

**TOWN OF SOUTHBRIDGE – TOWN COUNCIL PUBLIC HEARING  
ROBERT G. MACKINNON COUNCIL CHAMBER  
TOWN HALL  
MONDAY – MARCH 9, 2009 – 6:00 PM**

\*\*\*\*\*

- 1. Opening welcome and statement on the purpose of the meeting.** Chairwoman Nikolla called the meeting to order at 6:02pm and lead the meeting with the Pledge of Allegiance. She then read the legal notice as to the purpose of the meeting. Attendance by roll call. **KING, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL and VECCHIA. Late arrival: LAZO at 6:40PM.** Also in attendance was Town Manager Christopher Clark and Town Attorney, Brian Riley.
- 2. Opening statement from those in favor of an elected Board of Health.** Larry Beinema, 79 Dennison Hill Road opened with review of Mass Law set in 1966 Chap 43B When a city seeks to adopt or amend a charter, Attorney General is required for approval. He reviewed the highlights of the Board of Health roles as, (a) Disease Prevention, (b) Health and Environmental Protection and (c) to promote a healthy community. Citizen John Pulawski spoke regarding 1,048 signatures opposed to the landfill; of those 22 signatures are local physicians. He wants Board of Health petition to go to the voters.
- 3. Opening statement from those in against an elected Board of Health.** George Chenier, 235 Pleasant Street, spoke and was questioning the terminology in today's meeting as on Aug 9, 2003, stating a motion passed that council acts on behalf of citizens. Does not believe this is a democracy and he wants to point that out in this meeting the proposal is to, (a) shut down landfill (b) block access road and (c) political, rather than legal issues. He added that the qualifications of an appointed Board of Health are to submit an application to the Town Manager, review by sub-committee and council votes. The elected Board of Health can not be removed.
- 4. Open floor for residents to speak.** Chairwoman Nikolla asked that each side rotate speaking at the podium. Citizen Howard Hall, 49 Coombs Street was concerned about the recourse of the buildings that recently caught fire. James Sottile, 83 Pinedale Street was in favor of the elected Board of Health. Citizen Dean Cook of 432 South Street and member of the Board of Health stated that the Board of Health has no legal authority and council has to pass anything they vote on. Mr. Cook stated members should be free of political issues and there is no guarantee as mix of skills needed to serve the town well if the BOH is elected. We're not passing laws that regulate the town. Opinion doesn't matter, rules do. Citizen Ann Fenwick Beinema of 79 Dennison Hill Rd. mentioned that the Charter review/structure for town government is Town Manager approved. Board of Health which consists of five members (Mass Law 41C) office is to be elected. It should be kept as such and by-laws should remain in tact. It would be changed with intent of the law if changing the by-law. Citizen Richard Whitney, of 5 Pine Ridge Rd feels this is absurd and ridiculous because he feels Board of Health should not be elected. He feels that the landfill extension is a good, sound agreement and council should do their job. He reported you should never make a change on a single argument. He wants elected officials to work for him as a citizen, and he

wants Southbridge to move on. Dr Thomas O'Leary, residing at 230 South St and Chairman for the Board of Health, stated he started as an alternate member before becoming chairperson and explained the Board of Health was changed to a five person board because of quorum issues. There were odor complaints before landfill project began and feels this is a political issue, not a democracy. Citizen Roger Caouette of 82 Tillyer St feels that quality of Town Council is the same quality as elected Board of Health. He questioned whether Kopelman and Paige were the right people to choose to represent the Town on this issue. Citizen Dennis Martinek of 35 Pine Ridge Rd is anti-landfill and anti appointed Board of Health. The right to vote is taken for granted, voting is for preference. Wants citizens to trust elected council to make decisions. Citizen Monique Manna of 20 Maple St questioned why Board of Health was originally changed to appointed. Councilor McDonald responded that it was difficult to gather signatures/votes quickly and it was recommended that it be appointed. Citizen John Pulawski 3 Jennison St feels it's political to a degree. Shares opinion that landfill is being misused, hence causing the odor. He feels the landfill is a good idea and can benefit in the future. Citizen Walter Bird of 24 Curtis Street, the Editor of the Southbridge Evening News feels this is not about respect; it's about people getting what they want. Believes in the democratic process and this is not that. Citizen Dr. Clement Lacoste of 105 Country Club Place stated elected officials don't always have same point of view. Citizen Holly Christo of 382 High Street feels people are both for and against the landfill she feels sending this to ballot is a waste of time, money and resources. Lastly, Citizen Judy Zaido of 15 Highview St and member of the Board of Health read a letter from an Executive Member Board of Health from the State. She highlighted pros and cons results as follows: appointed boards recruit experiences; some qualified not willing to work; automatic re-appointed; may not be knowledgeable of Board of Health; controversy results in difference of decisions or reappointment of new board members. Elected boards adopt regulations and enforcement through council; unqualified or those with personal interests end up on board; proactive members; and quality depends on standards.

**5. Closing statement from those in favor.** Larry Beinema closed with stating he felt it is political. A five member Board of Health is fair and feels that citizens will make the best decision.

**6. Closing statement from those against.** George Chenier thanked council for the public hearing. He closed with mentioning on July 21, 2003 the size of the Board of Health changed for various reasons, including a Town Manager's decision to reorganize. A three member board was changed to a five member board. On August 9, 2003 a vote was made to accept Town Manager reorganization change, so implemented.

**7. Public hearing is adjourned.** Chairwoman Nikolla adjourned the meeting at 7:07pm