

Select Board Regular Meeting  
Monday, June 15, 2020 - 7:00 p.m.  
REMOTE

Arrangements for remote participation by Select Board members and members of the public were made in accordance with Governor Baker's Emergency Order Modifying the State's Open Meeting Law. Participation in the meeting was done remotely via Zoom.

**Select Board Present via Zoom:** Chair Marie Angelides, Mark Gold, Richard Foster, Marc Strange, and Tom Lachiusa

**Also Present via Zoom:** Town Manager Lyn Simmons, CFO Paul Pasterczyk, Debbie House, Chief John Dearborn, Mario Mazza, Peter Thurber, Rebecca Townsend, Marybeth Bergeron, Kathy Mullins, Residents: Stephen Foley, Larry Goldberg, Andrew Fox  
Springfield Water/Sewer Commission: Joshua Schimmel, Executive Director, James Laurila, Director of Water Operations, Christina Jones, Deputy Director of Water Operations, Domenic Pellegrino, Director of Finance

The meeting was called to order at 7:00 pm by Chair Marie Angelides. Due to COVID-19 concerns and the Governor's executive order changes to Open Meeting Law remote participation, this meeting was held remotely with residents having the option of calling in or sending in their comments. All votes were taken by roll call. LCTV was also utilized to broadcast and record the meeting.

Chair Angelides confirmed that all members and persons anticipated on the agenda were present and could hear and be heard throughout the meeting. Ensuring public access does not ensure public participation unless such participation is required by law. The meeting allowed for public comment.

**COVID-19 Update** - Chief John Dearborn report there were 0 cases last week but we picked up 2 over the weekend. COVID is still active in the community. There has been some resurgence in the country. Keep social distancing, washing hands, and wearing masks. Training was held today for tomorrow's election. Town Meeting preparation continues, health and safety plans have been developed. We are continuing with employee health and safety training. July opening is 25% capacity for office space. Cost recovery is ongoing. The CARES application was submitted and FEMA reimbursements are submitted frequently. Superintendent O'Shea has formed a task force to plan school reopening. Mr. Pasterczyk added that the Federal Government has a Coronavirus Relief Act which covers mid-March through December 31, 2020 for FY20 and FY21 expenditures. The FY20 application has been submitted, reimbursement is expected to be \$411,000.

### **Announcements**

1. The Annual Town Election is tomorrow at the Community House. The polls will be open from 7:00 a.m. to 8:00 p.m. Safety measures will be in place.
2. The Annual Town Meeting will be on June 23 with a rain date of June 24 outside at the high school. Copies of the warrant have been delivered to residents and it is posted on the town's website. In order to help with planning, residents are asked to take a survey on the town's website on whether they will be attending Town Meeting.
3. There will be another Public Forum on the Annual Town Meeting Warrant on June 22 at 7:00 p.m. Zoom information can be found on the website.
4. The Parks and Recreation camps and pools and splash pads will not open this summer. Basketball courts and playgrounds are open.

### **Residents Comments**

1. Stephen Foley, 87 Converse Street spoke about the increase in truck traffic on Converse Street. He sat on his front porch from 5:00 a.m. to 6:00 a.m. and counted approximately 11 tractor trailers go by, four

ran the nearby stop sign. Mr. Foley would like to see enforcement of bylaws for overweight trucks and engine retarders. He would like to submit this request in to the Traffic Committee.

2. Larry Goldberg, 159 Redfern Drive spoke about his concern with bylaw enforcement, in particular commercial vehicles parked in driveways and overnight parking. He sees wood chippers, boats, and commercial vehicles parked all over town. Mr. Goldberg built a garage addition for his truck and would like to see more bylaw enforcement.
3. Dr. Andrew Fox, 29 Lorenz Street sent the Select Board pictures of the view out of his window of his neighbor's yard and driveway. He spoke about this in the past and nothing has been done. Dr. Fox spoke to the Planning Board, Building Commissioner, previous Police Chief, previous Town Manager, and the current Town Manager. The bylaws are in place; the Select Board needs to have the town staff enforce them. The most recent excuses Dr. Fox has received are: COVID-19, temporary closing of Housing Court, and Town Meeting votes are required. The previous Building Commissioner enforced and fined. Dr. Fox would like the Select Board to direct those responsible to do their jobs. Dr. Fox is asking that the Select Board give a directive to the Town Manager and finally do something.

### **Springfield Water and Sewer Commission**

Joshua Schimmel (Executive Director), James Laurila, Christina Jones, Domenic Pellegrino from the Springfield Water and Sewer Commission attended the meeting. They were asked to come to the meeting to talk about water quality issues, capital plan, and cost sharing. Springfield is a regional supplier of retail and wholesale water and sewer service.

Water quality – natural organics come from the forest into the reservoir. Filters remove most of the organic material, excess left in the water is disinfected with chlorine. The chlorine reacts with the remaining organics forming disinfection byproducts (DBPs). DBPs flow into the distribution system. A pilot water treatment plant is underway and is evaluating process performance. Possible short term process improvements are the use of ferric sulfate as a new coagulant, and a promising significant DBP reduction. Long term solutions – capital planning includes a new treatment plant based on the pilot plant, new treatment plant design (scheduled FY22-23 \$1.944 million), and new treatment plant construction (FY24-27 \$86.04 million). Cost sharing would be proportional based on use/consumption to support current projects and debt service on past projects. The next steps for the Springfield Water and Sewer Commission are: completion of the Pilot Treatment Plant, fall 2020 coagulant trial, begin design of new process upgrades, and provide assistance with Longmeadow MassDEP reports if there are data needs. Mr. Gold asked about using osmosis as opposed to coagulation and sedimentation. Osmosis has been considered, energy costs are extremely high. Osmosis quickly came off the table due to high costs. Mr. Foster asked about long range plans on infrastructure replacement. Springfield just finished 6 miles of transmission lines and did a river crossing a few years ago. They are prioritizing infrastructure projects. There is no secondary treatment of the water done in Longmeadow, only fluoride is added. Mr. Lachiusa asked about the use of ferric sulfate as a new coagulant. DEP permits are required to use any chemicals in water. The DEP engineers review everything, there are checks and balances.

### **Board/Committee Interview**

1. Kathy Mullins, 123 Wheel Meadow Drive applied for a position on the Cable Advisory Committee. Ms. Mullins believes she can offer accessibility to cable for the deaf and hard of hearing. She would also like to add cultural programming.

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

1. COVID-19 updates will continue to be available on the Town's website.
2. A CARES Act funding application was submitted in the amount of \$411,447. The next round of funding should be available in October/November.
3. The salt shed at the new DPW facility is completely erected. The new Adult Center received two donations from the Longmeadow Adult Community Center Fund; one in the amount of \$18,000 for

- panels on the stairway, and one in the amount of \$20,000 towards the maple chair rail. An unhealthy tree had to be removed at the Adult Center site.
4. A Municipal Vulnerabilities Preparedness Grant (MVP) was submitted for this round for planning, designing, and permitting clean energy resiliency to allow for the continuing multi-day emergency operation of the Town's mission critical facilities. A response to the application should be received in August.
  5. The final design plan was reviewed at the site with town staff and the architect. The driveway is near a wetland, a Request for Determination of Applicability (RDA) was filed with the Conservation Commission. A meeting was held June 10 and continued to June 24.
  6. Phase I of the landfill project is complete, the cap was installed and the grass is growing. Phase II is 99% complete and should be done in a week to 10 days.
  7. The final community meeting on the Bliss and Laurel Parks Master Planning process was held on June 4. There is a link to the meeting on the town website and there is also a sign up form for those that want to stay involved and receive updates on the project.
  8. Arden will begin the installation of the decorative LED streetlight fixtures the week of June 22. MAPC informed the town that we will receive grant funding in FY21.
  9. The broken wooden balustrade at the Community House has been removed as it was a safety issue. There is an article on the Annual Town Meeting Warrant to replace the balustrades.

## Old Business

1. Annual Town Meeting Review with Moderator – The Annual Town Meeting will be on Tuesday, June 24, 2020 at 6:00 p.m. at the high school, outdoors on the practice field directly behind the school. There is a map and logistics on the town website along with questions and answers. Ushers and greeters will provide masks if a resident does not have one. There will be two voter check-in areas and seats will be set up 10' apart. Traffic flows will be marked. There will be lighting and an audio system. Ms. Angelides recommended one person read all of the articles to move the meeting along. Mr. Foster was in favor of this. Mr. Gold would like to read Article 14 as he is a proponent of it. He does not mind having multiple readers read the warrant articles. Mr. Lachiusa prefers multiple readers. Mr. Strange added that one reader may streamline and save time. Moderator Rebecca Townsend had no preference. She did add that motions with dollar signs have to be read. Mr. Pasterczyk added that the budget article main motion has to be read and then the amended budget motion has to be read right after. Article 11, solid waste recycling, may be able to be read as "move to take no action". DPW is willing to withdraw the article and pay the amount with grant money. Four Select Board members will read the motions; Ms. Angelides will not be a Select Board member by the Town Meeting date.
2. Minutes Approval – Minutes from the June 1 regular meeting and the June 8 special meeting were presented for approval.  
*Mr. Lachiusa made the motion to approve the regular meeting minutes from June 1, 2020 as amended. Mr. Gold seconded the motion.*  
*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-yes, Mr. Lachiusa-yes*  
*Mr. Foster made the motion to approve the special meeting minutes from June 8, 2020 as presented. Mr. Lachiusa seconded the motion.*  
*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-yes, Mr. Lachiusa-yes*
3. Board/Committee Appointments – *Mr. Foster made the motion to appoint Susan Shepherd to a one-year Associate term on the Recycling Commission expiring June 2021. Mr. Lachiusa seconded the motion.*  
*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-yes, Mr. Lachiusa-yes*  
*Mr. Gold made the motion to appoint James Tourtelotte to a three-year Associate term on the Zoning Board of Appeals expiring June 2023. Mr. Strange seconded the motion.*  
*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-No, Mr. Lachiusa-yes*  
*Mr. Gold made the motion to appoint Marissa Komack to a five-year term on the Zoning Board of Appeals expiring June 2025. Mr. Foster seconded the motion.*

*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-yes, Mr. Lachiusa-yes*  
A member of the Conservation Commission has resigned. Kiernan Mulcahy was just appointed to an Associate non-voting position on the Conservation Commission. The Chair has asked that Mr. Mulcahy be appointed to the regular position to finish out the term. Mr. Foster questioned whether advertising should be done.

*Mr. Gold made the motion to appoint Kiernan Mulcahy to the Conservation Commission for a term expiring June 2022. Mr. Foster seconded the motion.*

*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-yes, Mr. Lachiusa-yes*  
Ms. Angelides asked Ms. Simmons to research the role and responsibility of an Associate non-voter.

4. FY21 Town Manager's Salary/FY20 Bonus – *Mr. Foster made the motion to approve the Town Manager's FY21 salary at \$145,000. Mr. Strange seconded the motion.*

*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-yes, Mr. Lachiusa-yes*  
*Mr. Foster made the motion to approve a FY20 Bonus of \$1,000 for the Town Manager. Mr. Lachiusa seconded the motion.*

*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-yes, Mr. Lachiusa-yes*

5. Shared Health Services Agreement with East Longmeadow – The final draft of the agreement was presented to the Select Board for discussion and a vote. The Board of Health voted on it and passed it unanimously. The organizational structure will stay the same. There will be an increase of support staff. East Longmeadow will be the host community. As of January 1, 2021 the East Longmeadow Health Director will be the District Director. Beverly Hirschhorn will be retiring at the end of this year and our public health nurse will be retiring in June. We will send an annual assessment to East Longmeadow. The agreement is for three years and will automatically renew.

*Mr. Foster made the motion to approve the Shared Health Services Agreement with East Longmeadow as presented. Mr. Lachiusa seconded the motion.*

*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-Present, Mr. Strange-yes, Mr. Lachiusa-yes*

6. Select Board Recognition Awards – The two names considered for awards are Citizen of the Year Award, for a lifetime of distinguished volunteer service to the town, and Citizen Commendation Award, for outstanding service or accomplishments (multiple commendation awards can be given).

*Mr. Foster made the motion to approve the two award names suggested. Mr. Gold seconded the motion.*

*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-yes, Mr. Lachiusa-yes*

7. TN Gas Pipeline Update – Ms. Simmons reported that we are still waiting, no permits have been pulled. It is a moving timeline. Everyone is still working on this issue but we are in a holding pattern right now.

## **New Business**

1. FY21 EMS Fees – Chief Dearborn presented his FY21 Ambulance Rates and Operating Report. EMS is on track to meet the projected revenue of \$1.1 million for FY20, even though COVID-19 has set us back. The proposed two new FTEs for the Fire Department have been withdrawn from the FY21 budget. Chief Dearborn is recommending a 3.5% increase in the FY21 EMS rates. The BLS Emergency and Non-Emergency rate would go to \$1,054.84, the ALS-1 Emergency and Non-Emergency rate would go to \$1,688.74, the ALS-2 Emergency rate would go to \$2,600.49, and the mileage rate would go to \$32.78/loaded mile.

*Mr. Lachiusa made the motion to approve the FY21 EMS rates as presented by Chief Dearborn. Mr. Gold seconded the motion*

*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-yes, Mr. Lachiusa-yes*

2. Adult Center Change Order – Marybeth Bergeron presented two change orders for the Adult Center; PCO 47 for 1 additional pickle ball court, associated fence, and 18" washed stone in the amount of \$45,915; and PCO 48 for concrete slab, concrete piers and gates for 1 canopy and the costs to furnish and install 1 canopy in the amount of \$28,729. Mr. Gold called a point of order and noted that the amount of PCO47 was out of the Select Board prevue stating that this change was an addition to the

project scope which was approved by the Select Board and funded by Town Meeting. The PCO request is out of order. Mr. Foster added that a scope change has to be directed back to Town Meeting, not approved by a change order. Mr. Lachiusa agreed and commented that Mr. Gold did a good job in researching this. Mr. Lachiusa would like more time to review the law. Mr. Strange feels this is a technical argument; pickle ball is extremely popular. Better to handle this now than in the future at higher costs. Ms. Angelides added that a lot of extras were added to the high school project. Ms. Bergeron noted that the contractor would need an answer by July 1; the soil is unsuitable and the Building Committee requested additional soil samples in the area of the courts. Two pickle ball courts are already in the plans. Ms. Angelides suggested approving PCO 47 pending legal opinion. Mr. Gold stated that the PCO is clearly illegal and he would file an injunction. Ms. Angelides asked Ms. Simmons to get a legal opinion on this matter. PCO 47 was tabled.

*PCO 48 – Mr. Strange made the motion to approve PCO 48 as presented. Mr. Lachiusa seconded the motion.*

*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-Present, Mr. Gold-Present, Mr. Strange-yes, Mr. Lachiusa-yes*

3. Bylaw Enforcement Discussion – Mr. Gold stated that we heard from three people who attended the meeting and one letter was sent in about bylaw enforcement. Bylaws are there to protect the residents and the Select Board should be enforcing them. Mr. Foster agreed that we have had repeated complaints, we should find a way to enforce the bylaws, it is time for action. Mr. Strange agreed enforcement is something we can improve upon. He has seen commercial vehicles parked in driveways, long grass, and cars parked on his street overnight. How can we appropriately enforce, rewrite bylaws; we need to come up with a real solution. Ms. Simmons added that enforcement is happening and tickets are being issued. The big problem is that there are not enough teeth in a ticket and we have little recourse. The Town did adopt MGL to put a lien on a property when a ticket is not paid. Mr. Gold stated that a complainant's name is not required by MGL. This puts neighbor against neighbor. Mr. Strange feels this is an enormous responsibility for one person to enforce. More tools are needed.
4. Tax Title Custodian FY21 Appointment – yearly appointment  
*Mr. Lachiusa made the motion to appoint Town Treasurer/Collector, Cheryl Cudnik, Tax Title Custodian through June 30, 2021, pursuant to Massachusetts General Laws Chapter 60, Section 77B. Mr. Foster seconded the motion.*  
*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-yes, Mr. Lachiusa-yes*
5. FY21 Counsel Appointments – Mr. Lachiusa made the motion to approve the appointment of Doherty, Wallace, Pillsbury, and Murphy as Town Counsel for Longmeadow for FY21, and Sullivan, Hayes, and Quinn as Labor Counsel for Longmeadow for FY21. Mr. Foster seconded the motion.  
*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-yes, Mr. Lachiusa-yes*
6. House Number Change Request – Resident Michelle Hong, 23 Cheshire Drive, will be moving to a home at 44 Salem Road. She submitted a request for a change of house number due to cultural issues with the number 4, she asked that the house number to be changed to 38. This number was also recommended by the Building Commissioner. Chief Dearborn commented that there is a process to update the 911 ID.  
*Mr. Lachiusa made the motion to approve the house number change request from 44 Salem Road to 38 Salem Road. Mr. Strange seconded the motion*  
*Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-yes, Mr. Lachiusa-yes*
7. MGM Contract Review – The contract calls for 19 consecutive payments. Mr. Gold's concern is will MGM be looking for relief from the surrounding community payments, and should the Town go to MGM with a proposal to get out in front of it. Ms. Angelides pointed out a sentence on Page 3 paragraph 3 of the agreement that says, "not subject to reduction for any reason". Mr. Strange added that he would not want to open the contract up.

**Chair Report** – Ms. Angelides reviewed a list of future projects that she created for the Select Board and a list of rules of conduct for the Select Board. She asked that the Select Board consider setting up a mental health program, possibly something to address PTSD. Ms. Angelides thanked the Select Board and noted it has been a nice 9 years on the Board.

### **Select Board Comments**

1. Mr. Strange thanked Ms. Angelides and noted that she was a great role model for chairmanship.
2. Mr. Gold thanked Ms. Angelides and noted that they learned a lot from each other over the last 9 years. Mr. Gold stated that at the last meeting he was disappointed with the discussion regarding the approving of restaurants opening and delegating Select Board authority to the Town Manager. It is important to distinguish between accountability, which is authority and responsibility. Accountability and authority are granted. This is the person who is legally responsible. The Governor granted accountability and authority to the Select Board. The accountable party is answerable for the decisions made and actions taken. Mr. Gold has no problem with the delegation of responsibility to the Town Manager on this issue, the problem he has is with the delegation of responsibility without the required feedback. That has the effect of trying to delegate authority. Mr. Gold hopes that in the future the Select Board keeps in mind the difference between responsibility and accountability and recognizes they should not delegate their accountability because they would be delegating their authority and abdicating their oath of office.
3. Mr. Lachiusa commented that Ms. Angelides provided great leadership, covered a lot of ground, and that she was a voice of reason.
4. Mr. Foster read the inscription on a plaque that will be presented to Ms. Angelides as a thank you for her 9 years of service to the town.

*Mr. Foster made the motion to adjourn the meeting at 10:30 p.m. Mr. Lachiusa seconded the motion.  
Roll Call Vote: Ms. Angelides-yes, Mr. Foster-yes, Mr. Gold-yes, Mr. Strange-yes, Mr. Lachiusa-yes*

Respectfully submitted,  
Debbie House

### **Documents:**

Agenda  
Announcement sheet  
Interview Schedule  
Cable Advisory Committee application  
Town Manager's Report  
Departments May Reports  
Draft Minutes June 1 June 8  
Appointments memo  
Recognition Awards Names  
EMS memo  
Tax Title Custodian vote  
Counsel Appointment memo  
MGM Agreement May 2014  
Marie Angelides: Rules of Conduct for Select Board Members  
Future Projects for Select Board  
Finance Committee Minutes 4/27/20  
Correspondence: Dept. of Telecommunications and Cable letter 6/3/20  
Resident letter – Hartman 6/5/20  
Resident letter – Newman  
Resident letter – Fox 6/10/20