilor McDonald and seconded by Councilor Livengood. **VOTE BY ROLL CALL. Those in favor: CLEMENCE, LAZO, LIVENGOOD, LOGAN. MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: REGIS. MOTION PASSES**

**14. Vote to ratify the contract with Aries Industries for a Closed Circuit Television Unit (CCTIU) in the amount of \$62,325.00.** A motion was made by Councilor McDonald and seconded by Councilor Vandal. Councilor Logan inquired about the need. Chairman Lazo responded that there is in fact a strong need and the DPW will utilize ambulance existing. These funds would be significantly higher if the Town needed to access sewer services later. Karen Harnois reported that FY09 sewer capitol would pay this expense. **VOTE BY ROLL CALL. Those in favor: CLEMENCE, LAZO, LIVENGOOD, LOGAN. MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: REGIS. MOTION PASSES**

**14a. Vote to suspend rules to add agenda 14b of councilors forum.** A motion was made by Councilor McDonald and seconded by Councilor Livengood. **VOTE BY ROLL CALL. Those in favor: CLEMENCE, LAZO, LIVENGOOD, LOGAN. MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: REGIS. MOTION PASSES.**

**14b. Vote to add agenda 14b of councilors forum.** A motion was made by Councilor McDonald and seconded by Councilor Livengood. **VOTE BY ROLL CALL. Those in favor: CLEMENCE, LAZO, LIVENGOOD, LOGAN. MCDONALD, NIKOLLA, VANDAL and VECCHIA. Excused: REGIS. MOTION PASSES.**

Councilor Livengood- No comment

Councilor Logan- Requested Karen Harnois schedule a meeting Thursday July 23, 2009 for the Planning and Development Sub-Committee.

Councilor Clemence- Thanked Javier Melendez for his work and speaking to council tonight. Reminded community that Concerts on the Common are seeking free will donations.

Councilor Vandal- Requested Karen Harnois report how much funds are available in cemetery account.

Councilor McDonald- No comment

Councilor Nikolla- No comment

Councilor Vecchia- Reported he will be faxing issues to Karen Harnois for Town Manager Christopher Clark. Reported July 23, 2009 at 7:00pm will be sub-committee meeting for Protection of Persons and Property.

**15. Discussion of next meeting date-**Chairman Lazo reported next meeting ate as Monday August 3, 2009 at 7:00pm

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

Meeting adjourned at 8:05pm

Respectfully submitted,

Deborah Williams MASc  
Recording Clerk