

Select Board Regular Meeting
Monday September 16, 2019 - 6:00 p.m.
Longmeadow High School, Room A15, 535 Bliss Road, Longmeadow, MA

Present: Chair Marie Angelides, Mark Gold, Thomas Lachiusa and Marc Strange
Absent: Richard Foster

Also Present: Paul Pasterczyk, Jackie Sullivan, Mario Mazza, Arlene Miller, Irwin Pers, Liz Bone and Attorney Jesse Belcher-Timme

The meeting was called to order at 7:00 pm by Select Board Chair Marie Angelides.

Announcements: Marie Angelides announced that on October 2, 2019 the Veterans are having a special lunch for POW'S, there will be a special speaker and everyone is invited.

Resident Comments: None

Select Board Comments: None

Chair Report: Marie Angelides stated that she talked to Beverly Hirschhorn the Board of Health Director about Eastern Equine Encephalitis. We are at a moderate risk level and the State only authorizes spraying for mosquitos, or the need to spray at high levels. The contractor started pouring the footings at the new DPW site. The last completion of the mitigation that was found on the site should be finished by the end of September. Contractors have also started to pour the foundation at the new Adult Center. A 9/11 ceremony was held at the Fire Department. Town employees and members of the Police and Fire Departments attended. The Fire Department and the Police Department received grants, the one for the Fire department is for protective gear and the Police Department's was for automatic citation machines for some of the cruisers. There will be a Public Forum on September 25th at the high school in meeting room A15 at 7:00 p.m. The purpose of the forum is to go over some of the pending warrant articles for the November Town Meeting.

Interim Town Manager's Report/Assistant Town Manager's Report:

Paul Pasterczyk reported on the following:

- 1) Chief Dearborn was notified last week by the Massachusetts Executive Office of Environmental Affairs (EEA) that Longmeadow has been designated as a Municipal Vulnerability Preparedness (MVP) Community. This opens the doors for the Town to apply for Action grants administered by the EEA.
- 2) The MVP grant process has been modified slightly and we will not be seeking the original \$450K grant that was proposed but will need to scale back the grant to a project closer to \$200K. This is mainly attributable to the expenditure timetables being accelerated in the new process.
- 3) The Fire Dept. was awarded \$34,800 in an Assistance to Firefighters Federal Grant to replace 12 sets of protective gear. The Town's matching share will be covered through existing budgetary funds. Over the last 14 years Longmeadow has received in excess of \$500K in these types of grants.
- 4) The Finance Dept. is preparing / gathering all the information in preparation of the Official Statement that will be used in the upcoming bond sale currently set for October 16, 2019. The sale will include 4 authorizations: 1) Adult Center \$14 million 2) LED Lighting \$870K 3) Landfill closure Phase I \$800K and 4) Morningside Drive culvert \$435K.
- 5) The Police Dept. received a \$12K donation for a pole camera to be installed at the intersection of Longmeadow Street and Maple Road.
- 6) Milling of Williams Street between Redfern and Dwight is complete. The contractor is now working on raising the manhole structures before paving can begin later in the month.
- 7) The Accounting office closed the FY 2019 General Ledger and is currently preparing reports for the Dept. of Revenue for Free Cash certification, \$1.3 million is anticipated.

Tom Lachiusa wanted to give recognition to Officer Mathew Chaplin, he was the first officer on scene of the deadly accident on Route 5. Mr. Lachiusa thanked him for his contribution to the Town. Mr. Lachiusa stated that the Planning Board should get recognition also, they have a tough job being on the Commission. There was a lawsuit that was

established by the Pride Station at the South end of town, Mr. Lachiusa was glad to hear that it was finally resolved. Mr. Lachiusa also stated that it is nice to get all the reports from all the different Town Departments and that it would be nice to get these reports from the School Department as well. Marie Angelides stated that she would reach out to the Chair of the School Committee.

Attorney Belcher-Timme stated that the Pride litigation has not been completely dismissed, only part of it has been dismissed there is sort of a stay right now while Pride is going before the Planning Board for a second time.

Mark Gold stated that he received a comment from a resident asking how come we can spend money on streets that do not benefit Longmeadow people, referring to the grading work that Longmeadow will be doing on Old Maple Road. Mr. Gold just wanted people to know that they are not spending huge amounts of money grading old Maple Road. Paul Pasterczyk stated that it is for the protection of the Enfield residents but it is Longmeadow's Road and it could have potentially been a liability on our part if it was unpassable.

Marie Angelides stated that she was disappointed with the MVP (Municipal Vulnerability Preparedness program), because this summer alone there were two storms, one was \$50,000 and the other was \$175,000 that we are not getting reimbursed for by the State. The State is cutting back on the program and hopefully the Governor or Beacon Hill will change their minds and start funding that program better.

Old Business

1. **Approve Minutes: September 3, 2019 Regular Meeting** – *Mark Gold made a motion to approve the minutes from the September 3, 2019 regular Select Board Meeting. Marc Strange seconded the motion. **The vote was 4 in favor, 0 opposed and 1 absent (Richard Foster).***
2. **FY21 Budget Calendar/Assumptions/Directives/Goals/Financial Policies:** Marie Angelides stated the Finance Committee is suggesting they only go up 1.84% in order to not hit the levy limit. Ms. Angelides stated that she was thinking of going to 1.75% as a target. Paul Pasterczyk stated that the budget assumptions he had written out includes the Prop. 2 ½ increase utilizing 1.75 of the 2 ½ %. Mark Gold commented that if we move to 1.75 instead of 2% he questions what that will do to services. Mr. Gold stated that we have always tried to make a level service budget and he feels that the pain is much more than the gain by cutting it that extra quarter percent. Mr. Gold appreciates the efforts of the Finance Committee but his recommendation would be to take a different approach. Mr. Strange feels that we are going to have to hit the cap first before anyone is going to listen to us in terms of lobbying legislators in Boston, we will have to show that we have actually hit the cap and that it is not going to get better. Marie Angelides stated that one of the reasons she is pushing for the 1.75 as a target is not just the fact that we have to show responsibility because we are coming up to the cap and people have been hit really hard with taxes and responsibly we have to start taking the pressure off. Ms. Angelides stated that another tool she was hoping to give Paul Pasterczyk to make it easier to balance this was start shifting more of our actual expenses into the Enterprise Funds. Mark Gold feels that a shift to the Enterprise Funds does not bring the residents total payments down. Paul Pasterczyk asked in trying to build the budget, which is number one is it level service or is it tax goals. Marie Angelides stated that they have to make a commitment.
Marc Strange made a motion to go with the Finance Committee's recommendation of only increasing the tax rate by 1.84 %. Tom Lachiusa seconded the motion.
Discussion on the motion; Mark Gold asked if that was on equal value property or is that the bottom line budget. Paul Pasterczyk stated that the Finance Committee is recommending that they raise the levy limit by 1.84%, it is the taxes excluding the debt exclusion so if we have a large influx of new growth it would mean a higher amount that we do not raise taxes on. Marie Angelides asked Mr. Pasterczyk what his recommendation would be. Mr. Pasterczyk stated personally it would be to go with level service. Paul Pasterczyk stated that if you go with the 1.84% and it does not work out with level service he would need to know where they would want to cut. Mark Gold feels there should be a directive of a level service budget with a total of 2% total increase. ***Marc Strange withdrew his motion to increase the tax rate by 1.84 %.***
*Marie Angelides made a motion to direct the Town Manager and the Finance Director to develop a budget based upon an OPEB contribution of \$500,000.00, increasing the storm water utility percentage of paying storm water costs from 35% of the overall department budget to 42 ½ % of the overall department budget and utilize 1.75% of the total available 2 ½% tax increase and to inform the Select Board of a list of any service changes that result from meeting this directive with a sub goal of level service. Marc Strange seconded the motion. **The vote was 4 in favor 0 opposed and 1 absent (Richard Foster).***

Marie Angelides stated that they had talked about regionalizing Veterans Services and that will affect the budget so we should keep that in mind. Paul Pasterczyk stated that the Veterans Service Officer is all for it. The Select Board is in favor of having the Veterans Service Officer explore the possibility of regionalization. Marc Strange updated the Board on the Wolf Swamp Road Fields project. Marie Angelides went over the project goals.

New Business

1. Town Counsel: Colvest/DIF/Rescission of Laws:

DIF Discussion: Attorney Jesse Belcher-Timme was present to answer some questions the Board had. Attorney Belcher-Timme stated that he looked at some of the documents on the DIF agreement and had some back and forth with opposing counsel since he was not involved in the original DIF agreement. Most of this was handled internally with the town and they did not involve town counsel. Mark Gold asked about the proposal on modifying the DIF. Attorney Belcher-Timme stated that he spoke with Attorney Martin, who is counsel for LMAC, and Attorney Martin's version is there was an estimate of the two and a half million dollars and what would be expended, when everything was done he thinks some of the money ended up not being needed for this project but was still incurred by the town to do other work. Paul Pasterczyk stated that there were a number of extensions that were used to enhance town property and extended a little bit beyond the DIF, the sidewalk over by the Kinder Care is an example. Mario Mazza stated that he believes the crux of the bid when it came in was around \$2.1 million. Mark Gold asked if that was the bid for the road work. Mario Mazza stated it was for the roadwork and the two alternates, alternate number one was the sidewalk Paul Pasterczyk referred to, alternate number two was the second sidewalk on the south side of Williams Street. They equaled together about \$100,000. Mr. Mazza believes what the developer was thinking was, that it was \$2 million not \$2.1 million, that's the only real justification that Mario Mazza believes is going on for the number. Mark Gold stated that nowhere in the agreement did it say that this will be negotiated when the actual costs of the contracts are known, the request of this amendment says it eliminates paragraphs three and four which are the need for the developer of the buildings to post bonds and letters of credit to support this DIF, so they are asking for relief against that. Mark Gold would like people to understand that they as a Select Board put into that a requirement that it be transferable to subsequent owners even if that owner should become a nonprofit under the theory that Baystate Medical is the primary tenant it was possible that somewhere down the road ownership could transfer to Baystate Medical as their nonprofit status and they would no longer need to pay property taxes. Mr. Gold stated that from his perspective signing this proposal does nothing except potentially allow for the town to lose a half million dollars down the road if ownership should change hands. Mark Gold urges the Board to reject this. Tom Lachiusa stated that eventually we were going to have to develop that intersection because it was not running appropriately so it is not that we added anything on that we would not have planned on adding. Mr. Lachiusa stated that if we did not have this agreement with the contractor, would we have been eligible for federal money, like the TIP program. They may have had to wait a while but they would have been able to get a lot of the funding and in an effort to make it easier for the developer they gave up that option. Attorney Belcher-Timme stated that he does not think the amendment alters the obligation of a non-profit who takes it afterwards.

Mark Gold stated that it would alter the amount that the non-profit would pay by \$500,000.00. Marie Angelides asked who negotiated the DIF, Attorney Belcher-Timme stated that the original DIF and the first part of the amendment were negotiated by Stephen Crane, he believes his office reviewed the original DIF after it had been negotiated. Marie Angelides also asked how much did we take out in bond, Paul Pasterczyk stated that we took out the full \$2,500,000.00. Ms. Angelides asked was there something done that did not have to be done. Mario Mazza said from from a DPW Director perspective we should have done the things that we did. *Mark Gold made a motion to take no action on the proposal to amend the DIF agreement. Tom Lachiusa seconded the motion.* Discussion on the motion: Marc Strange stated that it might be beneficial to have them (LMAC) come in and have a discussion as to what their reasons are for the amendment. Marie Angelides asked Attorney Belcher-Timme if he saw any concerns with going forward on no action. Attorney Belcher-Timme personally believes that they should be able to be allowed to come and make a pitch but it is entirely up to the Select Board. ***The vote was 2 in favor 2 opposed and 1 absent (Richard Foster).*** Marie Angelides stated that they (LMAC) could come to the next meeting on October 7, 2019.

Mark Gold stated that there was another proposal from the same group for a quit claim deed and an easement on the sidewalk. Attorney Belcher-Timme stated that it was always presented to him as one package. Mark Gold stated that it seems to be a totally separate document. Marie Angelides stated that they can come in and talk about it on the 7th. Ms. Angelides asked Attorney Belcher-Timme to explain the second proposal. Attorney Belcher-Timme said there is a sidewalk easement given to the town which allows the town public access to the pedestrian

sidewalk that is on private property, there is also a certain parcel that is being given to the town. Mark Gold noted that there is no description or map of the easement areas. Ms. Angelides asked Paul Pasterczyk to have them bring that in when they come in on October 7th.

Colvest Discussion: Attorney Belcher -Timme stated that he had raised a couple of different issues with Jay, Mario and Paul, it is essentially renting Colvest an easement over town property. Attorney Belcher-Timme thinks that is something that should go to Town Meeting. There are also some minor things like maintenance responsibilities and also there is a chance that there will be a change to the parcel with the TIP work that is coming. Attorney Belcher-Timme stated the document does not acknowledge this so he wants to make sure that it is addressed. Attorney Belcher-Timme stated that public parking would be made available but the agreement does allow them (Colvest) to restrict it to customer parking on site, this is something you may want to keep in mind when looking at the package as a whole. Marie Angelides stated that there is still some behind the scenes work to be done and they will pass this on to the Town Manager to work with Town Counsel and DPW.

2. **New Trash Barrel Program Update-** Irwin Pers, Arlene Miller and Liz Bone from the Recycling Commission were present, as well as DPW Director Mario Mazza to give an update on the new trash barrels. Irwin Pers stated that they have been working on a new curbside collection program and that they have been working with representatives from East Longmeadow to combine the efforts of both communities in hopes of getting a much better contract and price which has worked out very well. Mr. Pers stated that question and answer sheets have gone out to all the residents and as the delivery date approaches they will give everyone more information. Mario Mazza believes this will go a long way in reducing the trash expense and increase recycling. Arlene Miller stated that they are working with Toter, the company supplying the barrels, to work out the final details. They are anticipating the distribution will be late October early November. Mark Gold thanked them all for all their work and noted that this is something that is important to the community.
3. **Approve Block Party Requests** – *Mark Gold made a motion to approve the block party application for 197 Greenacre Avenue October 6, 2019 from 12:00 pm-5:00 pm. Tom Lachiusa seconded the motion. **The vote was 4 in favor 0 opposed and 1 absent (Richard Foster).***
*Mark Gold made a motion to approve the Block party application for the street in front of 87 and 236 Crestview Circle on September 22, 2019 from 4:00 pm - 6:30 pm. Tom Lachiusa seconded the motion. **The vote was 4 in favor 0 opposed and 1 absent (Richard Foster).***
*Mark Gold made a motion to approve the block party application for 197 Greenacre Ave. (the length of the street) October 31, 2019 from 5:30 pm -9:00 pm. Tom Lachiusa seconded the motion. **The vote was 4 in favor 0 opposed and 1 absent (Richard Foster).***
4. **Street Closure/Farmington Ave./Halloween** – *Mark Gold made a motion to approve the Street closure application for Farmington Avenue from Longmeadow Street to Laurel Street on October 31, 2019. Tom Lachiusa seconded the motion. **The vote was 4 in favor 0 opposed and 1 absent. (Richard Foster).***
5. **Annual Town Meeting Draft Warrant:** Paul Pasterczyk highlighted some of the warrant articles. The first article is CPA money which is done annually at the Fall Town Meeting we are required by law to transfer 10% into their designated fund balances. Article 2 is to do the street analysis; they have a quote from Pioneer Valley Planning Commission. Article 3 is the \$45,000.00 for the Fire Chief he has two deployments currently one person is out on light duty and he has a retirement coming up, this money would keep his operation going Mr. Pasterczyk stated. Article 4 is making the first FY 2020 appropriation in anticipation of borrowing on the Council on Aging money. Article 5 is \$175,000.00 estimate to cover the July 6th microburst. Article 6 is the additional money that is needed to close out phase one of the Tina Lane / Birnie Road landfill. Article 7 is the \$100,000.00 some of it will be used for protecting the towns interest with the natural gas facility that is proposed at the Country Club, and some of it to include the DPW. Article 8 will be reduced to \$65,000.00 for the municipal vulnerability and the timing of the grants. Article 9 is \$50,000.00 to supplement the forestry expense account and also dealing with cleanup costs from violent storms that knock down trees and limbs. Article 10 as per the Select Board policy anything over \$500,000.00 left after the books have been cleaned up and have the tax rate set will be transferred to the Operational Stabilization Fund. Article 11 is the wording from Bond council with regard to any additional bond authorization that may be needed for the DPW. Article 12 is something that was missed at the Annual Town Meeting replacing water mains on Fairview Street. Article 13 is phase two of the capping of the Tina Lane / Birnie Road landfill bond authorization. Article 14 is to memorialize the permanent Building Committee in the Charter. Article 15 is to see if the town will authorize the Longmeadow Select Board to petition the State in order to change the Board of Election Commissioners back to the Board of Registrars. Article 16 is to put the voting hours in the by-laws that the polls open at 7:00 am for local elections. Article 17 has to do with charging for water

09/16/19 Regular Meeting
10/7/19 Approved

on a fixed and variable rate. Paul Pasterczyk stated there will be some more articles but they have not been written yet.

6. **Speed Limit Around High School:** Marie Angleides stated there was discussion about whether or not changing the speed limit near the High School has to go on the Town Warrant. Paul Paterczyk stated the Police Chief informed him that the Select Board would have the authority to change it and is recommending a request be sent through the traffic study committee.

Subcommittee Reports: Tom Lachiusa attended the Pioneer Valley Planning Commission and believes the town should apply for a grant for the work on the south end of town.

Tom Lachiusa made a motion to adjourn the regular meeting at 9:30 pm. Mark Gold seconded the motion. The vote was 4 in favor 0 opposed 1 absent (Richard Foster).

There will be a Select Board Public Forum on September 25, 2019 at 7:00 pm. The next regular scheduled Select Board Meeting is on October 7, 2019.

Respectfully submitted,
Jackie Sullivan

Documents: Agenda, Planning Board Minutes 8/15/2019, Planning Board Public Hearing minutes 8/15/2019, Conservation Commission minutes 8/14/2019, Finance Committee Minutes 7/30/2019, Enfield agreement, Memo interview question samples, BOH August monthly report, Building Dept. August monthly report, COA August monthly report, DPW August monthly report, Finance Department August monthly report, Finance estimated receipts FY20, Fire Department August 2019 monthly report, Park and Rec. August monthly report, Police August monthly report, Veterans August monthly report, 9/3/19 Select Board draft minutes, Budget calendar, Budget assumptions, 2021 Budget instructions, Budget policies of the Longmeadow Select Board, Policy-OPEB funding, Policy Capital, Finance Committee letter, Finance Committee 10 yr. levy projection, DIF agreement, Rescission of Law, Trash barrel outline, Block party applications Crestview, Greenacre and Greenacre-Halloween, Street closure application Farmington Ave., STM Warrant draft, Letter F. Bogdanowicz.