

**DRAFT**

Select Board Regular Meeting  
Monday December 16, 2019 - 7:00 p.m.  
Longmeadow High School, Room A15, 535 Bliss Road, Longmeadow, MA

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

**Also Present:** Town Manager Lyn Simmons, Paul Pasterczyk, Debbie House, Officer Rob Lombardi, Atty. Haian Lin, Atty. Robert Schmidt, Jeannette Norman, Christine Gendron, David Marinelli, Nick Jorge, Eric Weiss (PVPC), Jessica Guerra, Michael Zeller

Interviewees: Paul Gorman, Adam Metsch, Jan Komaiszko, Steven Marantz

### **Open Session**

Chair Angelides opened the meeting at 7:00 p.m. The Pledge of Allegiance was recited.

### **Announcements:**

1. Code Red is the town's emergency notification system. Information is available on the town's website and in the Library and town departments. Sign up to receive town notifications by email or phone.
2. There is a vacancy on the Planning Board. Interested residents should submit an application to the Select Board's office by January 2. A joint meeting of the Planning Board and Select Board has been scheduled for January 6 to interview applicants. The appointment will be until the Annual Town Elections in June.

**Resident comments:** none

**Select Board Comments:** none

### **Town Manager's Report:**

1. Planning Board vacancy as mentioned above under Announcements.
  2. The Westcomm Police data migration was completed on December 9<sup>th</sup>. All Police, Fire, and EMS calls are being dispatched from Westcomm. A ribbon cutting ceremony will be held on December 20.
  3. Ms. Simmons submitted the FY21 capital plan and 5-year plan to the Capital Planning Committee on December 11.
  4. The town will be receiving a cyber security grant in the amount of \$8,800 from MIIA. IT Director, Nick Jorge applied for the grant.
  5. The Birnie Road landfill closure work started the week of November 25, 2019. The asbestos containing material abatement work is completed and vegetation clearing will begin once snow cleanup is done.
  6. A town wide survey on the open space and recreational plan will start in January with public sessions scheduled for March.
  7. Longmeadow schools were not invited into the MSBA eligibility period this year.
  8. Residents will be allowed to put out one extra trash bag between December 30 – January 10.
- Mr. Lachiusa would like notice of school sport accomplishments. Ms. Simmons will look into this.

**7:15 Liquor License Violation Hearing for Ume Asian Bistro** – *Mr. Gold made the motion to open the liquor license violation hearing for Ume Asian Bistro at 7:15 p.m. Mr. Foster seconded the motion. The vote was 5 in favor and 0 opposed.* Officer Rob Lombardi attended for the Longmeadow Police Department and Atty. Haian Lin attended for the licensee. Officer Lombardi read the Police report regarding the allegation that on November 21, 2019 alcohol was served to a person under 21 years of age at Ume Asian Bistro in violation of MGL Chapter 138, Section 34. Atty. Lin stated that this was an honest mistake by a new employee. The manager is very sorry that this happened and is reminding his staff daily of the rules for checking identification. Ume has passed compliance checks for the past several years without a problem. Atty. Lin apologized for not having current Tips alcohol training certification cards for his employees on file in the Select Board's office. They will be submitted. The manager trained the employee who made the violation again and issued a

suspension. Mr. Foster noted that he believes after a 2-year period without a violation, the state considers a business to have a clean slate. Mr. Gold noted that the town's liquor violation policy states that if the employee that caused the violation has not completed Tips or Safe Serve alcohol training, the action will be one greater in the hierarchy. After a Warning, the next step in the policy is a 1-5 day license suspension.

*Mr. Gold made the motion to close the liquor license violation hearing for Ume Asian Bistro at 7:30 p.m. Mr. Foster seconded the motion. The vote was 5 in favor and 0 opposed.*

Discussion: The Violation Policy does not have a provision of violations falling off. Mr. Gold recommended a 4-day suspension. Mr. Foster stated that the state will put some of the suspension in abeyance and suggested a 1-2 day suspension with 2 days in abeyance. Mr. Lachiusa agreed with Mr. Foster. Mr. Foster noted that the action should be corrective and not retaliatory.

*Mr. Foster made the motion that the Select Board issue a penalty of 4 days with 2 days of liquor license suspension and 2 days in abeyance. The suspension will be served December 18 and 19, 2019. Mr. Strange seconded the motion. The vote was 5 in favor and 0 opposed.*

*Mr. Gold made the amendment to the original motion to require all servers submit proof of Tips alcohol training before the liquor license is returned to Ume Asian Bistro on December 20, 2019. Mr. Foster seconded the motion. The vote was 5 in favor and 0 opposed.*

Ume Asian Bistro's liquor license is to be dropped off to the Select Board's office the morning of December 18 and can be picked up the morning of December 20 if server certification copies are provided to the town.

**7:30 Liquor License Violation Hearing for The Meeting House** - *Mr. Gold made the motion to open the liquor license violation hearing for The Meeting House at 7:40 p.m. Mr. Foster seconded the motion. The vote was 5 in favor and 0 opposed.* Officer Rob Lombardi attended for the Longmeadow Police Department and Atty. Robert Schmidt attended for the licensee. Officer Lombardi read the Police report regarding the allegation that on November 21, 2019 alcohol was served to a person under 21 years of age at The Meeting House in violation of MGL Chapter 138, Section 34. Atty. Schmidt stated that there is no question regarding the violation and apologized for the incident. He explained that two bartenders were working and there was some confusion as to who was waiting on the underage individual. Regardless, an identification was not asked for and checked. Atty. Schmidt explained that the bartender that served the individual is an excellent employee and was very apologetic. Atty. Schmidt noted that this is the first violation for The Meeting House and asked that a Warning be issued. Mr. Gold noted that The Meeting House has only been in business for 13 months. At the time of licensing the Select Board explained the importance of checking identifications and providing the Select Board's office with proof of employee Tips alcohol training. Ms. Jeanette Norman, owner of The Meeting House spoke up and noted that the bartender that caused the violation was Tips certified in November of 2018 but proof of this was not submitted to the Select Board's office. *Mr. Foster made the motion to close the liquor license violation hearing for The Meeting House at 7:50 p.m. Mr. Lachiusa seconded the motion. The vote was 5 in favor and 0 opposed.*

Discussion: Mr. Lachiusa suggested issuing a warning since this was the first violation by The Meeting House. *Mr. Lachiusa made the motion to issue a Warning to The Meeting House for the liquor license violation. Mr. Strange seconded the motion.*

There is a concern with the lack of Tips alcohol training certifications on file. The provision in the Violation Policy refers to "an employee... who caused the violation has not completed Tips training..." The policy should be amended with a provision to have the "Tips alcohol training certification copies on file in the Select Board's office".

The vote on the above motion was 4 in favor and 1 opposed (Mr. Gold).

**Quarterly Board/Committee Interviews** – The Select Board received 5 applications for various boards and committees. Four applicants were interviewed; one did not attend.

1. Jan Komaiszko, 46 Northfield Road applied for a position on the Council on Aging Board of Directors. Mr. Komaiszko attended several Adult Center Building Committee meetings, is interested in senior needs, and would like to be involved.

2. Steven Marantz, 117 Rugby Road applied for a position on the Energy and Sustainability Committee. Mr. Marantz was on the Appropriations Committee from 2002-07 and was in charge of the Solarize program in 2017-18. He feels there are economic advantages with Green Communities money.
3. Paul Gorman, 266 Pinewood Drive applied for a position on the Cable Advisory Committee. Mr. Gorman was a past Associate member of the committee. He is employed by American Saw and has worked with contracts.
4. Adam Metsch, 122 Cooley Drive applied for a position on the Capital Planning Committee. Mr. Metsch is interested in the tax issue in town. He is a business owner and counsels students. He has the time and would like to give back.
5. Paul Santaniello, 179 Edgewood Avenue applied for a position on the Park and Recreation Commission. Mr. Santaniello did not attend the meeting.

### **8:15 Tax Classification Hearing**

*Mr. Gold made the motion to open the Tax Classification Hearing at 8:18 p.m. Mr. Lachiusa seconded the motion. The vote was 5 in favor and 0 opposed. Board of Assessors member Michael Zeller and Principal Assessor Jessica Guerra attended the meeting. Ms. Guerra reviewed a power point presentation with the Select Board and answered questions. The Select Board have to decide on a single tax rate or a split rate. New growth this year is 59% higher than last year due to an increase in personal property. There were no resident comments. Mr. Gold made the motion to close the Tax Classification Hearing at 8:45 p.m. Mr. Foster seconded the motion. The vote was 5 in favor and 0 opposed.*

*Mr. Strange made the motion to adopt a factor of "1" in order to maintain a single tax rate for all property classes for the fiscal 2020 tax year. Mr. Lachiusa seconded the motion.*

*Mr. Gold believes the commercial properties are undervalued.*

*The vote was 4 in favor and 1 opposed (Mr. Gold).*

### **Old Business:**

1. Minutes approval

*Mr. Gold made the motion to approve the regular meeting minutes from November 18, 2019 as presented. Mr. Foster seconded the motion. The vote was 5 in favor and 0 opposed.*

*Mr. Gold made the motion to approve the special meeting minutes from November 26, 2019 as presented. Mr. Foster seconded the motion. The vote was 5 in favor and 0 opposed.*

*Mr. Gold made the motion to approve the special meeting minutes from December 4, 2019 as presented. Mr. Foster seconded the motion. The vote was 5 in favor and 0 opposed.*

*Mr. Gold made the motion to approve the special meeting minutes from December 9, 2019 as presented.*

*Mr. Foster seconded the motion. The vote was 3 in favor, 0 opposed, 2 abstained (Mr. Strange and Mr. Lachiusa).*

2. Senior Housing Task Force – Mr. Foster and Mr. Strange are working on establishing a task force to help identify the short term and long term services and needs of the senior community, including housing and transportation. A report of the task force findings will be presented to the Select Board. The composition of the nine-member task force will be; 1 Council on Aging Director or other Adult Center staff member, 2 Council on Aging Board of Directors members, 1 Fire/Police, 1 Veterans Services Director or Outreach Coordinator, and 4 residents. Two Select Board members and 1 employee from Jewish Geriatric Services will be non-voting members. A press release will be sent out to advertise for 4 residents to be appointed to the task force. The Select Board will interview applicants at the second meeting in January (Tuesday, January 21) and make the appointments at the first meeting in February (February 3).

*Mr. Strange made the motion to create a senior housing task force comprised of; 1 Council on Aging Director or other Adult Center staff member, 2 Council on Aging Board of Directors members, 1 Fire/Police, 1 Veterans Services Director or Outreach Coordinator, and 4 residents. Also, two Select Board members and 1 employee from Jewish Geriatric Services will be non-voting members. Mr. Foster seconded the motion. The vote was 5 in favor and 0 opposed.*

**New Business:**

1. Cyber Security – IT Director Nick Jorge attended the meeting and discussed cyber security awareness. Municipalities are becoming the primary targets now. We have to reduce our expose and manage risks. A big threat are phishing emails on the school and town sides. Mr. Jorge recently met with the town department heads and sent out a training video to them to share with their staff. The town has been awarded grants for cyber security training from the state and our insurer, MIIA. Fake phishing emails will be sent out mid-January to employees as training aides. The state will reimburse 40% for a network equipment refresh in the schools. The town received a MIIA grant for \$8,800 for a vulnerability assessment. Munis is our financial program and the most important system. It is very expensive to maintain and upgrade. Mr. Jorge is looking into a \$15,000 option for Munis recovery in the event of an emergency. The audit report findings suggested a backup storage policy. We now have a policy in writing. Regarding the Administrative Code and MOU, Mr. Jorge will be addressing having a committee in place. There are about 30 servers on the town side. Munis is the financial system for the town and schools. Munis has a \$75,000 yearly renewal fee. The \$15,000 option is for a backup system to the cloud, testing, and hosting in the contractor’s area to give us access in an emergency.
2. Water Tower Property – Eric Weiss from Pioneer Valley Planning Commission attended the meeting. Mr. Weiss has been working through the District Local Technical Assistance (DLTA) program for the past year to help the town examine the tax potential of the “water tower property” located on Academy Drive. The town owns two 10 acre parcels on opposite sides of Academy Drive. The town could benefit from the development of this land in two ways: 1. Revenue from the outright sale of the land at market value and the developer would build how they see fit. This will not maximize best use of the land and tax revenue. 2. Seek proposals to develop planned “over 55 housing” at the site and maximize the land value to the town through the long term property tax benefit from what is constructed. Mr. Weiss prepared three scenarios for 1, 2, and 3 family units built on each 10-acre site. The preliminary long term annual tax revenue predicted is between \$180,000 and \$333,000 per year depending on how construction and affordability is maximized. Assumptions made are: dwelling values were estimated at \$400,000 - \$600,000; no burden added to the school system; and annual costs to the town in services would be \$2,000 per family dwelling unit. Mr. Weiss recommends the town seek bids on the development of over 55 housing. This has the potential to help the town tax rolls and provide senior housing. Mr. Weiss will come back with a tighter presentation before the funds run out of the DLTA program.
3. Tree Manual Proposed Changes – Tree Warden David Marinelli attended the meeting. Mr. Marinelli presented a proposed amendment to the Tree Manual section IV. Jurisdiction of Town Boards and Departments A. Jurisdictions 1. Tree Warden, which has been approved by the Tree Committee. The amendment defines public shade trees per MGL Chapter 87 Section 1. A tree, as it grows, can cross over into the town “right of way” and become a public shade tree. This is determined by the root flare (where the trunk meets the ground).  
*Mr. Lachiusa made the motion to accept the revision to the Tree Manual as written. Mr. Strange seconded the motion. The vote was 5 in favor and 0 opposed.*
4. Common Victualler Licenses for 2020 – *Mr. Gold made a motion to approve common victualler licenses for Alex’s Bagel Shop, Big Y Café, Great Harvest Bread Company, Starbucks Coffee, Subway, and Michael’s Café (JGS). Mr. Foster seconded the motion. The vote was 5 in favor and 0 opposed.*
5. Appoint Pioneer Valley Planning Commission (PVPC) Alternate – Ms. Angelides was filling in as the PVPC alternate. Now that we have a Town Manager, Ms. Simmons will take over the position.  
*Mr. Foster made the motion to appoint Town Manager Lyn Simmons as the Alternate to the Pioneer Valley Planning Commission. Mr. Gold seconded the motion. The vote was 5 in favor and 0 opposed.*  
Ms. Simmons attended the last PVPC meeting. There was a good presentation on the 2020 census.

*Mr. Foster made a motion to adjourn the regular meeting at 9:45 p.m. Mr. Strange seconded the motion. The vote was 5 in favor and 0 opposed.*

12/16/19 Regular Meeting

Respectfully submitted,  
Debbie House

Documents:

Agenda

Ume Asian Bistro Hearing Notice, Police Report

The Meeting House Hearing Notice, Police Report

Liquor License Violation History memo

Liquor License Hearing Procedure, Violation Policy, MGL Ch 38 S34 & 64

Quarterly Bd/Comm Vacancy Interview Schedule

Applications: P. Gorman, A. Metsch, J. Komaiszko, S. Marantz, P. Santaniello

Tax Classification Hearing Notice, 6 documents from Assessor's office

Town Manager's memo and department reports

Draft Minutes: 11/18/19, 11/26/19, 12/4/19, 12/9/19

Needs Assessment Program for Seniors

PVPC Water Tower Property Prelim. Estimates 12/16/19

Tree Manual Proposed Changes email David Marinelli 11/21/19

Common Victualler applications: Big Y Café, Great Harvest, Alex's Bagel Shop, copies of letters sent

Other board and committee minutes

Correspondence: Comcast price changes 11/19/19, Email M. Polman (Env. Transition Group), Email J.

Schoonmaker, Planning Board vacancy letter, School Committee letter to R. Neal, Letter (Home Rule

Legislation) from Senator Lesser, Letter from Columbia Gas