

Select Board Regular Meeting
Monday, August 6, 2018 - 7:00 p.m.
Longmeadow High School, Room A15, 535 Bliss Road, Longmeadow, MA

Present: Chair Mark Gold, Marie Angelides, William Low, Richard Foster, and Thomas Lachiusa

Also Present: Paul Pasterczyk, Jackie Sullivan, Mario Mazza, Andrew Krar, Tim Alix, and Marybeth Bergeron
Interviewees: Patrick Carnahan, Andrea Chasen and Jerry Plumb

The meeting was called to order at 7:00 p.m. by Select Board Chair Mark Gold.
The Pledge of Allegiance was recited.

Announcements:

1. Reminder that there is a vacancy on the School Committee due to the resignation of Jessica Hutchins. Applications (including a cover letter and resume) are to be submitted to the Select Board's office by noon on August 17th. The Select Board and School Committee will jointly interview each applicant on August 27th and jointly vote on and appoint a candidate on September 4th. Mr. Gold read the entire vacancy notice which can be found on the town's website, in the Reminder News, and in the Longmeadow News. The application can be found on the town's website, www.longmeadow.org or in the Select Board's office at 20 Williams Street.

Resident Comments: none

Select Board Comments:

1. Thomas Lachiusa noted there was a request for additional funds from the DPW. Mr. Lachiusa is struggling with the system as to why the contract to clean up the asbestos would go to a vendor in Windsor, CT and not to a vendor in the Springfield area.
2. Mark Gold read the following statement regarding the additional funds needed for the DPW.

“At our last scheduled Select Board meeting (July 16th) the Select Board reviewed and approved a change order in the construction project for our new DPW in the amount of \$280,500. These funds were necessary to collect and properly dispose of Asbestos Containing Material (ACM) that was found to be scattered around the property – especially in the wooded areas beyond the parking lot. The material is thought to be the rubberized coating of tennis courts previously removed from sections of the building. We have no way of knowing how the material became scattered around the building, but it was our obligation to gather and dispose of the material in an environmentally responsible and legally required manner. This clean-up was completed on time and on budget. The funds that paid for this supplemental work will be paid from the contingency fund within the project budget. Subsequent to that environmental clean-up, the work on the project resumed. As part of that project the plans called for removal of the current parking lot pavement for the installation of underground utilities. During the process of removing the pavement, the contractor discovered a large amount of Asbestos Containing Material under the parking lot black-top. This material appears to have been spread around and buried under the asphalt surface. The volume of material has been estimated to be between 3,500 and 7,000 cubic yards depending on the depth to which it is found – indeed a substantial quantity. The actual amount will be determined when segregation is complete. The material was spread throughout the site and is believed to be the same material as was previously found scattered around the facility. Having uncovered and identified this hazardous material, it is incumbent upon us to remove and legally dispose of the material. When the material was identified, the contractors working on the site were required to cease all work. Equipment that was exposed to the material was frozen in place until it could be decontaminated, and the work site was closed down. Last Wednesday the Select Board met in a special session to authorize the contractors to gather this material, isolate it from the environment so that it could not disperse, and prepare it for disposal. This authorization took the form of a second change order that directed the contractor to collect all ACM and, with the approval of the Mass DEP, isolate it on site until a disposal site and method is agreed upon. The cost of this

change order is based on time and materials but has a not-to-exceed authorization of \$168,709. It is important to note that this cost, which will come from the project contingency, does NOT include the cost of disposal. This change order was reviewed by and recommended by the project Owner's Project Manager, as well as unanimously recommended by the Building Committee. Having exposed the ACM through the removal of the black-top, it was essential that this material be gathered and contained as quickly as possible to assure that it not be spread through the community. This work is currently underway. There are several disposal options for this ACM. The cost of disposal of these options ranges from several hundred thousand dollars to as much as \$2 million in the worst-case scenario.

The purpose of my comments tonight are to assure the Town the following:

- Town residents, particularly those who reside in the area around the construction site, are in no health danger. The material was not and is not airborne. It is being fully contained.
- The primary driving force behind the decisions we have and will make is to make the site safe for contractors, residents, and employees of the town.
- The situation is being managed by a range of knowledgeable individuals and groups working on behalf of the Town: From our Town Manager, our Permanent Building Committee, the Owner's Project Manager and the Select Board. From the first discovery of ACM on the site, the Massachusetts Department of Environmental Protection (DEP) has been made aware of this material and has and will continue to be involved in all decisions that will be made with respect to the permanent disposal of this material.
- Town residents should be assured that the gathering and proper disposal of this material is being managed in a manner that meets or exceeds all State and Federal requirements.
- The presence of this ACM was not, and could not, have been known to the Town prior to the removal of the parking lot pavement. Because there is no statute of limitations on the improper disposal of hazardous materials, should improper disposal be determined to be the source of this material, the Town will be reviewing options for recovering the excess costs associated with the proper removal and disposal of this material. This review will be the subject of tonight's and I suspect some future executive sessions of the Select Board.
- From a cost perspective, even should the worst-case scenario play out for the disposal of this material, the cost of this project is still not expected to exceed the \$22 million authorized by the Town. Cost control is an important consideration – and falls behind only in our pledge to assure health safety and environmental standards are met.”

Mr. Gold stated that the Select Board would continue to keep the Town informed as more information becomes available.

Quarterly Board Committee Interviews:

1. Patrick Carnahan of 311 Farmington Road interviewed for reappointment to the Tree Committee. Mr. Carnahan just finished a three-year term on the Tree Committee has a background in trees and would like to be reappointed to another three year term expiring in 2021.
2. Andrea Chasen of 236 Crestview Circle interviewed for the Energy & Sustainability Committee. Ms. Chasen is currently on the Conservation Committee and has been working with the Energy Task Force for about 1 ½ years.
3. Jerry Plumb of 125 Ellington Street interviewed for reappointment to the ZBA. Mr. Plumb has been a member of the Zoning Board of Appeals for many years and would like to be reappointed to another three year term expiring in 2021.

Old Business:

1. Approved Minutes – *Mr. Foster made a motion to approve the meeting minutes from July 6, 2018 as presented. Mr. Lachiusa seconded the motion. The vote was 4 in favor, 0 opposed, Ms. Angelides was not present at the time.*

Mr. Foster made a motion to approve the meeting minutes from the July 30, 2018 Special Meeting as presented Mr. Lachiusa seconded the motion. The vote was 4 in favor, 0 opposed, Ms. Angelides was not present at the time.

2. *Mr. Foster made the motion to accept the Storm Water abatement policy as presented. Mr. Low seconded the motion. Mr. Pasterczyk reminded the Select Board that they already voted on the residential credits, only the educational credits and the storm water BMP credits need to be acted upon. The vote was 5 in favor, 0 opposed.*
3. *Mr. Lachiusa made the motion to accept a policy for the Building Department to allow refunds for construction permit fees that are in association with crumbling foundations. Mr. Foster seconded the motion. The vote was 5 in favor, 0 opposed.*
4. *Policy on Delegation of Change Order Authority to Longmeadow Building Committee. Ms. Angelides asked that it be briefly explained how this is a change from what they were doing before. Mr. Gold stated there was no policy before. Marybeth Bergeron, Chair of the Longmeadow Building Committee stated that the Building Committee established a policy at their May meeting, Mr. Foster stated this was the first time he has heard anything regarding the policy and recommended taking this motion off the table and marking it for next meeting. Mark Gold stated there was no motion on the table because it was open for discussion first. Ms. Angelides made a motion to appoint Mr. Foster as a liaison to the Building Committee, this was seconded by Mr. Lachiusa. The vote was 5 in favor, 0 opposed. The policy on the Delegation of Change Order Authority will be considered at the next meeting.*
5. *Mr. Foster made the motion to approve the Bylaw Revision policy. Mr. Low seconded the motion. Ms. Angelides recommended that it not begin until January 1, 2019. The vote was 5 in favor, 0 opposed.*

New Business:

1. *DPW Project Update and Change Order Discussions - Mario Mazza, Director of Public Works distributed a hand out of the FY18 Capital Projects Status as of June 30, 2018. Mr. Gold asked that Mr. Mazza highlight any projects that are behind schedule or overbudget. Greenwood pool, Community House Road project, Longmeadow L project, and the well at Wolfswamp Fields were all discussed. Mr. Mazza stated that the Greenwood pool may still have a leak, they are going to do some crack sealing. The Community House Road project construction will happen during the fall. The well at Wolfswamp Fields is completed; the next phase is to bid on the pump and controls. Mr. Krar stated that the Converse Street L project is on the 2023 TIP project. Construction update Longmeadow DPW - Marybeth Bergeron introduced Tim Alix from Collier a handout was distributed listing the project status. Tim Alix stated the next milestone is the completion of the stock pile and the demolition of the building. Mr. Foster asked how often they would get updates Mr. Alix informed him they would get quarterly updates.*
2. *Mr. Lachiusa made the motion to sign the election warrant for the September 4, 2018 state primary election. The motion was seconded by Mr. Foster. The vote was 5 in favor, 0 opposed.*
3. *Ms. Angelides made a motion to approve the Board of Health fee for Private Waste Haulers, the fee is \$100.00. Mr. Lachiusa seconded the motion. The vote was 5 in favor, 0 opposed.*
4. *Mr. Foster made a motion to approve a block party application for 232-399 Captain Road for August 18th with a rain date of August 19th from 3:00 p.m. – 9:00 p.m. Mr. Lachiusa seconded the motion. The vote was 5 in favor, 0 opposed.*
Mr. Foster made a motion to approve a block party application for Ellington Road, September 8th with a rain date of September 9th from 4:00 p.m. – 10:00 p.m. Mr. Low seconded the motion. The vote was 5 in favor, 0 opposed.
5. *Mr. Low made a motion to approve the Capital policy as presented. Ms. Angelides seconded the motion. The vote was 4 in favor, 1 opposed. Mr. Lachiusa opposed.*
Mr. Foster made a motion to approve the OPEB policy as presented. Mr. Low seconded the motion. The vote was 4 in favor. 1 opposed. Mr. Lachiusa opposed.

Town Manager's Report:

Mr. Pasterczyk noted that he had a conference call with Moody's and the Town did maintain their Aa2 rating. The Town just closed an online auction which generated about \$45,000 to the town. Mr. Pasterczyk will be attending a seminar at UMass dealing with crashing the ceiling (levy ceiling) on Wednesday, August 8, 2018. Mr. Foster made an operational note that usually he receives a notice of an online auction, this time he was not aware of it. Mr. Pasterczyk will look into that.

Subcommittee Reports:

1. Energy and Sustainability Committee – Still following through on the street light information, draft bylaw for plastic bags, building audits are completed just waiting on the results.

Ms. Angelides will send the draft bylaw for the plastic bags to the Select Board again for review. Ms. Angelides noted that Stephen Crane has had meetings with surrounding communities regarding regionalizing the audit of the street lights.

Mr. Foster made a motion to adjourn the regular meeting at 9:15 p.m. and enter into executive session for the purpose to discuss strategy with respect to collective bargaining or litigation and the Chair hereby declares an open meeting may have a detrimental effect on the bargaining or litigating position of the public body – (DPW Dwight Road) not to return to open session. Mr. Lachiusa seconded the motion.

Roll call vote: Mr. Foster-yes, Ms. Angelides-yes, Mr. Gold-yes, Mr. Lachiusa-yes, Mr. Low-yes

The next regular Select Board meeting will be on August 20th.

Respectfully submitted,
Jackie Sullivan

Documents: Agenda – August 6, 2018
Quarterly Board/Committee Vacancy Interview list and 4 applications
Fire Department June Report
Draft Minutes July 16, 2018
Draft Minutes Special Meeting July 30, 2018
Building Permit Fee Reimbursement for Crumbling Foundation Replacement draft
Delegation of Change Order Authority to the Building Committee draft
Bylaw Revision Policy draft
Capital Improvements Policy draft
OPEB Funding Policy draft
State Primary Election Warrant
Email (BOH) Private Trash Haulers Annual Permit Fee
Block Party Applications – Captain Road and Ellington Street
Meeting Minutes: Building Committee 5/29/18, Conservation Commission 5/23/18,
Finance Committee 6/13/18, Planning Board 5/2/18, Planning Board PH 5/2/18,
Planning Board 6/6/18, Planning Board PH 6/6/18, Tree Committee 7/19/18
Correspondence: Emails – M. Loder, M. Marantz, F. Yesu, and S. Foley
Handout by Mario Mazza (Director of Public Works) FY18 Capital Projects Status as of June 30, 2018

Handout by Tim Alix (Colliers) Longmeadow DPW Project construction update August 6, 2018