

TOWN COUNCIL MEETING
MACKINNON COUNCIL CHAMBERS
MONDAY –March 15, 2010 – 7:00 PM

A meeting of the Southbridge Town Council was held on Monday, March 15, 2010, in the Robert MacKinnon Council Chambers.

Councilor McDonald called the meeting to order at 7:06 P.M.

1. **Pledge of Allegiance:** Councilor McDonald led the Council in the Pledge of Allegiance.
2. **Roll Call:** Councilors present: **CLEMENCE, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, VANDAL. Absent: LAZO, REGIS, VECCHIA**
3. **Consider and accept the minutes of the Town Council Meeting of February 22, 2010: VOTE BY SHOW OF HANDS. Those in favor: CLEMENCE, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, VANDAL. Absent: LAZO, REGIS, VECCHIA**
4. **Subcommittee Reports:**
 - (a) **General Government** – Councilor McDonald had no minutes. Next Meeting will be held Wednesday, March 17, 2010.
 - (b) **Department of Public Works** – Councilor Vandal had no minutes.
 - (c) **Protection of Persons and Property** – Councilor Vecchia reads the minutes of March 11, 2010.
 - (d) **Education and Human Services** – Councilor Clemence reads the minutes from February 23, 2010. Next Meeting will be held on Monday, March 22, 2010.
 - (e) **Planning and Development** – Councilor Logan had no minutes. Next Meeting scheduled for Thursday March 18, 2010.
5. **Chairman’s Announcements** – Councilor McDonald was not given any Chairman’s Announcements to read.
6. **Town Manager’s Announcements** –
 - a) **Airport Commission – Master Plan Participation**
Town Manager Clark explains the town is in the process of putting together an Advisory Committee. In his explanation he states the committee would have himself and a Councilor. He asked the Councilors if any of them would be interested in serving on this committee. Councilor Logan stated he would be interested in being on the board.
 - b) **Congratulation to Maddie Daoust, Town Clerk re: Municipal Clerk Certification.** Town Manager Clark congratulates Maddie on her achievement.

Councilor Regis arrived, taking a seat with the other Councilors.

c) Transfer Station-Recycling Program

Town Manager Clark explained we did receive a legal opinion, which was included in the Councilor's packets. He stated he would refrain from stating more information regarding this matter.

d) Southbridge Superintendant On-line Survey

Town Manager Clark encouraged the people of Southbridge to participate in an on-line survey, which allowed residence to list characteristics they would like to see in a Superintendant. He stated this survey is also available at the Town Clerks Office.

7. Citizen's Forum –

Larry Beinema of 79 Dennison Hill Road came forward to speak about the Recycle Bank. Councilor McDonald asked Mr. Beinema to wait until after the Recycling Bank presentation.

John Pulawski of 3 Jennison Street came forward and stated it was his knowledge that at the last Town Council Meeting a landfill fee, per ton, was to be collected. He asked if the Town had been getting paid the \$5 fee per ton. Town Manager Clark stated the Town has not been paid and has sent out an invoice. Mr. Pulawski stated he believes we are getting rid of the wrong company.

Howard Hall of 49 Coomb Street came forward with concerns with cars going fast near the cemetery. He stated it is dangerous to cross or walk near the Center of Hope. Town Manager Clark stated a street light would be costly and sand and salt from the winter has taken the painted walkways off the road. Town Manager Clark stated the Town needs to repaint the walkways. He also stated the Town has put up a barrel to raise awareness.

Kevin Buxton of 27 Columbus Avenue came forward and stated he will wait until presentation to speak in regards to the Recycle Bank. He stated at the last Board of Health Meeting he requested information on Number 3 to Number 7 plastics being dumped at the landfill. He stated there needed to be fines assessed for these unusable plastics. Councilor Nikolla asked what those plastics were. Kevin Buxton stated these plastics were laundry detergent containers. Councilor McDonald asked Melissa Joyce, Recycling Coordinator, to come to the podium and speak. Melissa Joyce stated that what Mr. Buxton had said was correct. She stated Jim Morin had Casella write a letter to the Board of Health stating they would no longer allow Number 3 and Number 7 plastics in landfill. Councilor Logan asked how the Town found out. Ms. Joyce stated they saw a load of these plastics being dumped. Councilor Logan asked how long they had been dumping. Ms. Joyce stated Mr. Morin will review the load manifest. Councilor Clemence asked if the Town was receiving tipping fees on these loads. Ms. Joyce answered yes. Mr. Buxton asked what the town got for tipping fees. Ms. Joyce did not have

that information off -hand. Councilor McDonald stated the Town will provide Mr. Buxton that information.

8. Swearing In/Presentation -

a) Officer Dingui – Cops ‘N Kids

Officer Dingui approaches and thanks Town Council. He gave a brief history of the program. Mr. Dingui stated this year the Police Department was unable to secure any money for this program. He stated Monique Manna picked up ball and ran with it. He stated the programs they provide have become costly. He stated they employ 6-7 college/high school students that become councilors to the children. He stated the juvenile delinquency rate has dropped in Southbridge. He stated they are holding a Texas Hold'em tournament April 9th, at 12 Crane Street. He then gave a warrant for arrest presentation.

b) Beth Kean- Waddell, Recycling Bank

Beth Kean-Waddell thanks everyone for allowing her to come and talk. She presents her power point presentation. During which she stated that Southbridge was one of the first communities with an agreement with Casella. She stated 4,846 residents have a container, 1,487 containers have an email and user name set up and 1,184 have redeemed awards. She stated there are recycling containers put on the curb without accounts set up with them. Councilor Nikolla asked if a computer was necessary to participate. Ms. Kean-Waddell stated no, they can log in or call, to redeem rewards. Councilor Clemence asked if citizen's called-in, how would they redeem rewards and know what rewards they could redeem for their points. Ms. Kean-Waddell stated citizens can call and they would be supplied with top rewards over phone or get mailed out a list. Councilor McDonald called Mr. Beinema back. Mr. Beinema approached the podium and stated there are legal aspects, in accordance with section 7.10 of the extension agreement, which he stated does not let anyone alter anyone to modify the agreement. Town Manager Clark stated the town had a professional obligation to make sure contract was read by attorney. He explains waste and recycling continue to go up and the recycling bank has not moved in a way that Southbridge needs it to move. He stated the town has no funding source to fund this program. Councilor Logan asked Town Manager Clark to summarize the towns Attorney opinion. Town Manager Clark explains the Attorney gave his opinion that the agreement is subject to change. Councilor Logan stated he believed the Council should have been involved in this decision. Town Manager Clark stated he worked with the Board of Health to get this squared away. He stated he will get a formal answer to see if the Council needed to be involved. He also stated he has kept the Town Council up to date. Councilor Logan asked who was authorized to do negotiations and stated he thinks Council should have been involved in the negotiations. Town Manager Clark stated Jim Morin had done the negotiations, keeping him informed. Councilor Nikolla stated she agreed with Councilor Logan.

10 min recess.

Kevin Buxton came forward and wanted to remind citizens that there is still recycling. He asked if Southbridge could run its own recycling program. Councilor Clemence did ask Recycle Bank if individual residents can pay recycling bank to still receive reward and she stated Recycle Bank told her they only contract through municipalities.

9. **Vote to appoint two (2) call firemen to the Call Fire Department: Thomas Palmerino and Nester Santos.** A motion was made by Councilor Livengood and seconded by Councilor Regis. **VOTE BY ROLL CALL. Those in favor: CLEMENCE, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL. Absent: LAZO, VECCHIA. Motion Passes.**
10. **Vote to ratify Town Council Rule 4a that all the acts of all “non-councilor members (aka “citizen members”) of subcommittees be ratified through the present date and that the term of service for all non-councilor members of subcommittee be considered to extend through July 31st or until new citizen members are appointed in a manner consistent with the intent and specific wording of our vote on September 14, 2009.** A motion was made by Councilor Livengood and seconded by Councilor Logan. **VOTE BY ROLL CALL. Those in favor: CLEMENCE, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL. Absent: LAZO, VECCHIA. Motion Passes.**
11. **Vote to approve the recommended replacement of the Andrew Petro Pool on Randolph Street, Southbridge with Option 1: 5’ lap deep lane section and a slope entrance with multiple water features as presented by the DCR at EHS subcommittee meeting 2/23/10.** Town Manager Clark described the pool replacement plan. Gary Breire approached the podium and introduced himself. He stated the Petro Pool was constructed four decades ago and costs thirty thousand dollars a day to maintain. He stated the roof leaks and the basic design no longer met community needs or modern needs and no longer met public safety needs. He stated the proposed pool would be L-shaped and would reduce amount of debris. Councilor Nikolla asked if the “new shade structures” were trees. Mr. Briere stated the new shade shelter were not trees but a different shade product. **VOTE BY ROLL CALL. Those in favor: CLEMENCE, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL. Absent: LAZO, VECCHIA. Motion Passes.**
12. **Councilor’s Forum**

Councilor Nikolla had nothing.

Councilor Vandal stated street sweeping should be going on all day, because the streets needed to be cleaned up.

Councilor Regis had nothing.

Councilor Clemence thanks police officers and reminds everyone to go April 6, 2010 to Cops ‘N Kids event

Councilor Logan asked the Town Manager the value of the invoice to Casella regarding the \$5 per ton fee. Town Manager Clark answered seventeen thousand and some change.

Councilor Livengood stated crosswalks are throughout the Town and drivers should be aware.

Councilor McDonald had nothing.

13. Vote to enter into Executive Session to discuss potential litigation regarding a personnel matter and to return to regular session to adjourn and not to vote.

A motion was made by Councilor Livengood and seconded by Councilor Clemence. **VOTE BY ROLL CALL. Those in favor: CLEMENCE, LIVENGOOD, LOGAN, MCDONALD, NIKOLLA, REGIS, VANDAL. Absent: LAZO, VECCHIA. Motion Passes.**

Council Adjourned into Executive Session at 9:22 P.M.

14. Next Town Council Meeting Date: Monday, March 29, 2010.

15. Adjournment – A motion was made by Councilor Clemence and seconded by Councilor Livengood. VOTE BY SHOW OF HANDS. All in favor.

Meeting returned from Executive Session and adjourned at 10:20PM

Respectfully Submitted,

Courtney M Tyrrell