

7.6.21 Select Board Regular Meeting

Approved- 8/2/21

Remote- Select Board Regular Meeting

Tuesday, July 6, 2021 - 7:00 p.m

Remote

Select Board Members Present via Zoom: Chair Thomas Lachiusa, Marc Strange, Steve Marantz, Mark Gold, Joshua Levine

Present via Zoom: Town Manager Lyn Simmons, Michael Barbieri, CFO Jennifer Leydon, Planning Board Member, Walter Gunn.

This meeting was called to order at 7:00 p.m. by Chair Lachiusa. Due to COVID-19 concerns and the Governor's executive order, and 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 Lachiusa 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. This meeting allowed for public comment.

Select Board Reorganization

The Longmeadow Select Board reorganizes after each Annual Town Election. Current Chair, Tom Lachiusa was re-elected to the board for a three-year term expiring in June of 2024. New member, Joshua Levine, was elected to the board for a three-year term expiring in June of 2024.

Mr. Lachiusa opened the reorganization portion of the meeting calling for a motion to select a new member to serve as Select Board Chair through the next reorganization meeting in 2022.

Mr. Marantz made the motion to nominate Mr. Strange as Chair of the Select Board. Mr. Levine seconded the motion.

Mr. Gold asked before the roll call if there were any concerns for potential conflict with this nomination. Mr. Strange commented that there were no conflicts.

Roll Call Vote: Mr. Lachiusa- YES, Mr. Strange- YES, Mr. Marantz- YES, Mr. Gold- NO, Mr. Levine- YES

Mr. Strange will now take over the meeting as Chair of the Select Board.

Mr. Lachiusa made the motion to nominate Mr. Marantz as Vice Chair of the Select Board. Mr. Strange seconded the motion.

Roll Call Vote: Mr. Strange- YES, Mr. Marantz- YES, Mr. Gold- YES, Mr. Lachiusa- YES, Mr. Levine- YES.

Mr. Marantz made the motion to nominate Mr. Levine as Clerk of the Select Board. Mr. Lachiusa seconded the motion.

Roll Call Vote: Mr. Strange- YES, Mr. Marantz- YES, Mr. Levine- YES, Mr. Gold- YES, Mr. Lachiusa- YES.

Announcements

Converse Street Sewer Improvement Project: The Converse Street sewer improvement project began on June 28. No work will take place this week (week of July 5). Work will continue on Monday, June 12 and continue through the end of that week. The work includes the removal and replacement of the sanitary sewer main, sewer manholes, sanitary service connections, and trench patch on a section of Converse Street between Laurel Street and Dover Road. The Project will involve the necessary closure of Converse Street during work hours Monday through Friday with traffic detours to accommodate the construction.

Election Day Thank You: Thank you to all of the residents who came out to show their support and vote at the Annual Town Election on June 22. Also, a big thank you to the staff and volunteers for their diligent work of organizing a smooth Election Day. You can view the election results on the homepage of the town website, and congratulations to all of the newly elected Town Officials.

Resident Comments

David Morse, of 58 Emerson Road, and member of the Energy and Sustainability Committee, spoke during the resident comment portion of the meeting. Mr. Morse expressed his concerns about the construction project on the corner of route 5 at the shopping strip. Mr. Morse explained that he felt that there was already enough light in that section and that light pollution would grow if five new lights were out up surrounding this lot.

Frank Smith was present to speak during the resident comment portion of the meeting. Mr. Smith asked the Board a series of questions concerning Eversource's proposed Longmeadow Gas Expansion Project. Questions:

- 1) If Eversource submits its routes for the proposed Longmeadow gas expansion project during the week of August 15, how will the Town of Longmeadow respond officially to this action?
 - 2) If the Eversource plans are submitted in August, what plans does the Select Board have for keeping residents informed of the process following this submission?
 - 3) How will the Town support the will of the voters in defending the gas-related bylaws that were overwhelmingly passed at two 2019 Town Meetings and later approved by the Office of the Attorney General? Please be specific.
 - 4) Has Eversource been in touch with the Town Manager, any town officials, or town committees regarding the proposed route of their new high-pressure pipeline through Longmeadow and into Springfield?
 - 5) Is the Town of Longmeadow prepared to take legal action if Tennessee Gas starts construction of their meter station despite their promise to abide by all local ordinances?
 - 6) Is the Town of Longmeadow prepared to hold its own hearing if Eversource submits its proposal?
 - 7) Will the Select Board ask our elected state officials to hold hearings regarding Eversource's gas expansion project?
- Mr. Strange requested that Mr. Smith submit these questions to the Select Board's email, and that someone would respond accordingly.

Board and Committee Interviews

Peter Landon, of 5 Meadowlark Drive, was present to interview for the open term on the Audit Committee. The Select Board asked Mr. Landon questions about this position.

Margaret Cohn, of 66 Woodland Road, was present to interview for the open term on the Historical Commission. The Select Board asked Ms. Cohn questions regarding her continued interest in this role.

Board and Committee Appointments

The Annual Town Board and Committee appointments were made based on the interviews conducted at the June 21 meeting.

Mr. Gold made the motion to appoint John Bresnahan to the Conservation Commission for a three-year term expiring on June 30, 2024. Mr. Lachiusa seconded the motion.

Roll Call Vote: Mr. Strange- YES, Mr. Marantz- YES, Mr. Levine- YES, Mr. Gold- YES, Mr. Lachiusa- YES.

Mr. Gold made the motion to appoint David Marinelli to the Historical Commission for a three-year term expiring on June 30, 2024. Mr. Marantz seconded the motion.

Roll Call Vote: Mr. Strange- YES, Mr. Marantz- YES, Mr. Levine- YES, Mr. Gold- YES, Mr. Lachiusa- YES.

Mr. Gold made the motion to appoint Virginia Reiter to the Recycling Commission for a three-year term expiring on June 30, 2024. Mr. Marantz seconded the motion.

Roll Call Vote: Mr. Strange- YES, Mr. Marantz- YES, Mr. Levine- YES, Mr. Gold- YES, Mr. Lachiusa- YES.

Select Board Comments

Mr. Marantz commented on investment limits. Given where the interest rates are, this is an important policy amendment. Mr. Marantz requests that the investment policy be added to the next agenda on July 19.

Mr. Lachiusa commented on a workshop that he has been attending pertaining to equity and justice and the historical precedent. Mr. Lachiusa commented that he believed that this workshop was very helpful.

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Mr. Strange commented about the flooding and significant storms we have experienced. Mr. Strange suggested investing funds into the stormwater infrastructure this year.

Town Manager's Report

COVID-19 Update: COVID-19 cases in town continue to remain at the same number we've seen the last few weeks, as of today's writing there are 3 cases. We remain grey on the State's map. We are monitoring the Delta variant and keeping up with DPH updates related to the virus.

Converse Street Sewer Improvements: Work has started and some modifications were made to the detour plans with added barricades on some streets to prevent "cut-through" traffic. We know some streets are seeing an impact in the number of trucks and vehicle traffic and we appreciate the patience as we make these necessary improvements. Work will not take place the week of Fourth of July and will resume and conclude the week of July 12.

Bliss Road Cell Tower: The cell tower project is ongoing, Wireless EDGE is waiting for Eversource to install a utility street pole and then they can do the trenching, driveway paving and landscaping. Both Verizon and AT&T are lined up to install on the tower. AT&T will be installing soon, but it could take a couple of months before they have fiber and can operate.

Girl Scout Troop 12808 Silver Award: Girl Scout Cadette Troop 12808 is working toward their Silver Award and has reached out on a project to install a dog waste station in a town park. This will complement the work that the DPW did earlier this spring. The location for the dog waste station is at another entrance to Bliss Park on Oakwood Place.

General Code eCode Project Update: General Code has completed the Manuscript and Editorial and Legal Analysis for the new Town Code. The materials have been posted to a private *eCode360® Code Review* site. This allows the Town Clerk and Ms. Simmons (and a small review team) to review the Manuscript (the Code in progress) and the Editorial and Legal Analysis in a secure, online environment. The response on the Town's review is due by October 14. General Code will then make the updates and submit a final draft to the Town for review. Changes will need to be accepted at the Annual Town Meeting in 2022.

MUNIS Sewer Billing Project: The consultant was onsite on June 25 and continued work the following week. Implementation of quarterly billing can be done and we are devising a schedule that avoids utility bills being due the same time as property tax bills. The winter averaging exploratory work is continuing.

June 29 Storm: On June 29 we had a fast moving storm cell move through the south end of Town. The storm had a defined path starting in Southwick traveling through Agawam and crossing the river into Town. We had damage starting in the meadows and moving southeast to Shaker road. Trees blocked the rail lines and we had three homes with extensive damage. One home on Barrington Ave has significant structural damage. Route 5 and Maple Road had multiple trees and broken poles. Eversource had a great response and Verizon is replacing poles on Route 5 south of Maple Road. The EOC operated for a few hours that night with the LFD Chief, LPD Chief, and DPW Director. Members of the LFD command staff assisted in coordinating operations. WestComm sent a dispatcher to operate out of the Fire station. Police and Fire did call in extra help for the response and DPW recalled several employees to assist. Northern Tree was called to supplement our resources. We are still gathering costs from the response and cleanup. The National Weather called the day after the storm and said they were sending individuals from UMASS to look at our damage.

Mr. Lachiusa spoke about the review site for the e-code. Ms. Simmons stated that this was an internal review that began in February of 2020. The review looks into all of the by-laws and zoning by-laws.

Mr. Levine asked of the process for changes and recommendations through e-code. Ms. Simmons stated that the Town Manager and Town Clerk would be reviewing the workbook to go over some of the changes that will need to be decided on. This would then go to the Annual Town Meeting for vote and approval.

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Mr. Marantz asked if there is any insurance in place for storm damage. Ms. Simmons stated that she not aware of storm damage insurance unless there the town sustained property damage. Mr. Gold commented that this type of insurance is very expensive, and was researched during the October Storm of 2011.

Old Business

1. Approve Minutes from June Meetings

Mr. Marantz made the motion to approve the minutes from the June 7, 2021 regular meeting as presented. Mr. Lachiusa seconded the motion.

Roll Call Vote: Mr. Strange- YES, Mr. Marantz- YES, Mr. Levine- Abstain, Mr. Gold- YES, Mr. Lachiusa- YES.

2. Water Usage

Mr. Gold submitted some data on water usage in the Town. Mr. Gold stated that the per capita usage drops by 20% when taking corporations, JGS, and Bay Path University out of the equation. Mr. Gold stated that there are few very large users of excess water. Mr. Gold expressed that the Town's commercial uses reflect the data behind the overall usage of water. Mr. Gold cautions that we do not take too many steps too fast. Mr. Gold's intent was to look at the data and to point out the differences between commercial and residential water use in the Town's response to DEP's letter.

3. Longmeadow Franchise Agreement and Senior Discount Side Letter

Ms. Simmons stated that the Town's license expired on June 28. We are still in negotiations with Comcast who has asked for a 90-day extension while negotiations continue. Mr. Levine asked if this contract is put out to bid, and where the town currently sits in this process. Ms. Simmons stated that the process begins about 18 months before the contract expires. Due to COVID issues, the town was slightly delayed in these negotiations. Mr. Gold expressed that the Town is not likely to receive other bids because Comcast owns the infrastructure and any competitive bids would need to invest into the infrastructure. Mr. Marantz asked Ms. Simmons of what the Town is still negotiating. Ms. Simmons stated that the attorney and advisory board has written up changes to the current terms that are currently being negotiated.

Mr. Lachiusa made the motion that the Town of Longmeadow agree to a 90-day extension of the current term of the Franchise Agreement with Comcast in order to negotiate terms and conditions for a renewal license. Mr. Marantz seconded the motion.

Roll Call Vote: Mr. Strange- YES, Mr. Marantz- YES, Mr. Levine, YES, Mr. Gold- YES, Mr. Lachiusa- YES

4. 471-475 Longmeadow Street Parking Lot Improvements- Colvest

Representatives of Colvest were present to seek approval to add lights to the parking lot amending their original agreement. Mr. Lapointe stated that bug 1 fixture was preferable because it focused the light over the drive lane with zero up light. The 40-watt light fixtures proposed are substantially smaller than the streetlights in this area. The light fixture document was unavailable to the board before the meeting due to a clerical error and was shared on the screen during the meeting. Mr. Gold asked the representatives of who owns the lights. Mr. Collachino responded that Colvest would be responsible for the maintenance and repair of these lights. A discussion ensued pertaining to if this calls for a public hearing with the Planning Board. Mr. Gold expressed that this topic and request deserves attention at a public hearing. Mr. Gold stated that he believes these lights do not compare favorably and will be voting against this request. Attorney Roberts stated that Colvest went in front of the Planning Board where they were told that unless looking for a building permit there was no jurisdiction for ruling. Mr. Roberts stated that because this is on town property, Colvest came forward to the Select Board. Mr. Walter Gunn of the Planning Board joined the meeting to provide input. Mr. Gunn stated that Colvest never came in front of the Planning Board and that this discussion was done offline. Mr. Gunn stated that the building commissioner expressed that the proposed lights do not need a building permit. Mr. Gunn suggested that these proposed lights meet the green community's standards in addition to the glare, over light, and bottom light standard. Mr. Levine asked of there was a life expectancy on the solar lights and who is responsible for

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replacing them down the road. Attorney Roberts stated that the agreement goes with the land and that the owner is responsible for the maintenance. Mr. Marantz expressed his concern for the five proposed lights. Mr. Marantz did not agree with the need for that many lights in this type of parking lot. Mr. Strange suggested that this project did not fall into public hearing categories in his belief. Mr. Strange does not see a mechanism in which the Town would hold a public hearing for this amendment in the agreement.

Mr. Lachiusa made the motion to approve Colvest's request to place the 40-watt bulb lights in the parking lot area. Mr. Strange seconded the motion.

Roll Call Vote: Mr. Strange- YES, Mr. Marantz- NO, Mr. Levine- YES, Mr. Gold- NO, Mr. Lachiusa- YES

This vote passes by a majority 3-2

5. Term Limits for Board and Committee Chairs

A discussion ensued concerning a proposed policy pertaining to term limits for Board and Committee Chairs.

Mr. Gold made the motion to accept the policy on term limits for chairs on committees appointed by the Select Board. Mr. Lachiusa seconded the motion

Roll Call Vote: Mr. Strange- NO, Mr. Marantz- NO, Mr. Levine- NO, Mr. Gold- YES, Mr. Lachiusa- YES.

This vote fails by a majority 3-2

New Business

1. Block Party Request

Tracy DeMarco, of 152 Meadow Road, submitted an application of request for a block party to be held on July 10 from 4-10 p.m. The area to be blocked will be Chestnut Road.

Mr. Gold asked if this request went to the Police Department for approval of conditions and need for barricades. Mr. Barbieri stated that he was under the impression that the request would go to LPD after the Select Board's approval. Mr. Gold explained that the procedure is for the Police Chief to submit his approval before coming to the board.

Mr. Marantz made the motion to approve the block party request subject to Longmeadow Police Department's approval. Mr. Gold amended the motion to include subject to the approval and any conditions imposed on by the Police Department. Mr. Lachiusa seconded the motion.

Roll Call Vote: Mr. Strange- YES, Mr. Marantz- YES, Mr. Levine, YES, Mr. Gold- YES, Mr. Lachiusa- YES

2. Year End Budget Transfers

A discussion ensued about a year-end budget transfer for the Town. CFO, Jennifer Leydon, was present to answer questions from the board. Ms. Leydon was seeking approval from the board to transfer \$75,000 from the unused salary portion for the daycare to the retirement fund account.

Mr. Gold made the motion to approve the transfer of \$75,000 from the unused salary portion for the daycare account to the retirement fund. Mr. Marantz seconded this motion.

Roll Call Vote: Mr. Strange- YES, Mr. Marantz- YES, Mr. Levine, YES, Mr. Gold- YES, Mr. Lachiusa- YES.

3. Select Board / Town Manager FY22 Goals

Ms. Simmons presented the Select Board and Town Manager's FY22 Goals. Mr. Gold requested that the following be added to the goals list: A review of all zoning by-laws, addressing irregularities with the HCRRB, implementing the new sewer billing system, and ensuring all of the streetlights that have not been upgraded yet are updated. Mr. Lachiusa suggested adding town-wide safety trainings for the DPW and other town departments to ensure safety protocols. Mr. Marantz suggested that the zoning by-laws be reviewed as well and to make certain descriptions and definitions are most clear. Mr. Marantz suggested making thus community compliant with state energy laws to become net zero by 2050 is important to add to the list. Ms. Simmons suggested that by-law review would become much more efficient with the e-code. Mr. Strange stated that this list was excellent and many of the goals are achievable. Mr. Strange suggested the addition of implementing the

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Racial Justice Report into the goals, as well as looking to improve the communications between town departments on field maintenance.

Correspondence

Adjourn

Mr. Marantz made the motion to adjourn the meeting at 9:08 p.m. Mr. Gold seconded the motion.

Roll Call Vote: Mr. Strange- YES, Mr. Marantz- YES, Mr. Levine, YES, Mr. Gold- YES, Mr. Lachiusa- YES

Documents

July 6, 2021 Select Board Agenda Packet



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Agenda Packet.pdf

**Respectfully submitted,
Michael Barbieri**