TOWN OF LONGMEADOW ANNUAL TOWN MEETING
TUESDAY – MAY 14, 2019 – 7:00 P.M.
WARRANT

COMMONWEALTH OF MASSACHUSETTS, HAMPDEN, ss
To Town Clerk Katherine Ingram, or any of the Constables of the Town of Longmeadow, in said County:

GREETINGS:
In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the Inhabitants of the Town of Longmeadow, qualified to vote in elections and Town affairs, to meet in the GYMNASIUM of the LONGMEADOW HIGH SCHOOL in said Town on TUESDAY, the FOURTEENTH day of MAY, 2019, at 7:00 p.m. o’clock in the evening and if the GYMNASIUM of the LONGMEADOW HIGH SCHOOL, shall not, in the opinion of the Moderator, be adequate to contain such Inhabitants who shall meet, then to meet also in and such other locations in the LONGMEADOW HIGH SCHOOL as the Moderator deems appropriate, at such time and place then and there to act on the following articles to wit:

ARTICLE 1.
To see if the Town will vote to choose three trustees to administer the William Goldthwait Bequest, or take any other action relative thereto.

The Goldthwait Bequest is an endowment fund left to the Town of Longmeadow for assistance to “the worthy poor of Longmeadow”. The Board of Trustees administers this fund and makes expenditures, from the accruing interest, for applicants experiencing financial hardship. The trustees are chosen annually by Town Meeting.

ARTICLE 2.
To see if the Town will vote to transfer from available funds in the Treasury the sum of $200,000.00, or a greater or lesser sum, for the purpose of supplementing the FY 2019 Snow and Ice removal deficit, or take any other action relative thereto.

The FY 2019 Snow and Ice removal costs exceeded the $125,000.00 originally appropriated. This transfer would fully fund the costs for the fiscal year. Recommended by the Finance Committee

ARTICLE 3.
To see if the Town will vote to transfer from available funds in the Treasury the sum of $55,000.00, or a greater or lesser sum, to supplement the FY 2019 DPW Grounds Forestry account for the purpose of continuing to remove or prune potentially hazardous trees on Town property or rights of way, or take any other action relative thereto.

Removals exceeded budget predictions. Longmeadow has mature public trees which need maintenance. The Emerald Ash Borer (EAB), an invasive insect, has been identified in Longmeadow. The EAB could kill all Longmeadow Ash trees in the next 6-10 years. A cost effective treatment is available and will save money compared with removals. $10,000.00 of this money is expected to be used for the purpose of protecting public shade trees from the EAB. Recommended by the Finance Committee

ARTICLE 4.
To see if the Town will vote to transfer from available funds in the Treasury the sum of $10,000.00, or a greater or lesser sum, to supplement the FY 2019 Fire Vehicle Maintenance account for the purpose of providing continued scheduled preventive maintenance on the Fire apparatus, or take any other action relative thereto.

Currently the account has less than $2,000.00 in it and just under $9,000.00 in preventive maintenance that is scheduled prior to June 30, 2019. Historical trends of expenditures show that the account has been under funded and the FY 2020 budget has been increased to reflect the prior years’ experience. Recommended by the Finance Committee

ARTICLE 5.
To see if the Town will vote to transfer from available funds in the Treasury the sum of $135.61, or a greater or lesser sum, for the purpose of paying bills of prior year, or take any other action relative thereto.

Two obligations of the Town from the prior fiscal year were discovered since the Fall Special Town Meeting in October. Passage of this article will allow payment of the prior years’ bills. Four-fifths vote required. Recommended by the Finance Committee
ARTICLE 6.
To see if the Town will vote to transfer from available funds in the Treasury the sum of $135,000.00, or a greater or lesser sum, to the Town’s Operational Stabilization Fund previously established by vote of Article #15 at the November 18, 2003 Special Town Meeting, or take any other action relative thereto.

Funds in the Operational Stabilization Fund would secure the Town’s General Reserve Policy levels and help maintain the annual July 1st level of 5 - 10% of operating revenues the Select Board has established within its policy. It will also help to secure adequate levels of reserves where the Moody’s Credit Rating Agency has stated that the Town’s reserve levels are "below the national and state average for the rating category" of Aa2. The July 1st, 2018 level was 6.67%. The anticipated July 1st, 2019 level is 6.99%.

Recommended by the Finance Committee

ARTICLE 7.
To see if the Town will vote to fix the Fiscal Year 2020 salary and compensation of the Moderator at $100.00 and the Select Persons at $2,000.00 each, to provide for a reserve fund, and to approve the Fiscal Year 2020 operating budget totaling $69,062,742.00, or a greater or lesser sum, and itemized as follows:

- General Government: $1,620,161.00
- Public Safety: $5,411,845.00
- Planning & Community Development: $193,284.00
- Schools: $35,153,129.00
- Department of Public Works (General Fund): $3,176,359.00
- Community and Cultural Services: $1,800,114.00
- Debt Service & Town/School Employee/Retiree Benefits: $14,983,051.00

Subtotal General Fund: $62,337,943.00

- Solid Waste / Recycling Enterprise Fund: $1,188,431.00
- Water Enterprise Fund: $2,701,607.00
- Sewer Enterprise Fund: $1,991,772.00
- Stormwater Enterprise Fund: $842,989.00

Total: $69,062,742.00

And to fund the General Fund $62,337,943.00 be raised and appropriated as follows: $62,337,943.00 from general taxation; and that to fund the Solid Waste / Recycling Enterprise Fund $1,188,431.00 be raised and appropriated as follows: $285,000.00 from Solid Waste / Recycling receipts and $903,431.00 from general taxation; and to fund the Water Enterprise Fund 2,701,607.00 be raised and appropriated as follows: $2,701,607.00 from Water receipts; and to fund the Sewer Enterprise Fund $1,991,772.00 be raised and appropriated as follows: $1,991,772.00 from Sewer receipts, and that to fund the Stormwater Enterprise Fund $842,989.00 be raised and appropriated as follows: $292,000.00 from Stormwater receipts and $550,989.00 from general taxation, or take any other action relative thereto.

An annual operating budget must be adopted and funded for Fiscal Year 2020 that begins on July 1, 2019. The budget was approved by the Select Board and reviewed by the Finance Committee, as required by the Town Charter. The budget, as printed, is a balanced budget as required by Massachusetts General Laws and the Charter.

Recommended by the Finance Committee

ARTICLE 8.
To see if the Town will vote to raise and appropriate the sum of $162,000.00, or a greater or lesser sum, for the purpose of establishing a Salary Settlement Account to cover FY20 Collective Bargaining Agreements and other wage settlements, or take any other action relative thereto.

All non-school collective bargaining agreements (CBAs) expire June 30, 2019 with the exception of the Fire CBA which runs through June 30, 2021. This article will provide funds for approved CBAs and other wage settlements. Funds from the Salary Settlement Account can be released to the individual budgetary line items by the Finance Director only after receipt of finalized collective bargaining agreement and wage settlement documents. This appropriation will cover wages for FY 2020 only once agreements are finalized.

Recommended by the Finance Committee

ARTICLE 9.
To see if the Town will vote to raise and appropriate, or transfer from available funds, the following amounts, or a greater or lesser sum, for capital projects and that any remaining amounts from the capital projects be returned to the Capital Stabilization Fund where applicable:
From Raise and Appropriate (FY2020)

<table>
<thead>
<tr>
<th>Project</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Project Development</td>
<td>$25,000.00</td>
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<tr>
<td>Capital Reserve</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>Fire Truck Reserve</td>
<td>$60,000.00</td>
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<tr>
<td>Fire Refurbish Marine One</td>
<td>$32,000.00</td>
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<tr>
<td>School / Town Network Improvements</td>
<td>$300,000.00</td>
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<tr>
<td>High School HVAC Upgrades</td>
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<tr>
<td>Blueberry Hill School Boiler Replacement Phase II</td>
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<td>Greenwood Center Gutters &amp; Snow Guards</td>
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<tr>
<td>DPW Grounds Sidewalk Plow / Utility Machine</td>
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<tr>
<td>Guardrail Replacement</td>
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<tr>
<td>Sidewalk Preservation</td>
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<tr>
<td>Pavement Preservation</td>
<td>$337,454.00</td>
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Subtotal $1,698,474.00

From Capital Stabilization Fund

<table>
<thead>
<tr>
<th>Multi Fund</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Pavement Preservation</td>
<td>$87,546.00</td>
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<table>
<thead>
<tr>
<th>Water Retained Earnings</th>
<th>Sewer Retained Earnings</th>
<th>Raise &amp; Appropriate FY 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>DPW Class 6 Dump Truck</td>
<td>$42,500.00</td>
<td>$42,500.00</td>
</tr>
<tr>
<td>DPW Backhoe / Loader Replacement</td>
<td>$22,525.00</td>
<td>$22,525.00</td>
</tr>
</tbody>
</table>

or take any other action relative thereto.

Annually the Town appropriates funds for capital expenditures. The FY 2020 General Fund allocation for capital increased slightly from 3.00% to 3.03% of net General Fund operating revenues. Supplemental funds from the Capital Stabilization Fund and additional FY 2019 Chapter 90 funds, when combined with the General Fund allocation pushed the FY 2020 capital appropriations to more than $2.00 million thereby exceeding the FY 2020 original goal of capital expenditures of $1.98 million.

Two-thirds vote required in the case of transfers from a Stabilization Fund.

Recommended by the Finance Committee

ARTICLE 10.

To see if the Town will vote to transfer from available funds in the Treasury the sum of $100,000.00, or a greater or lesser sum, for the purpose of producing preliminary survey work for the possible reconstruction / reconfiguration of the southern end of Longmeadow Street / Route 5, or take any other action relative thereto.

In order to be considered for State funding for the reconstruction / reconfiguration of the southern end of Longmeadow Street / Route 5 the Town must prepare preliminary survey work. This appropriation will allow the Town to satisfy that requirement.

Not Recommended by the Finance Committee

ARTICLE 11.

To see if the Town will vote to transfer $313,000.00 from the Sewer Retained Earnings account and vote to authorize the Treasurer to borrow the sum of $800,000.00, or a greater or lesser sum, for the purpose of Phase 1 of replacing the North Interceptor Sewer and the related bond costs, to be paid in the first instance from sewer receipts, or take any other action relative thereto.

This article authorizes debt to finance Phase I of replacing the North Interceptor Sewer. The North Interceptor conveys sewage from the area west of Longmeadow Street from the Springfield line south to Emerson Road. This interceptor was constructed in the 1920's and is in poor condition. The new design moves the sewer line off the piers on the embankment abutting Interstate 91 and into the ground. By doing this, the line will be protected and more accessible for maintenance. Future phases include slip lining pipes, land clearing to gain access to infrastructure, and siphon evaluation and repairs.

Two-thirds vote required in case of borrowing.

Recommended by the Finance Committee
ARTICLE 12.
To see if the Town will vote to authorize the Treasurer to borrow the sum of $425,000.00, or a greater or lesser sum, for the purpose of Improving Drainage on Willow Brook Road and related bonding costs, to be paid in the first instance from stormwater fees, or take any other action relative thereto.

This article authorizes debt to finance Drainage Improvements on Willow Brook Road. The storm drainage system on Willow Brook Road is more than fifty years old and is failing. The existing drain line has voids that cause: sinkholes, potholes, and degraded pavement. The proposed work includes slip lining of existing concrete drain pipe and repaving the road.

Two-thirds vote required in case of borrowing.

Recommended by the Finance Committee

ARTICLE 13.
To see if the Town will vote to authorize the Treasurer to borrow the sum of $200,000.00, or a greater or lesser sum, for the purpose of Improving Drainage on Magnolia Circle and related bonding costs, to be paid in the first instance from stormwater fees, or take any other action relative thereto.

This article authorizes debt to finance Drainage Improvements on Magnolia Circle. The existing storm drainage system on Magnolia Circle is more than 50 years old and is failing. The existing outfall is dismantling and causing up-gradient slope to fail and recede back into an abutters property. The existing catch basins are deteriorated and not sufficiently sized to provide adequate inlet capacities causing the street to flood. The plan is to replace the deteriorated infrastructure with adequately sized catch basins, culvert, and a drainage outfall.

Two-thirds vote required in case of borrowing.

Recommended by the Finance Committee

ARTICLE 14.
To see if the Town will vote to authorize the Treasurer to borrow the sum of $800,000.00, or a greater or lesser sum, for the purpose of permanently capping the former municipal solid waste landfill located on Birnie Road/Tina Lane and related bonding costs, or take any other action relative thereto.

This article authorizes debt to finance permanent capping of the former municipal solid waste landfill on Birnie Road/Tina Lane. The Town has been working with the Massachusetts Department of Environmental Protection (DEP) to permanently cap the landfill, which operated from 1958 to 1979, for over ten years. The DEP allowed the Town to use the landfill for the disposal of contaminated soils from the new DPW site, which saved the Town $2 million in out-of-state disposal costs without further degrading the existing environmental conditions; the Town must now meet certain DEP deadlines to complete a permanent cap that will encapsulate the recently placed soils as well as the pre-existing solid waste. Approval of the article will allow the Town to mitigate a long-standing environmental liability and prepare the site for a potential future use as a solar farm.

Two-thirds vote required in case of borrowing.

Recommended by the Finance Committee

ARTICLE 15.
To see if the Town will vote to authorize the Treasurer to borrow the sum of $870,000.00, or a greater or lesser sum, for the purpose of purchasing Town Street Lights and the Replacement of the lights with high efficiency LED lighting and related bonding costs, or take any other action relative thereto.

This article authorizes debt to finance the purchase of street lights and poles as well as the conversion of the existing light fixtures to high efficiency LED lighting. The Town is using a grant from the State's Green Communities program to retain a consultant to audit the existing streetlights and poles as well as design a lighting system that will maximize efficiency while providing light levels that enhance safety. The Town has also engaged the Towns of West Springfield, Agawam, and the City of Springfield to negotiate as a group for the purchase of the streetlights from Eversource as well as the eventual procurement of the LED fixtures and associated maintenance. The Town currently pays Eversource $268,641.00 per year to lease 1,498 streetlights; an expense that will be eliminated and replaced by the annual cost of this bond (est. at $90,000.00 per year for 10 years) and an ongoing maintenance cost (estimated to be $43,500.00 per year), for a savings to the town of $130,000.00 per year for the first 10 years and $220,000.00 per year thereafter. The Town will also receive rebates from Eversource as well as incentives from the Massachusetts Department of Energy Resources (DOER) that could reduce the overall cost by almost $100,000.00. This proposal for bonding a capital purchase to reduce ongoing costs was previously used successfully by the town to purchase our fiber optics system.

Two-thirds vote required in case of borrowing.

Recommended by the Finance Committee
ARTICLE 16.
To see if the Town will vote to authorize the Treasurer to borrow the sum of $1,541,000.00, or a greater or lesser sum for the purpose of making Improvements to the Wolf Swamp Fields and Parking Areas and that, to meet said appropriation, the Treasurer is authorized to borrow said sum of money and provided further that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59, Section 21C (otherwise known as Proposition 2 ½), or take any other action relative thereto.

This article would fully fund the Wolf Swamp Field Master Plan, which includes renovating all of the fields by providing irrigation, resurfacing the fields, and reconfiguring them. The Master Plan will also improve vehicle and pedestrian safety by separating the existing parking along Wolf Swamp Road from the street and creating a new, centralized parking area. Wolf Swamp fields are, by far, the most utilized athletic field facilities in Longmeadow. They are the primary location for Longmeadow Youth Soccer, Longmeadow Youth Field Hockey, Longmeadow Boys Youth Lacrosse, and Longmeadow Girls Youth Lacrosse. They are also used by Longmeadow Baseball, Little League and high school Ultimate Frisbee as well as countless practices, games, and jamborees.

Two-thirds vote required in case of borrowing.

ARTICLE 17.
To see if the Town will vote to raise and appropriate the sum of $183,625.00, or a greater or lesser sum, for the purpose of paying the FY 2020 District Improvement Financing (DIF) Debt Service, or take any other action relative thereto.

The District Improvement Financing (DIF) statute, M.G.L. Ch. 40Q requires the Town to annually budget for the debt service related to the Dwight Road / Maple Street DIF Program. In FY 2020 100% of the incremental property tax revenues associated with the Town’s Dwight Road Improvement District will be used as the funding source of the DIF Fund. Any excess in the DIF fund at fiscal year-end will be returned to the General Fund. Note that FY 2020 is the last year where 100% of the incremental property taxes associated with the DIF project will be earmarked for the DIF debt service. An estimated $30,000.00 in excess taxes will flow directly into the General Fund beginning in FY 2020.

Recommended by the Finance Committee

ARTICLE 18.
To see if the Town will vote to appropriate $478,362.00, or a greater or lesser sum, from the state for highway improvements under the authority of M.G.L. Chapter 90 including funds to be received in FY 2020, or any other applicable laws, and to authorize the Select Board, if necessary, to apply for, accept, and borrow in anticipation of state aid for such projects, expend, or take any other action relative thereto.

The state annually allocates to the Town a sum of money to be spent on Town roads. This amount must be appropriated by town meeting. The Town spends the money first and is reimbursed by the state upon completion of the project.

Two-thirds vote required in case of borrowing.

Recommended by the Finance Committee

ARTICLE 19.
To see if the Town will vote to appropriate $94,667.00, or a greater or lesser sum, from the state for highway improvements under the authority of M.G.L. Chapter 90 including funds to be received in FY 2020, or any other applicable laws, and to authorize the Select Board, if necessary, to apply for, accept, and borrow in anticipation of state aid for such projects, expend, or take any other action relative thereto.

The state annually allocates to the Town a sum of money to be spent on Town roads This amount represents a secondary appropriation of the FY 2019 CH 90 funding. This amount must be appropriated by town meeting. The Town spends the money first and is reimbursed by the state upon completion of the project.

Two-thirds vote required in case of borrowing.

Recommended by the Finance Committee

ARTICLE 20.
To see if the Town will vote to transfer $1,178.50 from the Receipts Reserved for Appropriation account / Transportation Infrastructure Enhancement Trust Fund to the Special account for Traffic Improvements at the Williams / Bliss Triangle, or take any other action relative thereto.
This amount represents funds received from the Commonwealth Transportation Infrastructure Fund pursuant to St.2016, c 187 section 8(c)(f). The funds come from fees collected by the Commonwealth from transportation network services (e.g. Uber and Lyft) and must be used “to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in town including other programs that support alternative modes of transportation.” The amount of funds is based on the number of rides that originated in Longmeadow. The Town is currently working with PVPC on a transportation study of the Williams/Bliss Triangle area. Recommended by the Finance Committee

ARTICLE 21.
To see if the Town will vote to raise and appropriate the sum of $8,000.00, or a greater or lesser sum, from the FY 2020 Community Preservation local surcharge and trust fund for administrative costs for the Community Preservation Committee, or take any other action relative thereto.

These funds are for any expenses incurred by the Community Preservation Committee. In FY 2018 the Committee spent approximately $4,514.81 for annual dues to the state organization, and administrative matters. Any funds not used during the year are returned to the Community Preservation Undesignated Fund Balance account. Recommended by the Finance Committee

ARTICLE 22.
To see if the Town will vote to fund the Community Preservation Project for the Repair of the Storrs Library roof in the amount of $27,000.00, or a greater or lesser sum, funded from the Community Preservation Historic Preservation Fund Balance, or take any other action relative thereto.

This project will fund repairs to portions of the library roof to prevent further water damage to the library.
Recommended by the Finance Committee

ARTICLE 23.
To see if the Town will vote to fund the Community Preservation Project for resurfacing of the playground area at Bliss Park in the amount of $109,000.00, or a greater or lesser sum, funded from the Community Preservation Undesignated Fund Balance, or take any other action relative thereto.

The Bliss Park playground is the most visited playground in town. Last year the Community Preservation Committee approved funding for repair of the playground equipment at Bliss Park. This project will allow for the replacement of the surface under the equipment, which is reaching the end of its useful life. Recommended by the Finance Committee

ARTICLE 24.
To see if the Town will vote to fund the Community Preservation Project for development of a landscape master plan for Bliss Park and Laurel Park in the amount of $12,000.00, or a greater or lesser sum, funded from the Community Preservation Recreation/Open Space Fund Balance, or take any other action relative thereto.

This project will allow for the development of a plan for the care and improvement of the parks, including the walking trails and the Cooley Brook watershed in the park, in an ecologically sustainable way that meets the recreation needs of the community.
Recommended by the Finance Committee

ARTICLE 25.
To see if the Town will vote to fund the Community Preservation Project for the purchase of, and planting of, trees along the tree belt in Bliss Park and Laurel Park in the amount of $14,000.00, or a greater or lesser sum, funded from the Community Preservation Recreation/Open Space Fund, or take any other action relative thereto.

A number of trees in the tree belt along the park corridor on Laurel Street have been removed or damaged over the years. This project will allow for new trees to be planted along the corridor. Recommended by the Finance Committee

ARTICLE 26.
To see if the Town will vote to fund the Community Preservation Project for Wolf Swamp Field Leveling, Field Improvements, and an Irrigation System in the amount of $100,000.00, or a greater or lesser sum, funded from the Community Preservation Undesignated Fund Balance, or take any other action relative thereto.
This project provides additional partial funding as part of a long term plan to renovate and improve the conditions of the Wolf Swamp Road fields by providing irrigation, resurfacing the fields, and reconfiguring them. The fields are used for soccer, field hockey, lacrosse, and baseball by many age groups. This is in addition to $330,000.00 provided in past years. The funds are recommended so the field improvement project can continue if the funding in Article 15 is not approved. If the funds are approved at the annual Town Election, the funds will be applied to the funding in Article 15 or used to help repay the amounts borrowed.  

ARTICLE 27.  
To see if the Town will vote to fund the Community Preservation Project to acquire and install screen doors and batten doors at the Storrs House Museum in the amount of $5,460.00, or a greater or lesser sum, funded from the Community Preservation Historical Fund Balance, or take any other action relative thereto.  

This project will provide for the installation of period appropriate doors for the Storrs House, providing additional protection and security for the building and the collections inside.  

ARTICLE 28.  
To see if the Town will vote to fund the Community Preservation Project to obtain historical surveys of structures built before 1901 in the amount of $10,000.00, or a greater or lesser sum, funded from the Community Preservation Historical Fund Balance, or take any other action relative thereto.  

Structures built before 1901 are subject to the provisions of the demolition delay bylaw, and there are approximately 80 structures for which better information is needed. The Longmeadow Historical Commission has also applied for a matching grant to the Massachusetts Historical Commission to complete this project.  

ARTICLE 29.  
To see if the Town will vote to fund the Community Preservation Project to re-fund the Residential Home Modification Fund, in the amount of $125,000.00, or a greater or lesser sum, to be funded from the Community Housing Fund Balance, or take any other action relative thereto.  

The Longmeadow Adult Center provides social services for many low income residents in the community; many of these people are living in their homes that are in need of repairs or modifications in order to allow them to remain safely in their homes. This fund will enable them to do so, by providing grants of up to $10,000.00 to eligible residents. This will be the fourth such application funded by the Community Preservation Committee.  

ARTICLE 30.  
To see if the Town will vote to fund the Community Preservation Project for the improvement of the softball field at Turner Park in the amount of $33,000.00, or a greater or lesser sum, to be funded from the Recreation/Open Space Fund Balance, or take any other action relative thereto.  

In prior years the Community Preservation Committee funded improvements for the baseball field at Turner Park. This project will fund improvements to the softball field including fencing, bleachers, a storage shed, and a pitching and hitting tunnel.  

ARTICLE 31.  
To see if the Town will vote to fund the Community Preservation Project for remediation of the erosion at Russell Field in the amount of $90,000.00, or a greater or lesser sum, to be funded from the Community Preservation Undesignated Fund Balance, or take any other action relative thereto.  

This project will remedy the erosion on the east side of the field by replacing the railroad tie retaining walls that have deteriorated with tiered, interlocked stone walls around the backstop so fans can view the games.  

ARTICLE 32.  
To see if the Town will vote to establish a funding limit for the Town’s Council on Aging Revolving Fund with payments from the fund to be expended by the Director of the Council on Aging up to $85,000.00, or take any other action relative thereto.
Effective November 7, 2016 as part of the Governor’s Municipal Modernization Act, Revolving Funds created pursuant to Massachusetts General Law Chapter 44, Section 53E ½ as established in the Town’s Bylaws must have an annual expenditure limit set at the Town’s Annual Town Meeting. This article sets the annual expenditure limit.

ARTICLE 33.
To see if the Town will vote to accept Park Drive, or take any other action relative thereto.

Park Drive in Longmeadow has never been accepted despite being maintained by the Town for many years and the sections in Springfield being public ways. It is unknown why the street has never been accepted in Longmeadow. The DPW has inspected the road and determined that it meets Town standards.

ARTICLE 34.
To see if the Town will vote to revise the Town’s Home Rule Charter, created March 9, 2004 and revised June 28, 2007, by amending the following sections of the Charter. (changes are shown in italics), or take any other action relative thereto.

Section 1-7 Continuation of Existing Laws (Moved from 9-1)
All special laws, town by-laws, town meeting votes, and rules and regulations of or pertaining to the town in force when this charter takes effect and not specifically or by clear implication repeated in this charter, shall continue in full force and effect until amended or rescinded by due course of law or until they expire by their own limitation.

The proposed deleted language is not necessary since the charter was in fact adopted and has been in effect since its adoption.

Section 2-5 Rules of Procedure
(a) The conduct of the town meeting shall be governed by the most recent edition of Town Meeting Time and such other rules and procedures as, from time to time, may be adopted by town meeting vote.

The procedural manual “Town Meeting Time” is revised periodically and the proposed revision makes it clear that the most recent edition is to be followed.

Section 2-8 Publication of Warrants
(a) Following receipt by the select board of any subject for a town meeting warrant article, initiated by petition or by the select board, the town clerk shall post a copy of such subject on the town bulletin board and the town web site and otherwise distribute as may be provided by by-law. The town clerk shall make additional copies available in printed form and on the town web site.

The town web site was not in common use when the charter was adopted. The proposed revision directs that the modern technology be used in addition to conventional methods of communication.

Section 3-1 General Provisions
(b) Eligibility - Any individual registered to vote in Longmeadow voter shall be eligible to hold any elective town office, but no person holding any elective town office shall simultaneously hold any other elective town office.

Currently, this section simply provides that any "voter" is eligible to serve in an elective office of the town. The review committee decided that this prerequisite be clarified by specifying "any individual registered to vote in Longmeadow."

Section 4-4 Other Committees
There shall be such other town committees as the town may establish by by-law, by vote of town meeting or as may otherwise be established by the select board or school committee. Such committees shall be monitored and dissolved as appropriate by their appointing authorities. The identity and purpose of such other committees shall be listed in the office of the town manager.

Given the number of various town committees, the review committee decided that there should be a central location, specifically the office of the town manager, where these panels and their purposes would be listed.

Section 6-3 Department of Public Works
(b) The department of public works shall assume all of the duties and responsibilities in the performance of public works functions, including but not limited to those performed prior to the adoption of the charter by or under the authority of the water and sewer commissioners, the school committee, the park commissioners, and the select board.
(e) (b) Director of Public Works - The department of public works shall be under the direct control of a director of public works who shall be appointed by, and directly responsible to, the town manager. The director of public works shall serve at the pleasure of the town manager and shall be a person especially fitted by education, training and previous experience to perform the duties of the office. The director of public works shall be responsible for the supervision and coordination of all divisions within the department in accordance with state statutes, town by-laws, administrative code and directives of the town manager.

Since the department of public works has been functioning as contemplated by the charter, the review committee is calling for deletion of this section which specified those boards whose duties the public works department would assume upon implementation of the charter.

Section 6-5 Department of Parks and Recreation
(b) The department of parks and recreation shall be under the direct control of a director of parks and recreation, who shall be appointed by, and directly responsible to the town manager. The director shall serve at the pleasure of the town manager and shall assume all of the administrative duties and responsibilities for parks and recreation formerly performed by the park and recreation commission, except those duties assigned by the charter to the department of public works, and shall further perform such additional functions and duties as may be assigned by the town manager. The director shall further provide staff support to the parks and recreation commission and shall coordinate departmental programs with the commission.

The same reasoning which applied to the proposed revision of Section 6-3(b), above, should apply to the deletion of the reference to former duties of the park and recreation commission prior to adoption of the charter.

Section 8-7 Definitions
Unless another meaning is clearly apparent from the manner in which the word is used, the following words as used in the charter shall have the following meanings:

(j) Town Bulletin Board - The words “town bulletin board” shall mean the bulletin board on which official town notices are posted and those at other locations within the town as the select board may from time to time designate, and may also include the official town web site, all as consistent with Massachusetts open meeting law.

In the time since adoption of the town charter, the Massachusetts Open Meeting Law has clarified the manner of giving notice for town meetings. The proposed new language simply incorporates the mandates of that law.

Section 8-8 Notice of Vacancies
Whenever a vacancy occurs and is to be filled in any town office or town employment or in any multiple-member body, except for positions covered under the civil service law of the Commonwealth, whether by reason of death, resignation, expiration of a fixed term for which a person has been appointed, or otherwise, the select board or other appointing authority shall cause public notice of the vacancy to be posted on the town bulletin boards for fifteen days.

The reference to the civil service laws, with respect to notice of vacancies, can be deleted for the same reason given with respect to the change in Section 5-2(b), i.e. those laws do not apply to positions in the town.

Section 9-1 Continuation of Existing Laws (Moved to Section 1-7)
All special laws, town by-laws, town meeting votes, and rules and regulations of or pertaining to the town in force when this charter takes effect and not specifically or by clear implication repealed in this charter, shall continue in full force and effect until amended or rescinded by due course of law or until they expire by their own limitation.

Section 9-2 Continuation of Government
All town agencies shall continue to perform their duties until re-appointed or re-elected, or until successors to their respective positions are duly appointed or elected, or until their duties have been transferred.

Section 9-3 Continuation of Personnel
Any person holding employment under the town, at the time the charter is adopted, shall retain such office or employment and shall continue to perform the position’s duties until provisions shall have been made in accordance with the charter for the performance of the duties by another person or agency. Persons in the full-time service or employment of the town shall not, as a result of this charter, have their pay reduced or their time in service altered. Every person shall be retained in a capacity as similar to his or her former capacity as is practical.

Section 9-4 Transfer of Records and Property
All records, property and equipment whatsoever of any agency or part of such agency, the powers and duties of which are assigned in whole or in part to another agency, shall be transferred immediately to such assigned agency.
Section 9-5 Time of Taking Effect

The charter shall become fully effective upon its approval by the voters, except as otherwise provided in this section:

(a) Select Board—Upon adoption of the charter, the select board, registrars of voters, the town clerk, and other election officials of the town shall conduct a special election to be held on October 5, 2004. At the special election two additional select persons shall be chosen as follows: the candidate receiving the largest number of votes shall be elected to the select board for a term ending on the day of the annual town election in 2007, and the candidate receiving the second largest number of votes shall be elected to the select board for a term ending on the day of the annual town election in 2006. Annually thereafter there shall be elected a select person or select persons equivalent to the number of vacant positions to be filled at each annual election. Persons elected to the select board at the special election shall be sworn into office immediately upon certification of the vote by the town clerk.

(b) Town Clerk, Treasurer, Collector—The town clerk, the treasurer and the tax collector, who have previously been elected and who will now be appointed under the provisions of this charter, shall serve for the balance of their terms, but their successors shall be appointed, and should there be a sooner vacating of said offices, their successors shall be appointed.

(c) Board of Assessors—Beginning with the election in the year following the year in which the charter is adopted, members of the board of assessors shall be appointed as provided for in section 4-3. It being the intent of this provision that a transition from an elected board of assessors to an appointed board of assessors be phased over a period of time so that as the term of an elected incumbent expires the successor shall be appointed, and should there be a sooner vacating of a previously elected assessor his or her successor shall be appointed.

(d) School Buildings and Grounds—It is the intent of this provision that the transfer and assumption of duties for the maintenance and repair of school buildings and school grounds shall be phased over a period of time to allow the department of public works and the school committee to develop a plan for this transfer of responsibility. Said transfer shall take effect on July 1 in the year following the year in which the charter is adopted, however, the town manager may request an additional year before the department of public works shall assume the said functions.

(e) Park and Recreation Commissioners—Beginning with the annual town election in the year following the year in which the charter is adopted, members of the board of park and recreation commissioners shall be appointed as provided for in section 4-2; it being the intent of this provision that a transition from an elected board of park and recreation commissioners to an appointed board of park and recreation commissioners be phased over a period of time so that as the term of an elected incumbent expires the successor shall be appointed, and should there be a sooner vacating of a previously elected park commissioner, his or her successor shall be appointed.

(f) Water and Sewer Commissioners—The board of water and sewer commissioners in office at the time the charter is adopted, shall continue to perform their duties until December 1 in the year the charter is adopted. At such time these offices shall be abolished. It is the intention of this provision that the select board will become the water and sewer commission, and should there be a sooner vacating of a previously elected water and sewer commissioner, a successor shall not be elected.

(g) Town Manager—The select board shall, immediately following the election at which the select board is expanded to five members, initiate procedures to recruit a town manager.

(h) Town Administrator—The position of town administrator is abolished, effective not later than two weeks following the appointment and assumption of office by the town manager. The incumbent town administrator may be eligible for the position of town manager.

(i) Budget Submission Date—Until such time as the town meeting acts, by by-law, to establish a different time for submission, by the town manager, of a proposed budget as provided in section 7-3, the proposed budget shall be submitted to the select board not later than one hundred and twenty days before the start of the fiscal year.

(j) Review of By-laws—Within forty-five days after the election at which the charter is adopted, the moderator shall appoint a special committee of seven members to review the existing by-laws of the town. The committee shall report, to the next annual town meeting, its recommendations to bring the town by-laws into conformity with the town charter. Where by-laws conflict with the charter, the charter provisions shall prevail.

(k) Procedures for Appointments to Multiple Member Bodies—Upon adoption of the charter and until provisions are made by by-law as provided for in Section 4-5, all appointments to boards, commissions and committees, by multiple member appointing authorities, shall be made in accordance with the following procedures: (1) vacancies and/or openings shall be advertised or posted; (2) all letters and/or resumes of interested volunteers shall be acknowledged and considered by the appointing authority; (3) public interviews shall be conducted; and (4) appointments shall be made at public meetings of the appointing authority.
This entire article, with one exception, should be deleted since it deals with "Transitional Provisions" for the period after initial adoption of the charter. Section 9-1, however, should remain in effect (subject to deletion of conditional language relating to the charter) to make it clear that special laws, by-laws, votes, etc. in effect prior to the charter adoption should continue in effect. The section should, however, for the sake of symmetry, be relocated to Section 1-7.

Two-thirds vote required.

ARTICLE 35.
To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 64G, Section 3A, as amended by Chapter 337 of the Acts of 2018, and to set the excise tax on short-term rentals at 6.00%, or take any other action relative thereto.

A new law in Massachusetts (Chapter 64G, Section 3A, as amended) allows municipalities to adopt local room occupancy excise taxes of up to 6% of total rent for short-term rentals (e.g. Airbnb, VRBO) after July 1, 2019. The new law also allows municipalities to assess community impact fees of up to 3% on certain professionally managed short-term rentals and provides for local licensing/registration. The Town is aware of a growing number of homes being offered for short-term rental and currently lacks the regulatory resources to address any impacts to the community.

ARTICLE 36.
To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 51, Section 16A creating a four (4) member board of election commissioners that would be the lawful successor of the current board of registrars. The election commissioners would have all the same powers, rights, duties and liabilities of the board of registrars except as otherwise provided in the statute, or take any other action relative thereto.

The intent of changing the three (3) member board of registrars to the four (4) member board of election commissioners is to increase the number of members to an even number in order to balance the membership equally of the two leading political parties in Town. Currently, this cannot happen with an odd number of election officials. The members of the board of registrars in office at the time of this acceptance shall be members of the board of election commissioners, and shall serve until the expiration of their respective terms and until their successors are appointed or qualified.

ARTICLE 37.
To see if the Town will vote to amend Section 5-804 (e) of the General Bylaws of the Town (part of the demolition delay bylaw) by inserting the following new wording (in italics) to the end of the section:

1) (e) If, after such hearing, the Longmeadow Building Demolition Committee determines that the structure is a significant structure and the proposed demolition would be detrimental to the historical or architectural heritage or resources of the Town, then it shall file written notice with the findings of its determination to the applicant and the Building Commissioner, and no demolition permit shall be issued until nine (9) months after the date of such determination by the Longmeadow Building Demolition Committee; provided, however, that the committee may, for cause shown, reduce the delay period.

Or take any other action relative thereto.

This amendment will give the Building Demolition Committee greater flexibility in determining the time period allowed for delays. The current language requires the committee to choose to delay demolition for either nine (9) months or not at all. If approved, this would give the committee the flexibility to delay for periods shorter than nine (9) months when the committee deems it appropriate.

ARTICLE 38.
To see if the Town will vote to amend Section 2-805 of the General Bylaws of the Town (Historic District Commission) by replacing 2-805 in its entirety with the following, or take any other action relative thereto:

2-805. Longmeadow Historic District Commission.
(a) The Historic Districts Act, Massachusetts General laws, Chapter 40C, governs the Historic District Commission. The Commission shall adopt rules and regulations for the conduct of its business not inconsistent with the provisions of the Historic Districts Act; or this By-Law, as the case may be. These rules and regulations will be on file with the Town Clerk.
(b) The purpose of this bylaw, as stated in the Historic Districts Act, Section 2, “is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places significant in the history of the commonwealth and its cities and towns or their architecture, and through the maintenance and improvement of settings for such buildings and places and the encouragement of design compatible therewith.”

(c) There is hereby established under the provisions of the Historic Districts Act, as amended, a historic district to be known as the Longmeadow Historic District, bounded as shown on a map entitled “Plan Showing Longmeadow Historic District, Longmeadow, Massachusetts”, map dated June 2012 prepared by the Town Engineer attached to and made part of the by-Laws, a copy of which is on file with the Town Clerk.

(d) As authorized by the Historic District Act, Section 4, the Town has authorized the appointment of seven full voting members and three alternate members. Appointments to be made per the Historic Districts Act. No member may serve on the Commission for more than two consecutive three year terms, nor more than three consecutive terms if either of the first two terms is for less than three years.

The current by-law refers to the functions and duties of two distinct Town bodies; the Longmeadow Historic District Commission and the Longmeadow Historical Commission. The proposed version of by-law 2-805 contains language relating only to the Longmeadow Historic District Commission while a future proposed by-law 2-810 will contain language relating only to the Longmeadow Historical Commission. This necessary update will allow for more clarity in the by-laws relating to the functions of both commissions.

ARTICLE 39.
To see if the Town will vote to amend the General Bylaws by adding Article 6, Chapter 400, Section 6-417 Open Burning. No person shall cause, suffer, allow, or permit the open burning of any combustible material. Open Burning is burning under such conditions that the products of combustion are emitted directly to the ambient air. Open burning includes above or underground smoldering fires, including fires for the disposal of brush, cane, driftwood, forestry debris, grass, hay and leaves. This bylaw shall not apply to:

(a) open burning for the purpose of combating or backfiring an existing fire by persons affiliated with an official firefighting agency
(b) open burning conducted primarily for cooking purposes
(c) training or research in fire protection or prevention with specific approval by the Department of Environmental Protection
(d) activities associated with the normal pursuit of agriculture which have been determined by the Department of Environmental Protection as necessary and which include but are not limited to, open burning of blueberry patches for pruning purposes, dead raspberry stalks, fruit tree prunings, and infected beehives for disease control;
(e) open burning of brush and trees resulting from agricultural land clearing operations;
(f) the disposal of fungus-infected elm wood provided that no suitable alternative method of disposal is available;
(g) Ceremonial fires, only as permitted by the authority having jurisdiction.

Or take any other action relative thereto.

Open burning, the burning of any material outdoors, releases large amounts of carbon monoxide and other gaseous and solid substances directly into the atmosphere. Open burning causes air pollution and aggravates respiratory problems. Open burning creates a smoke and odor nuisance, as well as a health threat to area residents. In densely populated areas such as Longmeadow open burning is a concern with houses that are close together and large amounts of vegetation (wildland urban interface) that create the potential for rapid fire spread. Add to this concern that spring is usually the worst time of the year for brush fires. When the snow pack recedes, but before new growth emerges, last year’s dead grass, leaves and wood are dangerous tinder. In the event one of these open burn fires get out of control the potential for buildings being damaged or destroyed is great.

ARTICLE 40.
To see if the Town will vote to amend Chapter 400, Public Order and Decency, of the Town’s General Bylaws by inserting the following quoted language as a new section following Chapter 400, Section 6-416 to read as follows:
**Section 6-417. Excessive Noise From Certain Vehicular Braking Mechanisms Prohibited.**
Notwithstanding anything to the contrary contained in Chapter 400, Section 6-407, and without limiting the effect of Chapter 400, Section 6-407, except in the case of an emergency, it is unlawful for the driver of any vehicle to use or operate, or cause to be used or operated within the limits of the Town, any compression brake, engine brake, so-called “Jake brake”, dynamic brake, or mechanical exhaust device designed to assist in the deceleration or braking of any motor vehicle, if such device or devices result in excessive, loud, obnoxious or otherwise offensive or unusual noise. Violators of this section shall be subject to a fine of $300 per violation of this section.”

Or take any other action relative thereto.

*This article is intended to ban the use of a “Jake Brake” or “Engine Brake” which refers to a function of a diesel engine which involves the release of compressed air to assist a truck to slow down. This action makes a loud noise. Adding this section to the Bylaws will give the Town a means of enforcement and thereby reduce the unnecessary and objectionable noise that is disruptive to residents who live along frequently used truck routes.*

**ARTICLE 41.**
To see if the Town will vote to amend the Zoning Bylaws by deleting the text of Article IV, Section B, Sub-section 1.2a in its entirety and replacing it with the following, or take any other action relative thereto.

A totally enclosed private garage must be used for the overnight vehicular storage of vehicles registered as Commercial or Bus, as defined by the Code Massachusetts Regulations, except those that are registered in the Town of Longmeadow, do not exceed a gross vehicle weight of 7,000 lbs., have no more than two axles, and have six wheels or fewer.”

*This proposed change would allow for vehicles registered as “Commercial” or “Bus” that are no larger in size than vehicles often driven for non-commercial use, such as ½ ton pickup trucks (e.g. Ford F-250 or Chevy 2500), to be parked in driveways overnight so long as the vehicle is registered in Longmeadow. The current bylaw is an enforcement challenge because it refers to not all lettered vehicles have commercial registrations, and not all commercially registered vehicles are lettered. The requirement that the vehicle be registered in Longmeadow will ensure that the Town receives excise taxes on the vehicles that are regularly kept overnight in town. Report of the Planning Board required prior to vote.*

*Two-thirds vote required.*

**ARTICLE 42.**
To see if the Town will vote to adopt bylaws to provide that the Town’s planning and zoning bylaws are used to ensure that there is adequate protection of its citizens and its environment from noise, pollutants, emissions, discharges, leaks, and other risks and hazards that are associated with facilities of natural gas utilities, or take any other action relative thereto.

**ARTICLE XV**
RESTRICIONS FOR FACILITIES OF NATURAL GAS UTILITIES

**A. PURPOSE**
The purpose of this by-law is to provide that the Town’s planning and zoning by-laws are used to ensure that there is adequate protection of its citizens and its environment from noise, pollutants, emissions, discharges, leaks and other risks and hazards that are associated with facilities of natural gas utilities. Facilities of natural gas utilities (hereinafter referred to as “facilities”) are defined herein.

In addition to site and design review, these facilities are required to obtain a special permit from the Planning Board. Such proceedings are to be consolidated.

**B. DEFINITIONS**
1. Compressor Station: A Facility designed and constructed to compress natural gas in its function as a midstream Facility for the delivery of gas to a transmission pipeline, distribution pipeline, or processing plant, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.
2. Gate Station: Point at which a local gas utility receives gas from a pipeline company.
3. Metering Station: A Facility that is a pipeline station designed for the continuous and simultaneous analysis of the quantity and quality of the natural gas being transported in the pipeline, and is used to branch off the pipeline, meter the gas and reduce pressure.
4. Operator: Any private or public entity which operates a Facility.
5. **Pigging Station:** This is the Facility that controls the devices known as "pigs" (pipeline inspection gadget) to perform various maintenance operations. These operations include but are not limited to cleaning and inspecting the pipeline, storing and removing waste and other products found in the natural gas pipelines.

6. **Protected Structure:** Any occupied residence, commercial, business, school, religious institution or other public building located within one mile of the surface location of a Facility, including structures such as garages and barns or other accessory buildings and structures which may be impacted by noise and/or emissions generated by any of the facilities.

7. **Valve Station:** This is the junction where pipes in a network have a central control system.

C. **COMPREHENSIVE HEALTH IMPACT ASSESSMENT (CHIA):**

As a component of the Special Permit Application, an independent Comprehensive Health Impact Assessment (CHIA) shall be required within a designated perimeter of any proposed Facility in order to identify potential health threats as a means of mitigating negative health impacts on residents. The CHIA shall be prepared by an independent health and safety expert in accordance with nationally recognized standards, to be paid for by the Operator and specifically designed to identify and evaluate potential short-term and long-term human health impacts by identifying potential pathways for Facility-related contaminants to harm human health, quantifying the cumulative risks posed by any contaminants, and recommending necessary avoidance, minimization, or mitigation. An ongoing annual monitoring of resident health shall be required after infrastructure is built which may have any health impact.

D. **EMISSIONS:**

1. Any Special Permit issued hereunder shall require that the emissions from any Facility and accessory equipment shall be monitored monthly, to ascertain whether they equal or exceed the threshold of toxic air pollutants or hazardous air pollutants designated as such by state or federal Environmental Protection Agency classifications.

2. Any applicant hereunder shall demonstrate that the best available engineering, inspection, oversight and monitoring practices shall be used to minimize any emissions and ensure public safety.

E. **NOISE:**

1. **Residential/Business/Agricultural Districts:** Any Facility contemplated hereunder shall be designed such that, at no point beyond the boundary of any lot within these districts, shall the exterior noise level resulting from any use or activity located on such lot, at any time, exceed a maximum of 55 Dba.

2. **Sound Barriers:** Any Special Permit issued hereunder may require the temporary or permanent erection and use of sound barriers to minimize the impact of noise from the facilities on residents.

3. **Monitoring:** Any Special Permit issued hereunder shall include the following protocol for complaints: if a signed complaint is received by the issuing body of the Special Permit or any other town official, designated pursuant the Special Permit, from any resident using a Protected Structure for any lawful purpose regarding noise generated from any Facility and its activities, the Operator shall, within 48 hours of receipt of the complaint, continuously monitor for a 72 hour period at a point which is the closer to the complainant’s Protected Structure to:

   a. The property line nearest to the Facility generating the noise; or

   b. One hundred (100) feet from the property line of the Protected Structure.

The Operator shall provide the final result to the Town Manager or designee within 10 business days of the Operator’s receipt of the final results to determine compliance.

4. **Exhaust Muffler or Exhaust Box:** Any internal combustion engine or compressor used in any Facility shall be equipped with 1) an exhaust muffler or 2) an exhaust box. The exhaust muffler or exhaust box shall be constructed of non-combustible materials designed and installed to suppress noise and disruptive vibrations. All such equipment with an exhaust muffler or exhaust box shall be maintained in good operating condition according to manufacturer's specifications.

5. **Testing and Low Frequency Noise:** As a condition of approval of any Special Permit, the Planning Board shall require that independent baseline testing of background noise shall be done prior to construction of any site which may have a high impact on noise within a designated perimeter of one mile to the site, and such testing must address low frequency noise (LFN) and pure tones as well as mid and high frequency noise.

F. **LIGHTING:**

The Operator shall take steps to direct site lighting downward and inward toward the Compressor Station so as to attempt to minimize glare on property nearby the Facility site. No exterior lighting at any proposed Facility location shall project above the horizontal plane or project beyond property lines, and be restricted to a minimum. Any permanently installed exterior lighting shall comply with bylaws to protect abutters.

G. **FIRST RESPONDERS:**

1. In deliberating upon any application for a Special Permit hereunder, the Planning Board may consider whether first responders, including but not limited to the Longmeadow Fire Department and the Longmeadow Police Department, have the requisite training and equipment to adequately respond to any potential dangerous conditions that may result due to unique aspects of the operation of a Facility station.
2. Prior to construction of the Facility, Operator shall provide to the Town's First Responders, including the Fire Department, Police Department, Ambulance service and the Town Clerk, a copy of its Preparedness, Prevention Contingency Plan, which shall address methods to handle the following:
   a. Pipeline leakage
   b. Spill containment
   c. Vandalism creating unknown conditions
   d. Defective pipelines
   e. Potential contamination of the public water supply and well water of residents, and streams and wetlands

H. SETBACKS:
The site plan submitted by any applicant for a Special Permit hereunder shall include a showing of the location of structures on neighboring properties within 1 mile of property lines upon which the Facility will be located. The site plan and other submitted materials shall also detail the effects of an explosion or other emergency situation involving such structures on properties within the Town's boundaries, including measures taken to minimize such effects. The Planning Board, as a condition of approval, may impose setback requirements that are reasonably necessary to address potential emergencies at the locus.

I. PENALITIES AND FINES:
In the event of any violation of this by-law that results in harm to residents, property or Town's resources, including, but not limited to, public water supply and well water of residents, and streams and wetlands, vegetation, or Protected Structures, the Operator shall be responsible for payment of clean-up costs as well as reimbursement of all costs incurred by the Town in responding to such violations. Fines, payable to the Town, shall be imposed at the rate of $1000 per day for each day that such violation continues.

The purpose of this bylaw is to provide that the Town’s planning and zoning bylaws are used to ensure that there is adequate protection of its citizens and its environment from noise, pollutants, emissions, discharges, leaks and other risks and hazards that are associated with facilities of natural gas utilities.
AND you are hereby directed to serve this Warrant by posting attested copies thereof in five (5) public places in said Town seven (7) days, at least, before the time of holding said meeting.

HEREOF fail not and make due return of the Warrant with your doings thereon unto the Town Clerk at or before the time of holding said meeting.

Given UNDER our hands this 21st day of March, 2019, A.D.

SELECT BOARD OF LONGMEADOW

Mark Gold, Chair Person

Marie Angelides, Vice Chair Person

William Low, Clerk

Richard Foster

Thomas Lachiusa

I hereby certify that the above has been duly posted in All 5 (five) Precincts.

Constable

Date

April 9, 2019