

**TOWN COUNCIL MEETING
TOWN OF SOUTHBRIDGE
MONDAY July 11, 2011**

A meeting of the Southbridge Town Council was held on Monday, July 11, 2011 in the Robert MacKinnon Council Chambers. Chairwoman Nikolla called the meeting to order at 7:16PM.

AGENDA ITEM #1- PLEDGE OF ALLEGIANCE: Chairwoman Nikolla led the Council in the Pledge of Allegiance.

AGENDA ITEM #2- ROLL CALL: Councilors present: **CLEMENCE, LANGEVIN, LIVENGOOD, MARCUCCI, MCDONALD, NIKOLLA, REGIS, SPINELLI & VANDAL.**

AGENDA ITEM #3- CONSIDER AND ACCEPT THE MINUTES OF MONDAY, June 20, 2011 COUNCIL MEETING: A motion was made by Councilor Spinelli and seconded by Councilor Clemence. **VOTE BY SHOW OF HANDS. ALL IN FAVOR. Abstain: LIVENGOOD, LANGEVIN and MARCUCCI.**

AGENDA ITEM #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

Chairwoman Nikolla stated there will not be any subcommittee reports as there are no subcommittees.

AGENDA ITEM #5- CHAIRMAN'S ANNOUNCEMENTS:

Chairwoman Nikolla thanked the voters and the people of Southbridge for their support coming to vote for all of the candidates and stated she appreciates them for their confidence in re-electing her to serve again.

Nikolla wished best of luck and thanks to former Councilor Steve Lazo and former Councilor Rich Logan for their service.

Nikolla announced the Subcommittee's Chairs and Council Members.

Planning and Development- Chair- David Livengood, Council Members- Larry Spinelli & Denise Clemence.

General Government- Chair- Larry Spinelli, Council Members- Pam Regis & Conrad Vandal.

Protection of Persons and Property- Chair- David Langevin, Council Members- Pam Regis & David Livengood.

Education and Human Services- Chair- Denise Clemence, Council Members- Darlene Marcucci & Larry McDonald.

D.P.W. - Chair- Conrad Vandal, Council Members- Darlene Marcucci & David Langevin.

Chairwoman Nikolla requested that Councilor Spinelli post a meeting within the next two weeks for the discussion and review of the Charter Review.

Nikolla advised the term for the Citizen Members currently sitting on subcommittees expires at the end of July. She explained if they wish to serve again they need to fill out the paperwork again showing interest. Nikolla stated if anyone else is interested on serving on the subcommittees to see the Town Manager to complete the forms. She stated the forms will be given to her and she will pass them along to the Subcommittee Chairs and the subcommittees will determine who will sit as citizen members.

Nikolla thanked the Council for their confidence in her and hopes that she can meet that confidence. She stated they have a lot of work to do and she plans on hitting the ground running.

AGENDA ITEM #6- TOWN MANAGER'S ANNOUNCEMENTS:

Town Manager Clark stated he received a news release about the Southbridge Disaster Recovery Center transition to a Small Business Administration Disaster Loan Outreach Center and he read the newsletter. Clark stated the transition will occur on Monday, July 18, 2011 and it will continue serving survivors from the June 1, 2011 tornado and severe storms. Town Manager Clark explained representatives from the Small Business Administration will be available at the D.L.O.C at the Jacob Edwards Library at 236 Main Street, Southbridge. Clark stated the hours are Monday – Friday 9:00am-5:00pm and will remain open through the close of business on Thursday, July 28th. Clark advised people are encouraged to apply through FEMA and call (800)621-3362. Town Manager Clark stated the deadline to apply is August 15, 2011 and strongly encouraged those who were affected to call.

Town Manager Clark advised the conversion to Chloramines from the Southbridge Water Department will commence on August 1, 2011. Clark stated they will be sending out information packages to individual homeowners to let them know and explained they do have information available on the Town's website. Town Manager Clark encouraged those who have any medical conditions to seek advice from their primary care physician. Clark stated for more information to call the Town Manager's office or D.P.W. Mr. Clark explained the need for the conversion.

Town Manager Clark stated National Grid will be working in their neighborhood on Tuesday, July 19th beginning at 11pm until 7am and will need to interrupt the electric service for approximately 8 hours. Clark stated they are providing the one week notice to customers. Town Manager Clark listed the streets including Chapin St., Bowlen Ave, Elm St. and Main Street. Clark stated if for some reason they have inclement or extreme weather, anything over 90 degrees, they will move it back to Wednesday, July 20th. Mr. Clark advised it is an 8 hour outage and to please plan accordingly.

Town Manager Clark stated Representative Durant advised the Town of Southbridge has been awarded a \$1 million Community Development Block Grant allocation. Clark stated this is a significant increase and listed the various areas in Town that money will be used for.

AGENDA ITEM #7- CITIZEN'S FORUM:

Wallace Mackenzie of 45 South Street congratulated the new Council members. He stated on Thursday, July 14th at 9am there will be a Grand Opening Ceremony at Capillo Park for the skate/BMX park they are putting together. Mackenzie invited the Council members, those who may be available that day. He stated they invited Senator Moore and State Representative Peter Durant whom both have accepted and will have 4 speakers including Town Manager Clark. Mackenzie stated Suzy Geers, the Chairperson of the Recreation Committee, will be speaking as well. He explained there will be a ceremonial ribbon cutting that will involve Town Manager Clark and a demonstration with John Demers who is a big supporter and tremendous help for developing the skate park. Mackenzie added that Police Chief Dan Charette has put in a lot of hours and effort on his own time and stated if it wasn't for him they wouldn't have a park right now.

George Chenier of 235 Pleasant Street congratulated the new Council members. Chenier discussed the tornado efforts and provided an update of the Airport. He stated the diner had sustained damage and once safety and security issues at the airport had been complete, the diner reopened one week after the storm. Chenier discussed other damage sustained at the Airport including aircraft, hangers and buildings. He stated as a result of the tornado they are almost going to have a brand new airport. Chenier also thanked Jimmy Latour and all of the volunteers as the Airport was able to be open for full operation except for nighttime in roughly two weeks. He advised it is still a work in progress.

George Chenier stated his last day as Commission Member is July 22, 2011 as he will be moving away. He stated he knows the Council will work hard to replace him in the Commission. He stated the Airport is a community facility that is used by everybody. He stated he has been on the Commission for 10 years. He stated they are 1 of 2 Airports in the Commonwealth that was able to use some annual funding for hangers as over the course of time all of their safety issues were addressed. Chenier stated it has been a

pleasure to be able to work with the Council and Town Manager. He thanked them for their assistance and he stated it will be truly missed as it has been a big part of his life.

Chairwoman Nikolla thanked George Chenier for his service and for all of the updates that he has provided over the years. She stated he will be missed and wished him the best of luck.

AGENDA ITEM #8- SWEARING IN / PRESENTATIONS: Chairwoman Nikolla stated there are none.

AGENDA ITEM #9- VOTE TO REAPPOINT KATHLEEN E. SHIELDS AS ANIMAL CONTROL / ANIMAL INSPECTOR FOR A ONE-YEAR TERM EFFECTIVE JULY 1, 2011 THROUGH JUNE 30, 2012: A motion was made by Councilor Spinelli and seconded by Councilor Livengood. **VOTE BY ROLL CALL. THOSE IN FAVOR: LANGEVIN, LIVENGOOD, MARCUCCI, MCDONALD, NIKOLLA, REGIS, SPINELLI, VANDAL & CLEMENCE. MOTION PASSES.**

AGENDA ITEM #10- VOTE TO REAPPOINT BRUCE NEWLANDS TO THE LIQUOR LICENSING BOARD FOR A 3-YEAR TERM EFFECTIVE JULY 1, 2011 THROUGH JUNE 30, 2014: A motion was made by Councilor McDonald and seconded by Councilor Marcucci.

Councilor Clemence asked the Town Manager for an update. Town Manager Clark stated he had an opportunity to speak with Bruce Newlands and Michael Daniels. He stated Mr. Newlands is a reappointment so he has been on the board previously and Mr. Daniels has also been on the board as an alternate. Town Manager Clark stated he did express the need to stay up-to-date on the materials and make sure they maintain their vigilance. Clark stated the ABCC usually does some training at least once a year and he stated both gentleman were agreeable to that and agreed to do their best to adhere to the standards that were laid out to them. Town Manager Clark stated he believes both men would be an asset to the community to have back on that board.

Councilor McDonald asked Town Manager Clark how much of his discussion with Mr. Newlands was centered on the packet of information they were handed out at the last meeting. Town Manager Clark stated there was a Liquor Licensing Board Meeting after the last Town Council Meeting and the information was presented then. He explained his discussion with Mr. Newlands was before the Liquor Board Meeting but he knows the board has received the material. Clark stated to his knowledge they took the material under advisement.

Councilor Langevin stated that he will support these two and it is refreshing to hear what Town Manager Clark had to say as he also had concerns. Councilor Langevin stated that people who choose to serve on the board should take their job seriously as rules are made to be followed.

Councilor McDonald stated the comments from the Councilor seemed to beg the question that there was some episode of not following the rules and asked if that was the case. Town Manager Clark stated he believed the material that was submitted to them is still under their consideration and it still an investigation in process.

Councilor Regis stated she agrees with Councilor Langevin's comments but added these individuals are not required to take an entrance exam to be on the board. Regis stated that she hopes if there are any vacant positions on this type of board again they make it known during the interview process that they will be required to go to ABCC training.

She stated she will support both of these appointments. **VOTE BY ROLL CALL. THOSE IN FAVOR: LIVENGOOD, MARCUCCI, MCDONALD, NIKOLLA, REGIS, SPINELLI, VANDAL, CLEMENCE & LANGEVIN. MOTION PASSES.**

AGENDA ITEM #11- VOTE TO REAPPOINT MICHAEL DANIELS TO THE LIQUOR LICENSING BOARD FOR A 3-YEAR TERM EFFECTIVE JULY 1, 2011 THROUGH JUNE 30, 2014: A motion was made by Councilor McDonald and seconded by Councilor Marcucci. **VOTE BY ROLL CALL. THOSE IN FAVOR: MARCUCCI, MCDONALD, NIKOLLA, REGIS, SPINELLI, VANDAL, CLEMENCE, LANGEVIN & LIVENGOOD. MOTION PASSES.**

AGENDA ITEM #12- VOTE TO AMEND THE SOUTHBRIDGE ZONING BYLAW TO ADD REFERENCES TO THE MOST CURRENT FLOOD INSURANCE RATE MAPS AND THE NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS, 44 CFR 59 ETC. PARAGRAPH 60.3(D):

Third and Final Reading

A motion was made by Councilor Spinelli and seconded by Councilor Livengood. **VOTE BY ROLL CALL. THOSE IN FAVOR: MCDONALD, NIKOLLA, REGIS, SPINELLI, VANDAL, CLEMENCE, LANGEVIN, LIVENGOOD & MARCUCCI. MOTION PASSES.**

AGENDA ITEM #13- VOTE TO APPROVE THE APPROPRIATION OF FUNDS IN THE AMOUNT OF \$100,000 FROM THE FY 2011 INSURANCE CLAIMS IN EXCESS OF \$20,000 TO THE TORNADO DAMAGE CHAPTER 44, SECTION 31 ACCOUNT AND TO AUTHORIZE SAID REPAIRS TO BE MADE: A motion was made by Councilor McDonald and seconded by Councilor Livengood.

Councilor Vandal asked for an explanation. Town Manager Clark stated under M.G.L anytime a town has an insurance loss in excess of \$20,000 in which they are going to receive payment, the law requires they appropriate that money into the account. Town Manager Clark explained it is maybe a multi-million dollar loss and discussed some of the amounts. Town Manager Clark stated they are working with the insurance company and the engineers to put together what needs to be replaced. He stated they will come back before Council once they receive the results from the engineers to be able to

actually commence doing the replacement of some of the buildings that were destroyed in the tornado. Town Manager Clark referred to this as part one of the insurance claims. Clark stated this covers public damage including the Airport, guardrails and various other sections in Town.

Councilor Spinelli asked if he is allowed to vote. Town Manager Clark stated yes as he explained it is a routine part of the contract they have with the insurance company.

VOTE BY ROLL CALL. THOSE IN FAVOR: NIKOLLA, REGIS, SPINELLI, VANDAL, CLEMENCE, LANGEVIN, LIVENGOOD, MARCUCCI & MCDONALD. MOTION PASSES.

AGENDA ITEM #14- VOTE FY 2011 TRANSFER OF \$45,000.00 FROM THE FOLLOWING ACCOUNTS TO THE TORNADO DAMAGE CHAPTER 44, SECTION 31 ACCOUNT #9085 TO FUND COSTS OF DEBRIS CLEANUP AND REMOVAL:

1.132.5781	TOWN COUNCIL RESERVE FUND	\$39,349.76
1.155.5242	DATA PROCESSING	\$5,650.24

A motion was made by Councilor McDonald and seconded by Councilor Livengood.

Town Manager Clark provided an overview. He spoke about the Town and public assistance under FEMA rules including trees that fell into the roadway and any work that damaged public infrastructure and advised they did not receive a Public Disaster Declaration. Town Manager Clark stated Hampden County did receive the FEMA Disaster Declaration as they well exceeded the threshold. Town Manager Clark stated Southbridge and Sturbridge did not meet the pro-rated amount and have not received a Federal Disaster Declaration. Clark stated they are working very closely with MEMA to try to secure those funds. Town Manager Clark stated he gives a lot of credit to the department heads as they have absorbed a lot of the costs for the tornado within their budgets during the end of the Fiscal Year. Clark stated they were able to provide coverage and meet the needs for the tornado. Clark further discussed they do have some unmet needs and explained same. **VOTE BY ROLL CALL. THOSE IN FAVOR: REGIS, SPINELLI, VANDAL, CLEMENCE, LANGEVIN, LIVENGOOD, MARCUCCI, MCDONALD & NIKOLLA. MOTION PASSES.**

AGENDA ITEM #15- COUNCILOR'S FORUM:

Councilor McDonald asked Town Manager Clark if he volunteered to head up the Long-Term Recovery Team relative to the tornado damage. Town Manager Clark stated it is a fair question and stated they were asked to attend a meeting that he, the Fire Chief and the Town Treasurer attended. Clark explained it was strictly a voluntary meeting. Town Manager Clark explained the Long-Term Recovery is designed to try to coordinate the efforts for clean-up and advised at the meeting he did act in a moderator format to bring people together. Town Manager Clark explained what FEMA is looking for including 3 teams to cover 6 towns and as a facilitator he did agree to do that. Clark added there will

be a meeting Wednesday at 6pm. Town Manager Clark stated he has not been officially designated Chairman of that group and has not yet decided if he would do that as certainly his first commitment is to the Town of Southbridge. Clark stated it is an effort to help the Town of Southbridge and believes they should have a presence on that group. Councilor McDonald stated he agrees that it would be good to have someone represent that but his concern is that they make sure they follow the Charter. Councilor McDonald read Chapter 4, Section 2-2- "The Town Manager shall hold no elective or other appointive office, shall devote full-time to the duties of the office and shall engage in no other business or occupation without advance authorization of the council." Councilor McDonald further discussed aside from the tornado, they have a lot of work in town including revitalization and bringing in new business in the Industrial Park and he would be concerned that those would get over looked and feels there are other people out there that would be better suited to that type of work.

Councilor McDonald asked if they have a written plan for demobilizing and deactivating the supply warehouse and if so what are they going to do with the leftover stock that is there and could the Council get a copy of that plan when it is available. Town Manager Clark stated the warehouse is not under the jurisdiction of the Town of Southbridge. Clark explained at this point the 2 groups that have taken over management of that facility are the Tri-Town Chamber of Commerce and The United Way. Clark stated that any kind of demobilization plan or the oversight of that effort is being done by those 2 groups. He stated that he and the Fire Chief have been doing whatever they can do to assist that effort to help the residents in Town but are not the lead agency.

Councilor Livengood congratulated Chairwoman Nikolla and Councilor Clemence on their appointments and hopes the Town can start moving forward again.

Councilor Spinelli congratulated those who were elected and the new elections for the Chair and Vice-Chair. Councilor Spinelli wished Mr. Chenier the best in every endeavor that he entails and thinks his service to the Town has been exemplary and admirable and thinks the Town of Southbridge will greatly miss someone who loves the Town and served the Town as well as he has.

Councilor Langevin congratulated Chairwoman Nikolla and the Vice-Chair. He thanked the voters who supported him and looks forward to serving the next 3 years. Councilor Langevin stated he hopes they will be moving forward and hopes more people come out and vote. Councilor Langevin stated those who vote do pay attention and wished the best of luck to Mr. Chenier whom he stated is a special person who stayed active in the community.

Councilor Regis wished congratulations to Chairwoman Nikolla and Vice-Chair Clemence and to Councilor Langevin and Councilor Marcucci. Councilor Regis also wished Councilor Lazo and Councilor Logan well. Councilor Regis stated they have a lot of work to do and she looks forward to doing that. She stated this is an exciting time with new and fresh ideas. Councilor Regis welcomes debate and said to all roll their sleeves up and be respectful and professional and get it done.

Councilor Marcucci wished congratulations to the girls and stated it is probably the first time in the history of Southbridge that they've had 2 women as Chair and Vice-Chair.

Councilor Marcucci stated she is truly grateful and humble to the voters of Southbridge that they've re-elected her to Council once again. Councilor Marcucci stated she looks forward to serving Southbridge and wished to thank the people that helped her the day of election and to the citizens who allowed posting signs on their lawns. Councilor Marcucci stated she wants to be a part of this government that is going to move the Town forward and will set goals and objectives and thinks they are going to see a very positive coming year from this Council. Councilor Marcucci stated thank you very much and wished George Chenier good luck in Florida.

Councilor Vandal congratulated the Councilors. Councilor Vandal wanted to know where they stand on the Lebanon Hill reconstruction project. Town Manager Clark stated the work should be commencing very shortly and stated he just received the contract documents back and a notice of award. Councilor Vandal asked where they stand on the Eastford Road project. Town Manager Clark stated he believes it is part of the same contract. Town Manager Clark advised it is Lebanon Hill and others, and explained others means Eastford Road. Councilor Vandal also stated there are a lot of weeds at the Town Common and near the Bowling Alley and it doesn't look good.

Vice-Chair Clemence congratulated Councilor Langevin and Councilor Marcucci and stated she has heard so many great things about them and their past service to the community and really looks forward to working with them this year. Councilor Clemence stated there are many good things to come this year and she is proud to continue serving with the Council members. Councilor Clemence wished her best to George Chenier and explained that she has learned a lot from him and she appreciated the many conversations with him. Councilor Clemence stated she hopes everyone had a great Fourth of July. Councilor Clemence thanked her fellow Councilors for having confidence in electing her as the Vice-Chair and she wished congratulations to Chairwoman Nikolla.

AGENDA ITEM #16- DISCUSSION OF NEXT MEETING DATE – MONDAY, JULY 25, 2011, 7:00 PM IN COUNCIL CHAMBERS: Vice-Chair Clemence stated the next meeting date is Monday, July 25, 2011 at 7:00PM in Council Chambers.

AGENDA ITEM #17- VOTE TO ENTER INTO EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING AGREEMENT AND TO RECONVENE TO VOTE: A motion was made by Councilor McDonald and seconded by Councilor Livengood. **VOTE BY ROLL CALL. THOSE IN FAVOR: SPINELLI, VANDAL, CLEMENCE, LANGEVIN, LIVENGOOD, MARCUCCI, MCDONALD, NIKOLLA & REGIS. MOTION PASSES.**

Meeting returned from Executive Session.
Town Manager Clark advised of a vote:

Councilor Langevin and Councilor McDonald recused themselves from this vote.

VOTE TO RATIFY THE MEMORANDUM OF AGREEMENT BETWEEN THE TOWN OF SOUTHBRIDGE AND LOCAL 2194, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS FOR THE PERIOD OF JULY 1, 2011 THROUGH JUNE 30, 2013: A motion was made by Councilor Livengood and seconded by Councilor Spinelli. **VOTE BY ROLL CALL. THOSE IN FAVOR: LIVENGOOD, MARCUCCI, NIKOLLA, REGIS, SPINELLI, VANDAL & CLEMENCE. MOTION PASSES.**

AGENDA ITEM #18- ADJOURNMENT: A motion was made by Councilor Regis and seconded by Councilor Livengood. **VOTE BY SHOW OF HANDS. ALL IN FAVOR.**

Meeting adjourned at 8:32PM.

Respectfully Submitted,

Stacey L. Renaud
Recording Clerk