

**Select Board Regular Meeting**  
**Tuesday, July 5, 2022 - 7:00 p.m.**  
**Longmeadow High School, Meeting Room A15**  
**535 Bliss Road, Longmeadow, MA**

**Select Board Members Present:** Chair Steven Marantz, Joshua Levine, Mark Gold, Thomas Lachiusa, and Dan Zwirko

**Staff Present:** Michael Barbieri, Paul Pasterczyk.

Chair, Steven Marantz, called this meeting to order at 7:00 p.m. The meeting opened with the Pledge of Allegiance. LCTV was also utilized to broadcast and record the meeting.

Chair Marantz 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 law requires such participation. This meeting allowed for public comment.

To view the full recording of the Select Board meeting, please click [here](#).

#### **Announcements**

**Connecticut River Valley Drought Status:** Did you know that our region is in a Level 1 Drought? To protect our water supply, local habitats, and ecosystems, we encourage you to implement indoor & outdoor water saving measures. For some great tips on conserving water both indoors and outdoors, please visit the Department of [Public Works Water Conservation Page](#). To check your drought region and status, please go to [mass.gov/ma-drought-management](http://mass.gov/ma-drought-management).

**Town Clerk's Office:** Tomorrow is Town Clerk Kathy Ingram's last day with the Town of Longmeadow. We wish Kathy well on her new journey and thank her for her many years of service to the Town! Beginning July 7, 2022, the Town Clerk's office hours will be 10am - 2pm for birth, marriage and death certificates. Appointments are greatly appreciated by calling (413) 565-4103 or emailing [townclerk@longmeadow.org](mailto:townclerk@longmeadow.org). For dog licenses and tag sale permits, the office will be open from 8:15am - 4:30pm Monday - Thursday and 8:15am - noon on Fridays. Marriage intentions will not be offered in the office for the foreseeable future. We apologize for the inconvenience and are working to permanently fill the Town Clerk position as soon as possible.

#### **A. Recognition of Conservation Commission Chair, Albert Laakso**

Mr. Marantz presented a certificate of appreciation to Albert Laakso in recognition of his many years of service as Chair of the Conservation Commission.

#### **B. Recognition of Board of Assessors Chair, Larry Rubin**

Mr. Marantz presented a certificate of appreciation to Larry Rubin in recognition of his many years of service as Chair on the Board of Assessors.

#### **Select Board Reorganization**

Mr. Marantz indicated that the July 18, 2022 meeting would be his last meeting on the Select Board. Mr. Marantz noted that he would no longer be a Town resident by the end of the month.

*Mr. Marantz made the motion to nominate Josh Levine as Select Board Chair. Seconded by Mr. Lachiusa. The motion passed by a vote of 5-0.*

*Mr. Marantz made the motion to nominate Mark Gold as Select Board Vice Chair. Seconded by Mr. Levine. The motion passed by a vote of 5-0.*

*Mr. Marantz made the motion to nominate Dan Zwirko as Clerk of the Select Board. Mr Lachiusa seconded the motion. The motion passed by a vote of 5-0.*

The meeting was turned over to Mr. Levine as Chair of the Select Board.

### **Board and Committee Interviews**

Dan O'Malley, of 68 Fairhill Drive, was present to interview to be reappointed to the Building Demolition Commission. Mr. O'Malley indicated that he has been on the committee since its inception in 2006. Mr. Gold commented that this is an important committee because it does potentially allow the Town a chance to delay or stop the demolition of historic buildings in Town. Mr. O'Malley stated that the committee meets once a year, and as needed if there is a potential project in place. Mr. Levine thanked Mr. O'Malley for his continued interest in serving on the committee.

Kiernan Mulachy, of 1607 Longmeadow Street, was present to interview for reappointment to the Conservation Commission. Mr. Mulachy also indicated that he was interested in the Building Committee as well. Mr. Mulachy has served on the Conservation Commission for the last 3 years, and has always had a passion in diving into new ideas for the conservation commission. Mr. Levine asked what brought your interest into the Building Committee. Mr. Mulachy stated that he wants to have an opportunity to expand his horizon and bring some areas of knowledge from his career into the building committee. Mr. Gold suggested that Mr. Mulachy talk with Marybeth Bergeron and other members of the building committee, to learn more about the repairs and possible renovations that are being looked into currently. Mr. Marantz asked Mr. Mulachy if he would be interested in taking the conservation courses that Partick Carnahan was awarded a completion certificate for recently. Mr. Mulachy stated that he was interested in looking into completing these courses as well. Mr. Gold stated that Al Laakso brought a lot of continuity to the commission, and he looks forward to having people on the commission take the course.

Judy Yaffe, of 196 Bellaire Drive, was present to interview for reappointment to the Council on Aging Board of Directors. Ms. Yaffee indicated that she has lived in Town for 35 years and has served on the board for the past six years. Mr. Levine asked Ms. Yaffe if she has found her time on the board rewarding. Ms. Yaffe stated that it has been wonderful. Ms. Yaffe went on to say that, she started work on the board when they were in the old building and when they were beginning to develop the new Adult Center's concept. Mr. Gold commented that the elephant in the room is LACCF, FOLCOA, and the Council on Aging. Mr. Gold asked for suggestions on how we get function out of dysfunction between these three groups. Ms. Yaffe stated that when we needed to raise money for the construction of a new adult center, they went to FOLCOA to fundraise this. FOLCOA would only fundraise for programs at the Adult Center; Ms. Yaffe went on to say. Ms. Yaffe stated that the goal of LACCF was to raise money for both programs and furniture among other things that the new center needed. Ms. Yaffe stated that FOLCOA is a wonderful organization that gives back to the Adult Center. Ms. Yaffe commented that it is very resourceful to have two fundraising groups giving back to help the Council on Aging. Mr. Gold questioned if there was overlap and conflict between the two fundraising boards and the Council on Aging Board of Directors. Mr. Gold used the example of LCTV and the Cable Advisory Board being a conflict. Mr, Gold stated that the Town Manager is looking into this to see if there is any conflict and a determination will be made before appointments are voted on. Mr. Lachiusa stated that by having everyone participate is how we will get to the solution. Mr. Lachiusa thanked Ms. Yaffe for her continued interest in the board.

Henry Robinson, of 53 Hillside Terrace, applied to the board for appointment to the Parks and Recreation Commission. Mr. Robinson stated that his family is very involved in Parks and Rec activities and would love to help the commission in any way possible. Mr. Levine suggested that Mr. Robinson talk with members of the commission to learn more about what the responsibilities of the committee. Mr. Robinson also noted that he is part of the Longmeadow Youth Soccer Organization. Mr. Gold commented that the Parks and

Recreation Department is a department of the Town, and the Committee is advisory to the Director of Parks and Rec. Mr. Gold stated that this is important to note because there is still a group of people who think the commission is the pre-2000 elected Parks and Recreation Board. Mr. Gold commented that it is a great resource to have the committee give suggestions and feedback to the Parks Director, but wanted to state that the Director reports to the Town Manager and that the committee plays an advisory role. Mr. Marantz encouraged Mr. Robinson if appointed to the Parks and Recreation Committee, to seek additional green alternatives for spraying pesticides on the Wolf Swamp Fields and other fields for the health and safety of the children playing on them. Mr. Robinson stated that he is hoping to learn more about the committee and assist with advising on new projects that the committee is looking into. The board thanked Mr. Robinson for his interest in serving on the committee.

Jeffrey Welch, of 19 Allen Road, was present to interview for reappointment to the Recycling Commission. Mr. Welch indicated that he has been serving on the Recycling Commission since moving to Town in 2018. Mr. Welch stated that there is a great team on the commission. The annual shredding event and the earth day events are some projects that Mr. Welch has assisted with on the committee. Mr. Gold commented that one of the things the Recycling Commission is working on is enforcement of trash rules and regulations and getting residents to understand the importance of recycling. Mr. Lachiusa questioned if the committee has researched food composting at this point. Mr. Welch stated that this is something that the committee is actively looking into. Mr. Zwirko questioned if the group has thought of doing a cleanup event in the fall as well. Mr. Welch stated that they usually tie in this event with Earth Day, but can certainly look into holding additional events.

#### **Resident Comments - NONE**

#### **Select Board Comments**

Mr. Marantz stated that there was a very well attended event with MEPA at the site visit for the proposed Natural Gas Pipeline by Eversource. Mr. Marantz encouraged residents if interested, to submit comments to MEPA during the comment period of the filing. Mr. Marantz indicated that MEPA would respond to Eversource with all questions that come up in the comment period. Mr. Marantz also stated that now is the time to have questions answered by Eversource in anticipation of the next step in the EFSB filing period.

Mr. Lachiusa thanked Mr. Marantz for his time on the board and thanked him for his willingness to step in as Chair this year. Mr. Lachiusa wished Mr. Marantz well in the future. Mr. Lachiusa touched upon the amount of resignations that are taking place across the municipal world that have hit our Town as well. Mr. Lachiusa encouraged interested candidates to apply for open positions with the Town, and that additional information can be found on the website.

Mr. Gold mentioned that he received an inquiry about unfinished business in the charter review committee. Mr. Gold stated that Dave Martel asked him to get this back on the agenda for this term. Mr. Gold stated that he would work on this with Mr. Levine on what was not covered yet, and there appears to be unfinished business in a few areas. Mr. Gold also commented that, we need to get going on the proposition two and a half ceiling issue with the task force. Mr. Gold suggested talking about this when discussing committee assignments.

Mr. Levine stated that it is not very often we get to speak our feelings on a large project and actually have them be heard. Mr. Levine also encouraged residents to submit comments in the MEPA comment period.

Mr. Zwirko congratulated the Longmeadow Boys Lacrosse team on their 19<sup>th</sup> state championship, which was won a few weeks back. Mr. Zwirko expressed his congratulations to the team on all of their success.

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

Mr. Levine read the Town Manager's Report for July 5, 2022.

Greenwood Pool Schedule Ms. Simmons was very pleased to report to that we were able to secure additional

lifeguards for Greenwood Pool and the pool will be open 7 days a week. Additionally, senior swim hours will be offered on Tuesdays and Thursdays from 12pm - 1pm. The pool will be reserved for senior use only during these hours.

Adult Center Pickleball Courts The repair work on the pickleball courts started on June 13. The courts will be closed while this work takes place. This work is being done at no additional cost to the Town. The initial application of the court subsurface was improperly applied and caused the court surface to fail while still under contract. The tentative schedule from the contractor has the work scheduled to be completed by the end of July. Park and Conservation Areas Cleanup Illegal dumping signs have been placed in a few locations in the meadows area of town. A camera is installed and more have been ordered. Trash/recycling containers have been placed in the new parking area near the farm fields. For Turner Park back near the pond, we have ordered signs that that area is a “carry in, carry out facility” meaning there are no trash receptacles by the pond and items need to be carried to the trail head near the parking lot. We do not have the staff capacity to cover every area of the parks and some personal responsibility needs to be exercised to help keep these areas clean.

Building Department The alternate Electrical Inspector was instrumental in saving a contractor’s life on a job site the week of June 6. When approaching a house for an inspection, he noticed the contractor in distress, removed him from his vehicle, and called 911. We are grateful for his swift action and being in the right place at the right time.

Mr. Gold commented that he is a part the Solar Working Group that Lyn has identified. Mr. Gold stated that the group is making great progress and have identified sites for potential locations. Mr. Gold stated that the group has a target of late summer or early fall to get bids out for solar facilities. Mr. Gold encouraged any residents who have feedback about this topic to contact Lyn or himself.

Mr. Lachiusa congratulated the people who ran the Lacrosse Jamboree in May on a great event. Mr. Lachiusa also commented on the Police Departments monthly report about delayed dispatch calls for service. Mr. Lachiusa went on to say that one of the issues is staffing, but wondered if the cell towers have much to do with it as well. Mr. Lachiusa is hopeful that this situation will be resolved soon. Lastly, Mr. Lachiusa stated his appreciation for the Town hiring additional lifeguards to get the staffing at the pools up and going.

#### **A. Department Monthly Reports for May**

*(Department May Reports can be found in the SB agenda packet linked under “documents” at the end of these minutes)*

#### **Old Business**

##### **A. Approval of Meeting Minutes**

*Mr. Gold made the motion to approve the May 16, 2022 Select Board Meeting minutes as presented. Mr. Marantz seconded the motion. The motion passed by a vote of 4-0. (Mr. Zwirko – Abstain)*

#### **New Business**

##### **A. FY23 Water, Sewer, Stormwater Rate Update**

Mr. Paul Pasterczyk was present to get reassurance from the Select Board / Water and Sewer Commissioners on water and sewer rates and the implementation. Mr. Pasterczyk went on to say that, the history is that when the board voted a fiscal years rate, it was always implemented on the first billing of the fiscal year. Prior to the quarterly billing, there was a semiannual billing, which normally went out in late August or early September, but the consumption was mainly in the prior fiscal year (March through the end of July). Mr. Pasterczyk stated that he was looking for reassurance that we would continue on the same pattern that we had in the past of implementing the FY23 water and sewer rate, even though all of the consumption would be from the prior fiscal year with no overlap. Mr. Pasterczyk went on to say that, if the board adopted a practice

where they would not implement the new fiscal year rates until the consumption started, there would be a small financial impact. Mr. Marantz questioned if there was no motion made to change anything, would we just continue with the past practice. Mr. Pasterczyk confirmed that the new rate would be implemented with the first billing in FY23 if not vote took place to change anything. Mr. Gold clarified that when Alex Grant was on the Select Board he commented that if people knew the rate was going up, would they change their usage pattern in the fourth quarter or at the time semi-annually. Mr. Gold went on to say that the consensus was, especially now, that most of this was wintertime prior to lawn sprinkling. Mr. Gold believed that people not would change their water usage pattern and that we need to keep to the billing with the FY23 rate at the next billing cycle. Mr. Gold was concerned that stormwater would be billed differently, and suggested that we should keep all of the new rates with the billing cycle. Mr. Pasterczyk stated that this would be consistent with the stormwater rates. The group consensus was to bill the new rate at the first billing cycle of the fiscal year. Mr. Pasterczyk stated that the amount of revenue for stormwater fees was much higher than originally anticipated. Going back to when quarterly billing came into play, the implementers tried to put the same billing cycles with the stormwater, as was with the water and sewer. Mr. Pasterczyk stated that a total of 14 months were billed in FY22 due to how it was implemented, for what should have been only 12 months. Mr. Pasterczyk stated that we are looking to credit every resident for the two months that they were over billed for in FY22. Every resident that was billed this rate, would be credited \$11.10, Mr. Pasterczyk stated. Mr. Levine questioned if this would affect the budget that was just set. Mr. Pasterczyk stated that it would not. We would have a surplus in FY22, but the revenues in FY23 would be down so this would balance out. Mr. Gold recalled that the fixed charges for water and sewer were miss billed in the first quarterly billing cycle, which was for two-months of billing. Mr. Gold also indicated that he thought at the same time this was also for stormwater. Mr. Gold questioned if the correction that was made was only for water and sewer and did not include stormwater. Mr. Pasterczyk commented that this was his understanding also. Mr. Pasterczyk stated that this would negate to a net zero if all works correctly. Mr. Zwirko questioned to when this adjustment would be made. Mr. Pasterczyk stated that this would likely be credited on the November bill. Mr. Zwirko suggested reaching out to residents letting them know the amount to see if anyone would like to donate to a fund. Mr. Gold commented that this would be tough to do because you cannot credit some accounts and not credit others. Mr. Pasterczyk mentioned that there are additional ways for residents to donate to veterans in need or other funds through motor excise bills.

#### B. Alden Estate

Mr. Levine read a memo written by Ms. Simmons summarizing a bequest to the Town by John Alden made after his death in 2019. The bequest detailed distributions of money to various town departments with significant restrictions on use of these funds, Mr. Levine went on to say. Mr. Levine commented that his surviving spouse disputed the distributions as she had been omitted from the will. Town Council engaged in lengthy negotiations with opposing council and a resolution was made that the estate would distribute \$110,000 to the Town with no restrictions on its use. The recommendation is that the Select Board vote to accept the gift of \$110,000 from the estate of John Alden in the context of this settlement of the estate and authorize the Town Manager to execute any documents necessary for effectuating this transaction.

*Mr. Lachiusa made the motion that the Select Board accept the gift of \$110,000 dollars from the estate of John Alden. Mr. Marantz seconded the motion. The motion passed by a vote of 5-0 after further discussion.*

Mr. Lachiusa stated that it would be good for the board to see some of the significant restrictions that Mr. Alden had to see if we could implement any. Mr. Marantz stated that after discussion with the Town Manager, he did not believe this was the route that should be taken. Mr. Lachiusa disagreed with this thought. Mr. Gold questioned where this money would go in the general fund, and how the restrictions on use of funds would be put in place. A conversation ensued about what would be the appropriate actions if the board wanted the money to go anywhere other than the general fund. Mr. Levine stated that we need to defer to

Town Counsel on this because probate litigation is a tricky area. Mr. Levine went on to say that if Counsel has recommended that the Board accept this gift, this is the way he would vote. Mr. Lachiusa stated that he would not want to go to litigation over this, but stated it would be nice to see what the restrictions on the use of the gift were.

#### C. FY23 Town Counsel and Labor Counsel Appointments

*Mr. Marantz made the motion to appoint Doherty, Wallace, Pillsbury & Murphy P.C. as Town Counsel for Fiscal Year 2023. Mr. Lachiusa seconded the motion. The motion passed by a vote of 4-1 (Gold – NO) after further discussion.*

Mr. Marantz indicated that these appointments should go out to bid in the near future, but did not believe now as the right time after conversation with the Town Manager. Mr. Levine stated that this is a very specialized type of law, especially in our region, and the Town is lucky to have a local counsel. Mr. Gold stated that he thinks the world of DWPM and our current Town Counsel Jesse Belcher-Timme but commented that we made a commitment a few years back to go out to bid every three or so years to know what we are bidding against. Mr. Gold stated that it has now been four or five years since we have put out bids on this. Mr. Gold appreciates that going out to bid is expensive and that we may not receive many, but believes that we have an obligation to the Town to go out to bid for these appointments. Mr. Marantz believes that these should go out to bid but believes now is not the right time.

*Mr. Marantz made the motion to appoint Sullivan, Hayes, and Quinn, LLC as Labor Counsel for Fiscal Year 2023. Mr. Lachiusa seconded the motion. The motion passed by a vote of 5-0.*

Mr. Marantz stated that this is a little more relevant as we are still in the process of negotiations, which have not been concluded, and believes that we do not want to switch labor counsel in the middle of negotiations. Mr. Marantz suggested that this go out to bid for FY2024 along with Town Counsel.

#### D. Approve FY2023 Select Board Meeting Schedule

The board was presented a few options for meeting schedules going forward into FY23.

*Mr. Gold made the motion to approve the current schedule of meeting on the first and third Monday's, except for when there is a holiday. Mr. Lachiusa seconded the motion. The motion passed by a vote of 5-0.*

#### E. Select Board Liaison Assignments Discussion

The Board reviewed current liaison assignments from last year and discussed the possibilities of adding Mr. Zwirko to some of the vacancies created by the departure of Mr. Strange and Mr. Marantz. A suggestion was made for Mr. Zwirko to fill in some of the open spots on the list. The Board will review committee assignments in depth and make any changes needed at a future meeting.

**Correspondence** *(All Correspondence material can be found in the SB agenda packet linked under "documents" at the end of these minutes)*

VERIZON POLE PETITION UPDATE.PDF

COUNTY OF PLYMOUTH LETTER.PDF

COMCAST LETTER.PDF

COMCAST LETTER 2.PDF

Mr. Levine mentioned that Verizon has paid a \$1,000 fine for placing utility poles ahead of them being approved by the Select Board in a petition.

Mr. Gold mentioned the letter from the County of Plymouth. Mr. Barbieri confirmed that this was just on the agenda just because it was addressed to the Select Board, but there was not conversation intended for this.

Mr. Gold read a note emailed to him by Mr. Laakso during the meeting, clarifying that previous conservation commissioners also completed the course and were recognized in a letter from the Select Board which included: Steve Gazillo, and Peter Bouvier.

7.5.22 Select Board Regular Meeting Minutes

Approved: Pending

**Adjourn**

*Mr. Gold made the motion to adjourn the Select Board Regular Meeting at 8:25 p.m. Mr. Marantz seconded the motion. The motion passed by a vote of 5-0.*

**Documents**

[Select Board July 5, 2022 Meeting Packet](#)

Respectfully submitted,

Michael Barbieri