



MINUTES
of the
TOWN COUNCIL OPEN MEETING
TOWN OF SOUTHBRIDGE
April 10, 2023
7:00pm

CALL TO ORDER The Southbridge Town Council met on April 10, 2023, in the Town Council Chambers of the Southbridge Town Hall. Chair Daniel called the meeting to order at 7:07pm.

AGENDA ITEMS

1. **Pledge of Allegiance:** Chairman Daniel led the recital of the Pledge of Allegiance.
2. **Roll Call:** 9 voting members present.

Member	Present	Staff	Present
John Daniel, Chair	Yes	Charles Blanchard, Interim Town Manager	Yes
David Adams, Vice-Chair	Yes	Peg Dean, Economic Development Coordinator	Yes
Joseph Daou	Yes	Steve Gregoire, Water Manager & Curbside Collection Committee	Yes
Scott Lazo	Yes	Kevin Buxton, Curbside Collection Committee	Yes
Michael Marketti	Yes	Shane Woodson, Chief of Police	Yes
Michael Montigny	Yes	Richard Benoit, DPW Director	Yes
Jasmin Rivas	Yes	Eric Rumsey, Town Planner	Yes
Jacquelyn Ryan	Yes	Susan Peghiny, Recording Clerk	Yes
George Steeves	Yes	Others	
		Irene Congdon, MassDEP Municipal Assistance Coordinator	Yes

3. Consider and accept the Town Council Meeting Minutes, Monday, March 27, 2023.

***Motion:** Councilor Lazo moved, and Councilor Steeves seconded to approve the minutes of the March 27, 2023 Regular / Executive Sessions of the Town Council. The motion passed unanimously by a show of hands vote.*

4: Subcommittee Reports

Department of Public Works: Councilor Marketti reported that they met March 29th and outlined the items on this agenda from this Subcommittee.

Education and Human Services: Councilor Montigny reported they are meeting on April 12 and will work on the budgets.

General Government: Councilor: Steeves reported that they are meeting on April 13 and will work on budgets.

Planning and Development: Councilor Adams reported that they met on April 3rd and outlined the items on this agenda from this Subcommittee. Next meeting is April 19. ARPA also met and motions will be on the April 24 Town Council agenda.

Protection of Persons and Property: Councilor Lazo reported that they met this evening and outlined the items on this agenda from this Subcommittee.

5. Chairman's Announcements - None

6. Town Manager's Announcements. Mr. McCall reported that:

- The Stormwater Report has been filed on April 7, 2023.
- The contractor for the 2023 road program as been notified to proceed with the remainder of the program.

7. Presentations

- Proclamation: Christo Peter Athanas

Vice Chair Adams read the following proclamation which he presented to Mr. Athanas' family:

Whereas, Christo Peter Athanas of Albanian decent was born on December 25, 1914 in Southbridge, MA.

Whereas, Mr. Athanas was educated at Mechanic Street Elementary School and Mary E. Wells High School.

Whereas, In 1939 he married his wife, Marie C. Brew from Quinebaug, CT. and raised three children in Southbridge MA and have four grandchildren, several great grandchildren, and great great grandchildren.

Whereas, He learned several valuable skills while working as an engraver at the American Optical Company.

Whereas, He started and owned several businesses in Southbridge including Athanas Jewelry Inc., ATHBRO Precision Engineering Corp., and Tobert Industries Inc,

Whereas, Mr. Athanas' ATHBRO Precision Engineering Corp. made several components for the U S. Space program including a key element of a gyroscope which he patented.

Whereas, He was an active member of Cohasse Country Club, Southbridge Lions Club, Knights of Columbus, and St. John Paul II Parish.

Whereas, The Southbridge Town Council wishes to extend its sincere congratulations to Mr. Athanas who, this past December, celebrated his 108th birthday and is now considered to be the oldest living native of Southbridge, MA.

Now therefore, In recognition and gratitude of his considerable contributions to the Southbridge community, the Southbridge Town Council does hereby honor Christo Peter Athanas for his service and commitment to the Town of Southbridge emblematic of the highest standards of our Community.

- Michael Marketti Presents: Curbside Committee Updates: Councilor Marketti explained that the committee was formed to consider the options to pay for collection as free collection will end soon. He listed and thanked the members of the Committee and those who supported the effort.

Councilor Marketti reviewed the goals of the new program, including reducing all types of trash. He explained that they recommend using an Enterprise Fund for the new program and went on to explain details of this approach.

Councilor Marketti reviewed the results of the survey showing that a User Fee was the preferred choice of respondents. He then explained how the three funding options would work - Property Taxes, Flat Fee, or User Fee/ Pay-As-You-Throw - and yearly estimated costs of each option.

The Committee recommends the Flat Fee option and Councilor Marketti outlined the next steps to implement this program.

Councilor Adams asked several questions about the proposal, which were answered and discussed.

Councilor Marketti recommended that no fees be charged until next year even though the program will begin this year.

Mr. Buxton explained how well the Committee worked together and the issues they considered during their research and deliberations. He pointed out that enforcement of the rules and regulations is crucial.

Ms. Congdon explained that she is still available for technical assistance and asked who she should work with on implementation. Mr. Blanchard asked her to work with his office to start.

There was a discussion of next steps and timing regarding voting on the recommendation.

Councilor Steeves pointed out that if the Flat Fee does not work, the Town could revert to a “Pay-As-You-Throw” (user fee) arrangement.

Councilor Montigny asked why the Committee chose the losing option from the Citizen’s Survey rather than the most popular User Fee option. Councilor Marketti said the Committee felt that the Flat Fee was fairer overall. There was a discussion of this point.

Councilor Lazo recommended putting both options on the ballot and recommended that the Council look into this.

Mr. Gregoire explained that feedback indicated that people were confused by the survey, so the Committee looked at what they thought was best for the Town as a whole.

Councilor Montigny expressed his support for the Pay-As-You-Throw approach. Mr. Gregoire explained some of the challenges of this approach.

Several Councilors discussed their likes and concerns on the proposals.

8. Citizen’s Forum

Stephanie Rivers, 92 Harrington Street: Read a statement about a student bringing a firearm and live ammunition to the Middle/High School in March. She pointed out that there was no lockdown, the student was not arrested until 3 days later, and that the gun has still not been found. She continued expressed her concern about how this issue was handled and the poor communication that occurred. She said that the Receiver and Principal need to be held accountable for this failure and reviewed past situations that created lockdowns and arrests. She then spoke passionately about her fear for her family and other students and families. She asked that the Council get involved and initiate an investigation and also work to dissolve the Receivership.

Hector Gonzalez: Said he recently moved to Southbridge and is parenting his 17-year-old nephew and 6-year-old daughter. He explained his experience with lockdown training while he was in school in Worcester and how that made him feel safe and that this training is absent in Southbridge. He shared the trouble he has had contacting the school and his overall displeasure with the schools and the behavior and priority of the teachers and administrators.

Councilor Lazo moved to extend Mr. Gonzalez’s speaking time. Councilor Ryan seconded and the motion passed unanimously by a show of hands vote.

Francine Farland: 257 Mechanic’s Street said she was held at gunpoint 38 years ago and asked that the Town not put students through that experience. She explained how the issue with the student bringing a gun to school brought back her trauma. She asked that every Town building have active shooter training regularly, to coordinate with first responders, and to raise the priority of this need throughout Town.

Angel LeBrawn: Student a Southbridge High School and Student Body Representative: Explained that he is afraid to attend school because the teachers do not know the protocol for a possible gun situation. He shared his experience from the day the student brought the gun to school, and the apparent lack of training the teachers had on how to handle the situation.

Chief Woodsen: Said he appreciated and respected all of tonight’s comments. He outlined what his department knew and did on the day the student brought the gun to school. He explained that the school was not locked down because they had the student in custody very soon after learning of the threat. He explained the steps they had to take to arrest the student. He pointed out that it is a rumor that the firearm

was in the school for 4 hours. He went on to explain that he should have communicated the situation more quickly to stop the rumors, and that there are new communication methods being developed to address this issue. He said that after talking with teachers and students he now understands the fear that was experienced that day, and he offered to speak with anyone who is concerned. He apologized for any mistakes that were made on that day and that they are working to correct them. He said there will be a large-scale active shooter training at a Professional Development Training before the start of next year, although these are sometimes very frightening for those involved.

Councilor Lazo commended Chief Woodson for working to get the truth available immediately. He added that what happened last week was wrong and that the administration mishandled the problem. He spoke about the problems with the Receivership and the effort to end it. He said when he was in the schools there was a protocol book that was used for any incident (bomb threat, etc.) and questioned why there is no longer one.

Councilor Marketti said he has heard from parents that there is no ability to lock off the Middle and High Schools from each other and asked Chief Woodson if this could be looked at.

Councilor Adams expressed support for the speakers tonight.

Councilor Rivas expressed her thanks for the speakers being willing to talk about their fear, and talked about how important it is to hear from students, especially at the School Committee. She commented on how students are treated for minor issues (like hats or cell phones). She was surprised to learn about the incident from the newspaper, and commended the Police Department for their actions once they became aware of the situation. She spoke about the problem of not knowing what is happening in the schools and suggested that there should be a way for teachers to confidentially share what is happening. She supported having an investigation into the incident.

Councilor Ryan said the problem is not the Police Department response but rather the slow communication from the school. She spoke about the problem of school shootings and supports an investigation into what happened.

Councilor Montigny shared his experience with previous lockdowns and the fear involved. He said he believes the big problem is leadership and mismanagement by the Receivership. He expressed support for ending the Receivership. He asked that residents channel their energy to make this happen.

Chief Woodson said that hearing negative feedback is not a bad thing and he appreciates people speaking tonight.

Chair Daniel thanked the speakers and said that he hears what people are saying and understands their feelings. He added that there will be a Council of the Whole meeting to discuss Southbridge Schools. Tuesday, April 25th is the tentative date for this meeting.

Councilor Adams said he will ask the Commissioner to attend the Council of the Whole meeting and expressed his frustration with the lack of communication from the schools. He spoke about people acknowledging that people feel fear differently and expressed his support for the actions of the Police Department. He pointed out that communication needs to be better and thanked the speakers at the meeting.

Councilor Lazo suggested that the Board of Education members should be invited to come to speak with the Council, not the Commissioner.

Mr. Gonzalez said that social media is not the best way to communicate, and shared some experiences he has had around this and the poor communication from the schools. Councilor Adams pointed out some other ways that communication could happen.

A recess was called at 9:04pm, and the meeting resumed at 9:23pm.

- 9. Vote to ratify the agreement with Public Safety Consultants, LLC in the amount of \$6,200.00 to conduct an assessment center to fill the rank of two Lieutenants and authorize the Town Manager to sign all related documents.** *A motion was made by Councilor Lazo and seconded by Councilor Ryan to vote this item.*

Chief Woodson reviewed the history of the request for an Assessment Center and outlined the reputation of the recommended company.

The motion passed unanimously by a show of hands vote.

10. **Vote to approve a change order with ENE Systems for \$2,574.00 to run and string Cat5 cable where JAM installed conduit to go forward with the security camera install using CDBG FY21 funds and authorize the Town Manager to sign any related paperwork. A motion was made by Councilor Steeves and seconded by Councilor Ryan to vote this item. *The motion passed unanimously by a show of hands vote.***
11. **Vote to approve entering into an agreement with CP House LLC for \$115,267.00 to provide a 0% commercial improvement loan to install sprinklers at 205 Main Street, helping trigger the occupancy of its restaurant, using ARPA funds appropriated 6-27-22, agenda item #46 and authorize the Town Manager to sign any related paperwork. A motion was made by Councilor Lazo and seconded by Councilor Ryan to vote this item.**

Councilor Adams explained that this is part of the ARPA funds program and outlined the repayment timeline.

Councilor Marketti asked what restaurant is going into the building and asked for an explanation of the term “eight years from the release of funds”. Councilor Adams explained the payment process for loan repayment. Ms. Dean said the owner is not currently sharing what type of restaurant will open, and she outlined the requirements of the agreement.

Councilor Daou asked what the penalty would be if the restaurant does not open, which Ms. Dean explained.

The motion passed unanimously by a show of hands vote.

12. **Vote to approve purchasing up to \$10,000.00 using the CDBG FY20 funds and CDBG Misc Income account number 214000-4825000-80230 to purchase a welcome sign, a xylophone, and an ADA swing for Capilla Park McCann Fields upgrades. A motion was made by Councilor Daou and seconded by Councilor Lazo to vote this item.**

Ms. Dean explained the funding arrangement for this project and why this request is being made.

Councilor Marketti asked about the need for a welcome sign and xylophone, which Ms. Dean explained.

Councilor Marketti pointed out that other fields and playgrounds in Town also need attention.

Councilor Rivas explained the purpose of the sensory equipment (such as the xylophone) at the playground.

Councilor Montigny asked how much the xylophone costs, and Ms. Dean said between \$4000-6000 because they are large and durable.

Councilor Lazo expressed his support for developing the Henry Street area the right way and then moving to other fields.

Councilor Adams pointed out that Ms. Dean is following the Master Plan for these parks.

The motion passed unanimously by a show of hands vote.

13. **Vote to approve Change Order #5 with JAM for up to \$10,000.00 to install up to 18 trees at Capilla Park and McCann Fields, furnished by Opacum Land Trust using CDBG FY20 funds and authorize the Town Manager to sign any related paperwork. A motion was made by Councilor Daou and seconded by Councilor Ryan to vote this item.**

Councilor Adams explained that the trees had been donated and this request is to cover the cost of planting them.

Ms. Dean provided more details about the tree planting plan.

The motion passed unanimously by a show of hands vote.

14. **Vote to approve entering into the following agreements or requisitions to be funded by the Urban Agenda Grant FY23 and spent by June 30, 2023, voted unanimously by the Redevelopment Authority members present on March 23, 2023 and authorize the Town Manager to sign all related documents.**
- a. **\$17,000.00 for performers at the Central Street Parking Lot May-June 2023,**
 - b. **Up to \$20,000.00 to prep the wall at 1-11 Central Street in advance of painting the mural,**
 - c. **Up to \$23,000.00 to pay a muralist to paint a mural at 1-11 Central Street (muralist to carry own insurance, provide own materials and lift, unless otherwise negotiated),**
 - d. **\$1,000.00 to hire a consultant to assist with securing performers and promoting events,**
 - e. **\$4,000.00 in community programming to complement the mural and concerts, and**
 - f. **\$3,250.00 in supplies.**

A motion was made by Councilor Ryan and seconded by Councilor Steeves to vote this item.

Councilor Adams explained the reason for the request.

Councilor Marketti said he is not sure this is promoting economic development. He expressed concern that there is an empty lot nearby and recommended that money be spent to clean that up. He added that he loves the mural and does not want to see it covered up and that he would like to see local bands perform.

Ms. Dean explained that the empty lot is private land which the Town cannot take action on. She asked for recommendations for local musicians.

The motion passed 8-0-1 by a show of hands vote with Councilor Marketti opposing.

15. **Vote to approve the Department of Public Works' request to declare as surplus a 2002 Ford F350. A motion was made by Councilor Ryan and seconded by Councilor Marketti to vote this item. *The motion passed unanimously by a show of hands vote.***

16. **Vote to approve a transfer request for \$6558.08 from #600440-583000-89500 Sewer Capital Reserve to #600440-583000-23581 Sewer Capital Equipment to provide additional funding for a new fleet truck. A motion was made by Councilor Ryan and seconded by Councilor Steeves to vote this item.**

Councilor Marketti explained that the vehicle had been voted on previously, but it was not purchased at that time so the price went up.

The motion passed 8-0-1 by a show of hands vote with Councilor Daou opposing.

17. **Vote to approve a transfer request for \$1000.00 from #610450-576100 Water Legal to #610450-524200 Water Data Processing to cover increased costs for Global Data Systems. A motion was made by Councilor Ryan and seconded by Councilor Daou to vote this item. *The motion passed unanimously by a show of hands vote.***

18. **Vote to approve the contract agreement between Groux-White Consulting, LLC in the amount of \$11,450.00 and authorize the Town Manager to sign all related paperwork. A motion was made by Councilor Ryan and seconded by Councilor Adams to vote this item.**

Councilor Adams explained the reason for this request and how Groux-White was chosen as the recommended provider.

Councilor Marketti asked if the Town Manager would not be hired until August as the contract implies, and Councilor Adams explained that they hope to hire before that but that is the outside date of the contract.

Councilor Lazo asked that the Council indicate how many candidates it would like to have presented for the position. Councilor Adams said the committee would welcome this suggestion and said they hope to have at least 3 candidates.

Councilor Steeves asked about Section 4 in the contract which mentions a proposal dated April 12, 2017, and asked what it refers to. Councilor Adams said it appears to be an oversight and this would be corrected.

The motion passed unanimously by a show of hands vote.

19. Amendments to Southbridge Zoning By-Law Section 5 Dimensional Regulations and vote to adopt said By-Law amendment.

Councilors indicated that they did not receive the amended versions of the by-laws. Mr. Rumsey said the amended sections should have been sent right after the P&D Subcommittee. He added that the final version is in black, not red. There was a discussion of which version Councilors.

A motion was made by Councilor Montigny and seconded by Councilor Lazo to postpone Agenda Items 19, 20 & 21 until the April 24, 2023 Town Council Meeting.

There was a discussion of whether or not to proceed or postpone.

Councilor Lazo called a Point of Order explaining that there is a motion on the table. Chair Daniel said he is explaining why it might not be necessary to postpone.

At Councilor Daou's request, Mr. Rumsey explained the timing of the by-law change process.

The motion to postpone passed 7-0-2 with Councilors Adams and Chair Daniel opposed.

20. Amendments to Southbridge Zoning By-Law Section 9-1 Flood Plain Overlay District and vote to adopt said By-Law amendment. Postponed to April 24, 2023

21. Amendments to Southbridge Zoning By-Law Section 10 Definitions and vote to adopt said By-Law amendment. Postponed to April 24, 2023

22. Councilors Forum

Councilor Steeves:

- The first General Government Budget Meeting is Thursday at 6:30.
- The Opacum Land Trust breakfast is this Saturday.

Councilor Ryan:

- Thanked the parents and community members for attending tonight.

Councilor Rivas:

- Thanked the speakers tonight and asked that residents continue to reach out to the Council and to attend the meeting on Wednesday at 4:00pm.
- Reminded the community that voter registration is going on now and outlined her efforts to register people.
- Announced two Catholic Charities programs: one on growing food and the other on financial proficiency, and shared how to get more information.

Councilor Lazo:

- Thanked the citizens who attended and spoke about the problems with the Receivership. He asked that people sign the petition to get this question on the ballot. He also thanked Chief Woodson for excellent communication and acknowledged the good work of the principal at the Middle School.
- Thanked Mr. Blanchard for putting together the budget and his work as Interim Town Manager.

Councilor Montigny:

- Thanked community members for attending and expressed hope that this energy will bring the schools back home.

Councilor Marketti:

- Asked if Main Street will be paved as previously agreed and asked that Mr. Blanchard look into this.
- Said that some of the department budget request increases are higher than he has ever seen, that that the budget needs to be looked at closely.
- Expressed his displeasure with the communication from the Receiver about the event in March.
- Asked that the Council discuss and vote on the recommendation from the Curbside Committee soon.

Councilor Adams:

- Thanked the Town Manager search committee for their work.
- There will be quite a few ARPA agenda items coming and that the ARPA Committee will look at the curbside recommendations regarding funding.
- Memorial Day parade is May 29th at 10:00am.
- Memorial Park work will begin next week.

DISCUSSION OF NEXT MEETINGS

- April 24, 2023 at 7:00pm.
- April 25, 2023: Council of the Whole

ADJOURNMENT

Motion: *Councilor Ryan moved to adjourn the meeting of the Southbridge Town Council. Councilor Lazo seconded, and **the motion passed unanimously by a show of hands vote.** The meeting was adjourned at 10:15pm.*

Respectfully submitted by,
Susan Peghiny
Recording Clerk