

Select Board Regular Meeting
Monday, April 2, 2018
Longmeadow High School, 535 Bliss Road, Longmeadow
Meeting Room A15 - 7:00 p.m.

Present: Chair Thomas Lachiusa, Mark Gold, William Low, Marie Angelides, and Richard Foster (left 9:50 p.m.)

Also Present: Stephen Crane, Paul Pasterczyk, Debbie House, Chief Dearborn, Stephen Kennedy, Andrew Fox, Paul Davis

The meeting was called to order at 7:00 p.m. by Select Board Chair Thomas Lachiusa.
The agenda was taken out of order at the meeting, the minutes follow the agenda.

Announcements:

1. A “balloon test” will be conducted on Bliss Road by the tennis courts on April 21st from noon to 3:00 p.m. to show the exact elevation the proposed cell tower will be at.
2. There will be a Moderator’s Forum on Thursday, May 3rd at 6:00 p.m. at Greenwood to discuss the Annual Town Meeting warrant articles. The focus will be on Article 14 – new Adult Center.

Resident Comments:

1. Stephen Kennedy, 11 Western Drive – Mr. Kennedy read a letter he submitted along with a copy of MGL Chapter 51, Section 15 to the Select Board at the meeting. Mr. Kennedy, a Democrat has been on the Board of Registrars for the past 16 years. His term expired at the end of March and the Select Board appointed a nominee from the Republican political party. Mr. Kennedy feels that MGL Chapter 51, Section 15 was not followed and suggested the appointment be vacated and the appointing process proceed according to the law.

To be continued after the Verizon hearing.

Verizon Petition #1A2PL9B

Mr. Foster made a motion to open the hearing for Verizon Petition #1A2PL9B for Dwight Road and Converse Street. Mr. Gold seconded the motion. The vote was 5 in favor and 0 opposed.

Paul Davis from UC Synergetic, a contract engineering company working for Verizon, attended the meeting representing Verizon.

Dwight Road - Four poles on Dwight Road are being relocated to accommodate the road widening project. Mr. Davis spoke to the Town Engineer who said he had no problem with the locations of the proposed poles. Mr. Gold question why one of the four poles is listed as “new” on the Verizon drawing and the other three poles are listed as “existing”. Mr. Davis, not working for Verizon and not the one who drew up the paperwork, noted that this is a stub pole and suggested that because the pole is small and inadequate Verizon might want to replace it with a larger pole to put their wires and equipment on it as well as Eversource’s equipment and wires. Currently, just Eversource’s equipment is on this pole. Mr. Gold does not understand this and does not like that Verizon gives incomplete information for their petitions.

Converse Street – one pole will be moved back ten feet as it is currently in the way of pedestrian traffic. This is also a stub pole and is listed on the Verizon drawing as “new pole”. Again, Mr. Davis suggested that Verizon might want to replace it with a larger pole so that it will support their wires and equipment as well as Eversource’s equipment and wires. Currently, just Eversource’s equipment is on this pole also. Mr. Gold remarked that he needs better information and will be voting against this petition. This is not a rubber stamp Board. Mr. Davis noted that Verizon, Eversource and the Town Engineer all got together, discussed the project, and have no issues with it. Mr. Lachiusa and Mr. Gold asked about putting the utilities underground. Mr. Davis replied that it cannot be done; Mr. Gold objected and added that the town is actively trying to put less poles up and put more underground. Mr. Gold encouraged the other members of the Select Board not to support this.

Mr. Crane added that this is our project and this work by Verizon and Eversource is driven by our project.

Mr. Foster made a motion to close the Verizon hearing at 7:30 p.m. Ms. Angelides seconded the motion. The vote was 5 in favor and 0 opposed.

Discussion: Mr. Foster agrees with Mr. Gold, the information supplied is not sufficient, simple questions have not been answered. Ms. Angelides would have like to have had Verizon and Eversource at the same hearing but does have a complete picture of the work to be done. She will vote to support the petition. Mr. Gold stated that the Town Engineer recommended following 4 conditions for approval and resolving an issue with a dead tree that was not removed from the last petition. The recommendations are:

1. Road opening and trench permit may be required prior to start of work. Contact the Town Engineering Department. DIGSAFE must be contacted.
2. Town trees shall be protected during construction (if applicable).
3. Contaminated soils, if encountered, shall be removed at the expense of the applicant.
4. All disturbed areas shall be restored to original/better condition.

Verizon has not yet removed the dead tree associated with their Petition Job #1A1UF6L, dated October 7, 2016. The tree is located on the east side of Longmeadow Street.

Mr. Davis suggested talking to Al Bessette at Verizon. Mr. Gold questioned whether a lien could be put on the Verizon property on Longmeadow Street. Ms. Angelides suggested a stern letter to Verizon from the Select Board Chair saying that this would be the last petition to go through the Select Board if the dead tree is not taken care of. Mr. Lachiusa agreed with this. Mr. Crane was asked to seek a legal opinion to see if the town has the authority to fine Verizon if petition conditions are not met.

Ms. Angelides made a motion to approve the two Verizon petitions conditional on the four conditions recommended by the Town Engineer. Mr. Low seconded the motion because he does not want to slow down the project but in solidarity with Mr. Gold and Mr. Foster, Mr. Low will not approve any more Verizon petitions without better information. The vote was 3 in favor and 2 opposed (Mr. Gold and Mr. Foster).

Mr. Davis will relay the information to Al Bessette at Verizon and have Mr. Bessette call the town. Ms. Angelides would like the Select Board to check back in May to see if the dead tree issue has been resolved.

Resident Comments (Continued):

2. Dr. Andrew Fox, 29 Lorenz Street – Dr. Fox handed out a list of bylaw violations for Lorenz Street that he acquired through a public records request. He suggested that there was a failure by the Building Commissioner and Town Manager to enforce the bylaws and asked the Select Board to direct them both to enforce the bylaws. Dr. Fox encouraged the Select Board not to amend the commercial vehicle bylaw and added that according to Mass DOT rules if a vehicle is used for personal use and business use it is a commercial vehicle whether it has advertising on it or not and whether it has a commercial license plate or not. Mr. Foster requested and was granted permission to open a dialogue. He asked Dr. Fox what he proposes the Select Board do. Dr. Fox would like commercial vehicles and equipment garaged per the bylaw. Mr. Gold noted that bylaw enforcement is by reaction and questioned how the Select Board would want to address proactive enforcement. Mr. Foster added that there is a reason for code compliance and bylaws.

Select Board Comments:

1. Tax Ceiling Task Force – Ms. Angelides noted that the group is looking for four residents to serve on the task force.
2. Mr. Lachiusa stated that he would like to put the Board of Registrars discussion on a future agenda. He requested that the Town Manager seek a legal opinion on this.

Town Manager's Report:

1. WESTCOMM – The Chiefs of both Longmeadow and Chicopee will interview four applicants for the Executive Director position. The Board of Directors will then interview the finalists. An appointment should be made by the end of April. Guidelines for the next round of grant funding have been released. Mr. Foster questioned when this would be back before the Select Board for final approval. Mr. Crane stated that the Select Board has already signed the district agreement. Mr. Gold does not believe the Select Board made a commitment to regional dispatch yet and still needs to vote on it. He would like to review the past meeting tapes. Ms. Angelides' understanding is that the Select Board would have to approve the next level of funding. She also would like to see the job description for the Executive

Director. Mr. Crane added that the town will contribute to the district with 75% of the cost being funded by the state.

2. DPW Project – The Zoning Board of Appeals has approved special permits for the height of the salt shed and antennae. An amended site plan will be submitted to the Planning Board once bidding is complete. General Contractor bids will be opened on April 5th.
3. Cell Tower – The balloon test will be done on April 21. Permit applications will be filed soon.
4. FY18 DPW (Capital) Projects Update – The FY18 projects map with markings for guardrail, crack seal, sidewalks, and resurfacing projects was reviewed. Mr. Gold would like this added to the website, and Ms. Angelides suggested putting this on a board for viewing at Town Meeting.
5. Mr. Crane was presented with the Complete Streets funding certificate last week by the MassDOT.
6. Legal Expenses spreadsheet – Mr. Foster would like to discuss this with Mr. Crane later in the week.
7. Zoning Bylaws – Mr. Crane addressed the bylaw enforcement issue brought up by Dr. Fox in Resident Comments. Bylaws can be subject to interpretation and there are gray areas. Every complaint is taken seriously and addressed. Proactive enforcement would require additional manpower and would have to be added to the FY20 budget.
8. Converse Street sidewalks – The new sidewalks along Converse Street are delaminating. The Town is working with the state to see what they are going to do. Converse Street was a state project.

Old Business:

1. Approved Minutes – *Mr. Low made a motion to approve the March 19, 2018 regular meeting minutes as presented. Mr. Foster seconded the motion. The vote was 4 in favor and 0 opposed. Mr. Gold abstained.*
2. Stormwater Enterprise Fund Credit Policy – The draft policy was reviewed and discussed. The process for a resident would be to submit required documentation to DPW and then they would communicate with the Assessor's office who would apply the credits to the approved applications. This would go into effect on July 1, 2018. *Ms. Angelides made a motion to approve the Residential Credits of the Stormwater Enterprise Fund Credit Policy. Mr. Low seconded the motion.*
Discussion: Mr. Gold feels that the BMP Credit section needs more clarity and specifics; it is too objective and gives too much variance. Also the Education Credits section is not specific and needs to be defined. Mr. Foster questioned why he hasn't seen this proposal before now.
The vote was 4 in favor and 1 opposed (Mr. Foster).
(Mr. Foster left the meeting at 9:50 p.m.) The discussion continued on the Stormwater Enterprise Fund Credit Policy. Ms. Angelides is concerned about the 50% credit and the Educational Credit section. Mr. Crane noted that the Educational Credit is part of MS4 that the town is required to comply with. There is an appeal process if someone doesn't agree with the application decision. Tracy Adamski from Tighe & Bond will be asked to attend a future meeting to explain and answer the many questions the Select Board has. Mr. Gold added that not all abatements are equal and feels that a guide is needed. Mr. Crane emailed the Select Board members a link to the manual while at the meeting. The Select Board will be the hearing board for denied abatements.
3. Select Board/Town Manager Goals – Mr. Crane would like the Select Board to adopt the FY19 goals to fulfill the GFOA Budget requirement. Ms. Angelides ask what the Innovation Fund would be used for this year; Mr. Crane does not have plans for it yet. Ms. Angelides mentioned a Select Board policy pertaining to retirees joining the health insurance. Mr. Pasterczyk has a draft policy that has a grandfather phase and a graduated phase set up for retirees. Ms. Angelides recommended pulling the Select Board policy. Mr. Gold remarked that he does not see Budget (developing/administering), personnel management, and communication on the goals chart if we are going to use this criteria for the Town Manager's evaluation. Mr. Crane offered to tie in some of Mr. Gold's items to the current Town Manager evaluation form. Ms. Angelides asked about using the Cartegraph system. Mr. Crane replied that the town does not have the ability to get customized reports from the Cartegraph system, more specific ways to implement this are to be developed.

The Select Board moved on to New Business and returned to the Goals discussion later in the meeting.

New Business:

1. Approve Ballot Question – A debt exclusion ballot question for the bond authorization for the construction and furnishing of a new Council on Aging Facility is needed. The article is contingent upon a successful debt exclusion which must be voted on at a town wide election. Mr. Gold feels that the ballot question is deficient as proposed because an amount is not listed. Mr. Pasterczyk noted that it came right out of the statute. *Ms. Angelides made a motion to approve the ballot question as presented. Mr. Low seconded the motion. The vote was 3 in favor and 1 opposed (Mr. Gold).*
2. Arbor Day Proclamation – *Ms. Angelides made a motion to approve the Arbor Day Proclamation. Mr. Low seconded the motion. The vote was 4 in favor and 0 opposed.* Mr. Lachiusa, as Chair, signed the proclamation.
3. Emergency Cost Recovery Fees – Fire Chief Dearborn attended the meeting to discuss cost recovery and to ask the Select Board to adopt proposed rates as an addendum to the current permit and fee rates utilized by the Fire Department. Under MGL 21E towns can pursue reimbursement for response actions as they relate to the release or threat of release of oil or hazardous materials (vehicle accidents, facilities, pipelines...). Standby services, planned details, special events (firework details), and rendering a property safe after an emergency response are also reimbursable. Police and DPW resources are also reimbursable in these circumstances. The proposed rates have been established with input from Fire, Police and DPW. These rates would be reviewed on an annual basis (fiscal year). *Mr. Gold made a motion to authorize the Emergency Management Chief to seek appropriate recovery of costs and adopt the fee schedule as proposed. Ms. Angelides seconded the motion. The vote was 5 in favor and 0 opposed.*
4. Emergency management Update – The emergency management team has been reorganized into two groups: Tier 1, most active, operations group (Police, Town Manager, Fire, DPW, Finance Director, IT, and school) and Tier 2, Health and Human Services group (IT (messaging), BOH, Parks & Recreation, COA, Building, Public Health Nurse, school). Chief Dearborn handed out a listing of 17 initiatives or projects to enhance the safety, security and emergency preparedness for the town. This was reviewed with the Select Board. There are three programs out there: Hazard Mitigation Grant which is a 5 year document, we are in the 3rd year now; Municipal Vulnerability Program (MVP), adopted in 2016 and rolled out last year, requires stakeholder input; and Community Resilience which is also a newer program and requires stakeholder input. The MVP will be released in May, funding is based on population. The Chief would like to wait on this; the recommended motions for the MVP will be coming out in a new RFP. We can dovetail this with the Local Emergency Planning Committee (LEPC). The Chief will be back in October, once he has the state approval, asking for a formal vote from the Select Board on the organization of the LEPC. The structural documents and mission statement have been submitted to the state for approval. We will receive a start-up grant and then the town would be open to future grants.
5. DIF Percent Capture Vote – The Select Board needs to establish a “percent capture” of the tax increment in which to build its next year’s budget upon. The budget will be used for the repayment of the debt service on the \$2.50 million bond authorized at last year’s annual town meeting for the infrastructure improvements within the improvement district. *Mr. Low made the motion that the Select Board utilize 100% of the Dwight Road Improvement District’s incremental tax revenues to be utilized in establishing the FY 2019 District Improvement Financing budget. Ms. Angelides seconded the motion. The vote was 4 in favor and 0 opposed.*

Subcommittee Reports:

1. Ms. Angelides requested that the Tax Ceiling Task Force be able to choose four residents to serve with the group instead of having two appointed by the Select Board and two appointed by the School Committee as originally agreed upon. *Mr. Low made a motion to delegate to the Tax Ceiling Task Force the authority to appoint members. Mr. Lachiusa seconded the motion. The vote was 4 in favor and 0 opposed.*

Goals Discussion continued: Ms. Angelides would like to accomplish some projects. Mr. Crane would like the goals approved so that Mr. Pasterczyk can have the GFOA budget booklet published before Town Meeting.

04/02/18 Regular Meeting

04/17/18 Approved

Mr. Low made a motion to approve the preliminary budget goals list. Mr. Lachiusa seconded the motion. The vote was 2 in favor and 2 opposed (Ms. Angelides and Mr. Gold).

Mr. Gold made a motion to adjourn the meeting at 10:55 p.m. Ms. Angelides seconded the motion. The vote was 4 in favor and 0 opposed.

Respectfully submitted,
Debbie House

Documents: Agenda – April 2, 2018
Letter from Stephen Kennedy – submitted and read by resident at meeting
Listing of bylaw violations for Lorenz Street – submitted by resident at meeting
Verizon Petitions #1A2PL9B
Town Engineer comments on Verizon Petitions
Town Manager’s Report memo
 Complete Streets Funding Certificate
 DPW FY2018 Projects Map
 Legal Expenses spreadsheet
Draft Minutes –March 19, 2018 regular meeting
Draft Stormwater Enterprise Fund Credit Policy
Draft SB/TM Goals Chart
Debt Exclusion Ballot Question
Arbor Day Proclamation
Fire Chief’s Cost Recovery Rates memo
Fire Chief’s Safety, Security and Emergency Preparedness Initiatives – handout
District Improvement Financing Procedures memo and vote
Correspondence–Letter from Friends of Longmeadow Older Citizens Assoc. (FOLOCA)