

**TOWN COUNCIL MEETING
MACKINNON COUNCIL CHAMBER
MONDAY – APRIL 27, 2009 – 7:00 PM**

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

Chairwoman Nikolla called the meeting to order at 7:05pm.

1. **Pledge of Allegiance-** Chairwoman Nikolla led the Council in the Pledge of Allegiance.
2. **Roll Call-**Councilors present: **LAZO, LIVENGOOD, LOGAN, NIKOLLA, REGIS, VANDAL and VECCHIA. Excused: KING and MCDONALD**
3. **Consider and accept the minutes of the April 13, 2009 meeting-**A motion was made by Councilor Lazo, seconded by Councilor Livengood. **VOTE BY ROLL CALL. THOSE IN FAVOR: LAZO, LIVENGOOD, NIKOLLA, VANDAL and VECCHIA. Abstain: LOGAN and REGIS. Excused: KING and MCDONALD. MOTION PASSES.**
4. **Subcommittee Reports:**
 - (a) **General Government-** Councilwoman Nikolla reported meeting was cancelled and rescheduled for April 28, 2009
 - (b) **D.P.W.-**Councilor Vandal read the minutes of April 14, 2009. No meeting scheduled.
 - (c) **Education and Human Services-**Councilwoman Nikolla read the minutes of April 15, 2009. Next meeting scheduled April 30, 2009
 - (d) **Planning and Development-**Councilor Livengood read the minutes of April 16, 2009. No meeting scheduled.
 - (e) **Protection of Persons and Property-**Councilor Lazo read the minutes of April 14, 2009 and April 21, 2009. No meeting scheduled.
 - (f) **Town Manager-**Councilor Regis had no minutes. No meeting scheduled.
5. **Swearing In Ceremony-**None this evening. Councilwoman Nikolla reminded those new members of sub-committee to attend swearing in next Monday May 4, 2009 at 6:30pm
6. **Chairman’s Announcements-Councilwoman Nikolla had two comments:**
 - a) Thursday May 7, 2009 The Community Center on Chestnut Street will be holding a Senior Expo and Spaghetti supper. 9:30-2:00pm, with supper served at Noon. Buses for transportation will be available provided signed up in advance.
 - b) Wishing Councilor McDonald a speedy recovery after surgery.

- 7. Town Manager's Announcements-** Town Manager Christopher Clark made the following comments:
- a) Budget-proposed that the town adopts the budget in place on May 4, 2009 as it demonstrates 35% to the town and 65% to the schools. This will keep the town in compliance with the Charter. It is likely that the House and Senate version will be lower and a tax increase will be in question.
 - b) May 7, 2009 7:00pm in Rice Conference Room, Town Manager will present a Local Government 101 course. It will include a basic review as well as revenue/expenditure projections.
 - c) Jacob Edward Library will be holding a Closeline Project on April 30, 2009. Presentation by Margaret Morrissey on Domestic Violence from 6:30-7:30pm. Call 508-764-5426 for more information.
 - d) Clean-up campaign review-Noticeable difference and signs of improvement since last year. Town Manager wanted to note his appreciation for those who participated.

8. Citizen's Forum-

- a) Bob Checkosky of 8 Janet Ave reported on the recent Councilor Forum and the past several Town Council meetings. He referenced councilor's remarks as being inappropriate, in his opinion. He voiced concern about the integrity of the Town Council and how they are portrayed in local print. A motion was made by Councilor Regis and seconded by Councilor Livengood for an additional 5 minutes. VOTE BY SHOW OF HANDS. THOSE IN FAVOR: LIVENGOOD, LOGAN, NIKOLLA, REGIS and VECCHIA. THOSE OPPOSED: LAZO and VANDAL. MOTION PASSES. He was concerned about the Access Road contract and losing potential business and growth in the town to neighboring communities. He stated that economic growth is needed and council continues to vote it out.
- b) Monique Manna of 20 Maple Street reported the Future of Southbridge Meeting took place on April 16, 2009 at a private residence and yielded 21 people. Thanked all for attending and minutes are posted on Southbridge Town Hall website as well as at www.dickwhitney.net. Next meeting is TBA.
- c) Denise Clemence of 128 County Club Place commented on the Home Rule Petition and explained the special legislation required for the access road. She also does not agree with the fact that people did not know what they were voting for when a vote was made to authorize funds and build the access road. A motion was made by Councilor Regis and seconded by Councilor Livengood to extend for an additional 5 minutes. VOTE BY SHOW OF HANDS. ALL IN FAVOR. Lastly Denise reviewed a timeline dating back to March 27, 2006 until March 9, 2009 specifically stating details of the process that the council made in order to approve the access road up until the vote on March 9, 2009 where the motion failed. She is extremely distressed on council's proceedings thus far and eager to run for Town Council to see some change.

- d) Dick Whitney of 5 Pine Ridge Road reviewed access road vote, citizens clearly voted for the construction of the road, not for special legislation. He also commented that the Future of Southbridge meeting held on April 16, 2009 was a success and clarified how it started with a friendly phone call with Denise Clemence unrelated to her decision to run for Council. The next meeting will also be made public in a community location TBA. Councilor Lazo suggested the Community Room in the Fire Department.
- e) Dave Mann of 20 Maple Street concerned about increase in property tax if road not established. Councilor Nikolla commented that it is not clear, but will need to come from somewhere.
- f) Derek Lamica of 464 Dennison Drive is in favor of the access road as the town needs the business and asked council to bring it back to the table.

9. Vote to authorize the Town Manager to enter into a License Agreement with Jeff M. Tasse, trustee of Alcoma Realty Trust, for renewal of ten parking spaces at the cost of \$300.00 per month. *Favorable recommendation of the subcommittee.* A motion was made by Councilor Lazo and seconded by Councilor Livengood. **VOTE BY ROLL CALL. THOSE IN FAVOR: LAZO, LIVENGOOD, LOGAN, NIKOLLA, REGIS, VANDAL and VECCHIA. Excused: KING and MCDONALD. MOTION PASSES.**

10. Vote to transfer the sum of \$1,500.00 from Town Council Reserve Account 001.0132.5781 to Town Manager Account 001-0123-5300 Specialized Services for the installation of lighting under the parking deck. *Favorable recommendation of the subcommittee.* A motion was made by Councilor Lazo and seconded by Councilor Livengood. Councilor Lazo commented he was concerned about safety and will support this vote. **VOTE BY ROLL CALL. THOSE IN FAVOR: LAZO, LIVENGOOD, LOGAN, NIKOLLA, REGIS, VANDAL and VECCHIA. Excused: KING and MCDONALD. MOTION PASSES.**

11. Vote to accept Chapter 48, Section 59A of the Massachusetts General Laws – Aid to other municipalities; authorization; fire departments defined payment for damages. *Favorable recommendation of the subcommittee.* A motion was made by Councilor Lazo and seconded by Councilor Livengood. Councilor Logan asked for elaboration and was informed by the Fire Chief, Richard Ciesla, that this is a protection for the town if a firefighter or equipment is damaged, the fire department will recoup expenses. **VOTE BY ROLL CALL. THOSE IN FAVOR: LAZO, LIVENGOOD, LOGAN, NIKOLLA, REGIS, VANDAL and VECCHIA. Excused: KING and MCDONALD. MOTION PASSES.**

12. Vote to authorize the Town Manager to sign the Mutual Aid Agreement with Massachusetts Fire District 7. *Favorable recommendation of the subcommittee.* A motion was made by Councilor Lazo and seconded by Councilor Livengood. **VOTE BY**

ROLL CALL. THOSE IN FAVOR: LAZO, LIVENGOOD, LOGAN, NIKOLLA, REGIS, VANDAL and VECCHIA. Excused: KING and MCDONALD. MOTION PASSES.

13. Vote to appoint Edward A. Bergeron, Jr. as a Citizen Member of the Protection of Persons and Property Subcommittee until June 30, 2009. *Favorable recommendation of the subcommittee.* A motion was made by Councilor Livengood and seconded by Councilor Lazo. **VOTE BY ROLL CALL. THOSE IN FAVOR: LAZO, LIVENGOOD, LOGAN, NIKOLLA, REGIS, VANDAL and VECCHIA. Excused: KING and MCDONALD. MOTION PASSES.**

14. Vote to authorize the Town Manager to issue a Request for Proposals for consultation purposes not to exceed \$60,000.00. *Favorable recommendation of the subcommittee.* This vote was asked to be tabled to May 4, 2009. A motion was made by Councilor Lazo and seconded by Councilor Livengood. Councilor Vecchia was interested to know where funds are being drawn. They will be transferred from existing personnel account as position was never filled. **VOTE BY ROLL CALL. THOSE IN FAVOR: LAZO, LIVENGOOD, LOGAN, NIKOLLA, REGIS, VANDAL and VECCHIA. Excused: KING and MCDONALD. MOTION PASSES.**

15. Councilor's Forum-

- a) Councilor Regis-Nothing to report
- b) Councilor Vecchia-Seeking Southbridge Lawyer to consider RFP from April 2, 2009, keeping local business people employed. Councilor Regis clarified that it is open to all qualified applicants and Southbridge attorneys can apply.
- c) Councilor Livengood-Enjoyed watching the Little League Kick-off Sat April 25,2009
- d) Councilor Logan-Seeking Business Plan from Gregory Hayes and Mike Loin who provided previous presentation on potential business (PEG) in Southbridge. He recommends they be formally invited to Councilor Livengood's Planning and Development Meeting or to another Town Council Meeting. He expressed frustration for their clarification of financial backing and would like to provide them with another opportunity.
- e) Councilor Vandal-Wished Councilor McDonald a speedy recovery
- f) Councilor Lazo-Wished Councilor McDonald a speedy recovery

16. Discussion of next meeting date.-Councilor Lazo recommended May 4, 2009. A motion was made by councilor Regis and seconded by Councilor Livengood. **VOTE BY SHOW OF HANDS. ALL IN FAVOR.**

17. Vote to enter Executive Session for the purpose of discussing strategy with respect to collective bargaining and return to open meeting for a possible vote. A motion was

made by Councilor Livengood and seconded by Councilor Lazo. **VOTE BY ROLL CALL. THOSE IN FAVOR: LAZO, LIVENGOOD, LOGAN, NIKOLLA, REGIS, VANDAL and VECCHIA. Excused: KING and MCDONALD. MOTION PASSES.**

18. Vote to ratify the collective bargaining agreement between the Town of Southbridge and Local 2194 International Association of Firefighters for the period July 1, 2008 through June 30, 2011. *Favorable recommendation of the subcommittee.* A motion was made by Councilor Lazo and seconded by Councilor Livengood. **VOTE BY ROLL CALL. THOSE IN FAVOR: LAZO, LIVENGOOD, LOGAN, NIKOLLA, REGIS, VANDAL and VECCHIA. Excused: KING and MCDONALD. MOTION PASSES.**

19. Adjournment. - A motion was made by Councilor Livengood and seconded by Councilor Regis. **VOTE BY SHOW OF HANDS. ALLIN FAVOR.**

Meeting adjourned at 8:50pm

Respectfully Submitted,

Deborah Williams, MASc Recording Clerk