

**SELECTBOARD MEETING
TUESDAY, JANUARY 22, 2019
SELECTBOARD MEETING ROOM – 7:00 P.M.
AGENDA**

Note: Not all the topics listed in this notice may actually be reached for discussion. In addition, the topics listed are those which the chair reasonably expects will be discussed as of the date of this notice. These meetings may be audio and/or visually recorded

1. CALL TO ORDER
2. APPROVAL OF MINUTES: Draft minutes of the Dec. 4, 2018 and Jan. 8, 2019 meetings.
3. ANNOUNCEMENTS/OPEN FORUM
4. Community Development Fund Public Hearing (PVPC, J. Mazik) 7:10 p.m.
5. CONSENT AGENDA
6. Acceptance of Chapter 21, 22 for Health Insurance (HHIT, J Shea)
7. NEW BUSINESS
 - A. Special Municipal Employee for Board of Assessors
 - B. Veteran District Service Board – Brian Willette
8. RESIGNATIONS/APPOINTMENTS
9. OTHER BUSINESS
 - A. MMA Conference Review
 - B. Town Counsel Request for Qualification
10. TOWN ADMINISTRATORS REPORT
11. CHAIRMAN’S REPORT
12. ADJOURN

**SELECTBOARD MEETING
TUESDAY, DEC. 4, 2018
MINUTES
SELECTBOARD MEETING ROOM – 7 P.M.**

Present were Vice Chair Andrea Miles, Clerk Jeff Cyr, member Sarah Etelman, member Bruce Forcier, and Town Administrator Michael J. Sullivan. Chair Ira Brezinsky was absent.

CALL TO ORDER

Miles called the meeting to order at 7 p.m.

ANNOUNCEMENTS

Forcier noted the Bike Walk Committee will hold a trek on Sunday; Santa's Land begins Thursday and will be held for two weeks; KYT is hosting a reception for John Scibak in town hall on Friday; the senior center has fundraising calendars on sale.

Etelman said the South Hadley Food Pantry Fun Run will be held Dec. 16 at 11 a.m. at Ledges Golf Club.

Sullivan said the town hall entrance closest to the police station will be closed for the next week for painting and renovations. He reminded residents town hall will be closed Dec. 24, 25, 31 and Jan. 1.

LICENSE RENEWALS

Sullivan said all licenses needing renewal – liquor, car dealerships, etc – are listed in the packet. In addition to needing Selectboard approval, licensees seeking renewal must also ensure all taxes and fees are paid, and inspections are complete. Licenses are not issued until all requirements are met.

Etelman moved to accept 2019 license renewals as publicly presented in the Selectboard packet. Cyr seconded. All in favor.

Etelman moved to allow the Selectboard's electronic signatures be affixed to each 2019 license renewal upon completion of all applications, submittal of all fees, completing all required inspections, and any other laws, bylaws or regulations required for issuance. Forcier seconded. All in favor.

TAX HEARING

The 2019 Tax Rate Public Hearing opened at 7:10 p.m. Associate Assessor Melissa Couture-Rimbold noted in the proposed rates that the town tax rate will rise by 0.6 percent to be \$17.75; the FD1 rate will rise by 4.8 percent to be \$2.40; and the FD2 rate will rise 0.7 percent to be \$2.80. The significant rise in FD1 is related to a 10-year bond of \$120,000 annually plus interest for a new fire engine.

Using data from 2018, Couture-Rimbold said the town has the third-lowest tax rate in the area, comparing town to town and not including the districts. She said South Hadley is on the lower end for tax rates in the surrounding communities.

After discussion with audience member Linda Young about open space exemption, Couture-Rimbold offered to work on open space exemption information for next year. Miles closed the public hearing at 7:25 p.m.

Etelman moved to adopt a factor of 1 for all classes of property for FY2019 and to authorize the town administrator to sign on the Selectboard's behalf. Cyr seconded. All in favor.

COLLIERS INTERNATIONAL

Ken Guillette of Colliers International said he and Phil Columbo, also of Colliers, will both attend meetings for the new senior center project. They will concentrate on schedule, budget analysis, budget conception and, as they go forward, bringing on the design team.

Sullivan said the senior center project is the responsibility of the Selectboard. It will be the Selectboard who will address milestones or concerns with the building design. Additional borrowing is the only thing that would need further Town Meeting approval. Sullivan recommends the Selectboard take that borrowing request to the May 2019 Town Meeting.

Guillette presented a timeline for the project which includes the design phase going through August 2019, bidding from September – October 2019, construction from November 2019 – December 2020, furniture and equipment from December 2020 - January 2021, and closeout from Feb 2021 - March 2021. Guillette said this is a conservative schedule.

Sullivan said he hopes to have a final contract to sign by the Selectboard's next meeting, or at the very latest by their Jan. 8 meeting.

FY2020 BUDGET

Sullivan said the town took a tactical approach to the police budget last year in anticipating many retirements. There will be a mandatory retirement in March. Three other officers are eligible for retirement but haven't announced if they will or will not retire. Officers were added last year with the hope of having them in place at the time of the impending retirements.

Sullivan said he reduced the chief's request for overtime. He said energy costs are moving in a good direction, even with increased units. If the town realizes the retirements, Sullivan feels confident the police budget will go down, within the year or 18 months, to the level it was in 2014 – 2016 with 26 officers opposed to 29. Twenty-six officers is what the town can reasonably afford in the long-term, he said, adding new Police Chief Jennifer Gundersen is confident she can do the job with 26.

Sullivan also said he is concerned with health insurance costs.

TA REPORT

Sullivan said he is going back and forth with the Stanton Foundation to understand details. He hopes the South Hadley application is presented to the Stanton board of directors within the next week. The town would hear back within a few weeks if the application is accepted. Sullivan said he made it clear no additional money for the dog park is coming from the town. Plans will need

to be scaled back, but nothing significant, such as reducing new tree plantings from 28 to 18 and removing a bench. “We’re sticking to what we were told to stick to,” Sullivan said.

For the full Town Administrator’s report, please see the Dec. 4, 2018 Selectboard packet.

ADJOURN

Forcier motioned to adjourn. Cyr seconded. All in favor.

The meeting adjourned at 8:12 p.m.

RESPECTFULLY SUBMITTED
Kristin Maher
Executive Assistant to Administration

DRAFT

**SELECTBOARD MEETING
TUESDAY, JAN. 8, 2019
MINUTES
SELECTBOARD MEETING ROOM – 7 P.M.**

Present were Vice Chair Andrea Miles, Clerk Jeff Cyr, member Sarah Etelman, member Bruce Forcier, and Town Administrator Michael J. Sullivan. Chair Ira Brezinsky was absent.

CALL TO ORDER

Miles called the meeting to order at 7 p.m.

ARTIST WELCOME

Miles welcomed Sarah Miele, who is the newest artist in residence in the Selectboard Meeting Room. Miele grew up in South Hadley, graduated from South Hadley High School, and received a Bachelor of Fine Arts Degree from UMass Dartmouth. Her work will be on display through July.

APPROVAL OF MINUTES

Forcier motioned to approve the draft minutes of the Nov. 27, 2018 and Dec. 18 Selectboard meetings. Cyr seconded. All in favor.

ANNOUNCEMENTS/OPEN FORUM

Forcier noted the annual Bag The Community event will take place the weekend of Martin Luther King Jr. Day, and Bike Walk is hosting a trek on Jan. 20.

Miles highlighted a Planning Board meeting on Jan. 14 at 6:30 p.m. in the auditorium.

CONSENT AGENDA

Forcier motioned to approve the consent agenda which consisted of a request for a multi-date beer and wine license from Tower Theaters on Jan. 18 and 19. Etelman seconded. All in favor.

JIM MAZIK

Pioneer Valley Planning Commission Deputy Director Jim Mazik discussed Community Development Block Grant funds and the town's ability to apply to the Massachusetts Department of Housing and Community Development for up to \$800,000 in funds. He suggested focusing on and putting the two strongest components forward – bathroom modifications for up to four units at Lathrop Village and town-wide housing rehabilitation. The Selectboard will conduct a public hearing on Tuesday, Jan. 22 at 7:10 p.m. in the Selectboard Meeting Room of town hall to discuss this application.

2019 LICENSE ISSUANCE REVIEW

Sullivan said despite a last-minute snag in the renewal process due to conflicting information from the ABCC, all licenses were renewed except for Simardco's Restaurant Beer and Wine License, and Resource Enterprises' Package Store Beer and Wine License. Simardco, DBA Egg and I, chose not to renew. Resource Enterprises, located at 19 Bridge St., did not complete the

application process and will need to reapply for their license. Sullivan said the Selectboard should be in no rush to grant these two open licenses.

2019 LEDGES RATE

Mike Fontaine of IGM said there will be a moderate increase in rates at Ledges Golf Course. IGM takes control of the course Jan. 15. The next step is tackling the restaurant. Forcier motioned to accept the recommended rates for the 2019 season at Ledges Golf Course. Cyr seconded. All in favor.

LITHIA SPRINGS LOT 4

Mary Elizabeth O'Meara is transferring a portion of her land by sale. The town has the first right of refusal. Sullivan said the town has no interest or use for the property, which is a piece of land with no frontage. He asked the Selectboard to vote that the town is disinterested in the property. Forcier motioned the town exercise its rights under 61a. Cyr seconded. All in favor.

RESIGNATION

Forcier motioned to accept the resignation of Grace Kelly from the Council on Aging. Cyr seconded. All in favor.

SB POLICY REVISIONS

Sullivan noted the most recent change to the policy of appointing residents to committees three times year – in February, June and October. It was also suggested the clerk's responsibilities for taking minutes be delegated to the executive assistant to administration. In the assistant's absence, the clerk will facilitate minutes.

Sullivan reminded the Selectboard they can always suspend the necessary rules in case of an emergency.

Etelman motioned to accept the draft as amended. Forcier seconded. All in favor.

FY2020 BUDGET

Sullivan said he doesn't have an update on the FY2020 budget. The Selectboard, at their next meeting, will discuss sections 21 and 22, related to health insurance. He said there is an indication from the Hampshire County Health Insurance Trust that if the communities that accept 21 and 22 go forward, there likely would be no increase this year. HCHIT is fairly certain they would be able to lock it in for another year as well, opposed to a \$300,000 - \$500,000 increase in health insurance.

TA REPORT

Miles said the swearing-in ceremony for Police Chief Jennifer Gundersen was impressive. Sullivan said the turnout certainly proved Gundersen is well-respected in the police community. Sullivan said former Police Chief Steven Parentela and Gundersen did a great job in the transition period, adding it should be a model for transitions.

Cyr highlighted the senior center building project. Sullivan noted hours earlier the town was host to the Massachusetts Municipal Association for a listening session on how South Hadley hosts symposiums of understanding.

For the full report, please see the Jan. 8, 2019 Selectboard packet.

ADJOURN

Forcier motioned to adjourn. Etelman seconded. All in favor. The meeting adjourned at 7:49 p.m.

RESPECTFULLY SUBMITTED
Kristin Maher
Executive Assistant to Administration

DRAFT

TOWN OF SOUTH HADLEY

Public Hearing – 7:10 PM Tuesday, January 22, 2019
Snow Date: - 7:10 PM Tuesday, February 5, 2019

Municipal Office Building
116 Main Street, South Hadley
FY 2019 South Hadley Community Development Fund Application

The South Hadley Selectboard will conduct a Public Hearing on Tuesday, January 22, 2019 at 7:10 PM at the South Hadley Municipal Office Building, 116 Main Street, South Hadley, MA. In case of inclement weather, the public hearing will be held on Tuesday, February 5th at the same time and location listed above.

The public is encouraged to attend this meeting to discuss the FY19 application to the MA Department of Housing and Community Development for up to \$800,000 in available Community Development Block Grant Funds. If awarded, the Pioneer Valley Planning Commission will assist the town of South Hadley with the administration of the program. All persons with questions or comments regarding the grant application will have an opportunity to be heard. Those unable to attend can send written comments to the South Hadley Board of Selectmen.

The town is seeking input on community needs and the proposed projects to be included in the grant application. Projects currently being discussed include bathroom modifications to up to 4 units at Lathrop Village and town-wide housing rehabilitation.

The South Hadley Municipal Office Building is handicapped accessible. Persons who require special accommodations should contact the town at least one week prior to the hearing date at (413) 538-5017. For further information on the proposed grant program contact PVPC Deputy Director James M. Mazik at (413) 781-6045 or jmmazik@pvpc.org.

**TOWN OF SOUTH HADLEY
PROPOSED FY2019 COMMUNITY DEVELOPMENT FUND APPLICATION**

General Description of the South Hadley Housing Rehabilitation Program:

The Housing Rehabilitation Program is intended to serve low and moderate income residents by creating safe, sanitary, and affordable housing. This is achieved by correcting building code violations, updating antiquated or failed systems, weatherization improvements accessibility modifications, hazardous material abatement and other housing related rehabilitation including roofing, structural repairs, masonry repairs and other similar items.

Proposed funding mechanism is a 100% 15-yr deferred payment loan (DPL) for owner-occupants. Investor units are eligible for 75% of the afore described (75% CDF funds, 25% owner matching funds) as a 15-yr DPL or 100% CDF financing of which 50% would be in the form of a 15-yr DPL and 50% would be in the form of a 15-yr 0% interest loan. **Fifteen (15) units will be assisted at an average cost of \$24,000 per unit.**

General Description of Lathrop Village Bathroom Modernization Project:

This project will result in renovations and improvements to bathtubs/showers in 4 units at Lathrop Village. The effort will result in modernizing existing tubs into “roll-in” showers for eased use by occupants.

Proposed FY2019 Program Budget:

Housing Rehabilitation (15 units)	
Housing Rehabilitation	\$360,000
Program Delivery	\$ 75,000
Subtotal	\$435,000
SHHA Lathrop Village Improvements	
SHHA Improvements	\$ 56,800
Program Delivery	\$ 5,000
Subtotal	\$ 61,800
Administration	
Subtotal	\$ 53,200
Total	\$550,000

***Note:** Program guidelines allow for up to 15% in Administrative costs and up to 27% in Administration/Program Delivery combined. The above budget reflects 9.6% Administration and 24.2% Administration/Program Delivery combined.*

Deadline: Submission of grant application to the Commonwealth on or before Friday, March 1, 2019 at 11:59 PM.

**TOWN OF SOUTH HADLEY PUBLIC HEARING
PROPOSED FY2019 COMMUNITY DEVELOPMENT FUND APPLICATION**

Suggested Motions Upon Close of Hearing

- Authorization to submit the proposed FY 2019 South Hadley Community Development Fund grant application to the Massachusetts Department of Housing and Community Development in an amount not to exceed \$550,000 as detailed in the public hearing and to include funding for a Housing Rehabilitation Program and funding for the South Hadley Housing Authority for the renovation of existing bathrooms in 4 units at Lathrop Village.

- Authorization for execution and submission of all required forms, documents, letters, and authorizations pertaining to the proposed FY 2019 South Hadley Community Development Fund grant application.

Ira Brezinsky, Chair
Andrea Miles, Vice-Chair
Jeff Cyr, Clerk
Sarah Etelman
Bruce Forcier

Michael J. Sullivan
Town Administrator

January 9, 2019

Certified mail to;

Scott Beaulieu
18 Pepper Ridge Drive
Belchertown, MA 01007

Regarding; SHEA

President Beaulieu,

Please consider this as notification under Massachusetts General Law Chapter 32B that the South Hadley Selectboard will meet to consider acceptance of subsections 21 and 22 of said chapter of law at a public held meeting on January 22, 2019 in South Hadley Town Hall 116 Main Street, South Hadley, Massachusetts in the Selectboard Meeting Room beginning at 7:00 PM.

The previously mentioned sections of law have been attached for your review and consideration. If you are unable to attend, but would like to submit a statement or have questions please call (number below) or send an electronic mail to msullivan@southhadleyma.gov at your earliest convenience. I will try to answer or direct your questions to the appropriate source and we will make any statement a part of the official record.

Sincerely,

Michael J. Sullivan
Town Administrator, South Hadley

Copy; Selectboard
School Committee
School Superintendent

Ira Brezinsky, Chair
Andrea Miles, Vice-Chair
Jeff Cyr, Clerk
Sarah Etelman
Bruce Forcier

Michael J. Sullivan
Town Administrator

January 9, 2019

Certified mail to;

Donna Pietrzykowski
29 Wood Avenue
South Hadley, MA 01075

Regarding; School Cafeteria Staff Union

President Pietrzykowski ,

Please consider this as notification under Massachusetts General Law Chapter 32B that the South Hadley Selectboard will meet to consider acceptance of subsections 21 and 22 of said chapter of law at a public held meeting on January 22, 2019 in South Hadley Town Hall 116 Main Street, South Hadley, Massachusetts in the Selectboard Meeting Room beginning at 7:00 PM.

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Sincerely,

Michael J. Sullivan
Town Administrator, South Hadley

Copy; Selectboard
School Committee
School Superintendent

Ira Brezinsky, Chair
Andrea Miles, Vice-Chair
Jeff Cyr, Clerk
Sarah Etelman
Bruce Forcier

Michael J. Sullivan
Town Administrator

January 9, 2019

Certified mail to;

Daniel Kelleher
10 Country Lane
South Hadley, MA 01075

Regarding; School Custodian Union

President Kelleher,

Please consider this as notification under Massachusetts General Law Chapter 32B that the South Hadley Selectboard will meet to consider acceptance of subsections 21 and 22 of said chapter of law at a public held meeting on January 22, 2019 in South Hadley Town Hall 116 Main Street, South Hadley, Massachusetts in the Selectboard Meeting Room beginning at 7:00 PM.

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Sincerely,

Michael J. Sullivan
Town Administrator, South Hadley

Copy; Selectboard
School Committee
School Superintendent

Ira Brezinsky, Chair
Andrea Miles, Vice-Chair
Jeff Cyr, Clerk
Sarah Etelman
Bruce Forcier

Michael J. Sullivan
Town Administrator

January 9, 2019

Certified mail to;

Ed Beattie
59 Lamb Street
South Hadley, MA 01075

Regarding: AFSCME DPW/A&B

President Beattie,

Please consider this as notification under Massachusetts General Law Chapter 32B that the South Hadley Selectboard will meet to consider acceptance of subsections 21 and 22 of said chapter of law at a public held meeting on January 22, 2019 in South Hadley Town Hall 116 Main Street, South Hadley, Massachusetts in the Selectboard Meeting Room beginning at 7:00 PM.

The previously mentioned sections of law have been attached for your review and consideration. If you are unable to attend, but would like to submit a statement or have questions please call (number below) or send an electronic mail to msullivan@southhadleyma.gov at your earliest convenience. I will try to answer or direct your questions to the appropriate source and we will make any statement a part of the official record.

Sincerely,

Michael J. Sullivan
Town Administrator, South Hadley

Copy; Selectboard
DPW Superintendent
COA Director
Library Director
Chief of Police
Assistant Town Administrator

Ira Brezinsky, Chair
Andrea Miles, Vice-Chair
Jeff Cyr, Clerk
Sarah Etelman
Bruce Forcier

Michael J. Sullivan
Town Administrator

January 9, 2019

Certified mail to;

Ray Hebert III
4 Stewart Street
South Hadley, MA 01075

Regarding; SHPD Union

President Hebert,

Please consider this as notification under Massachusetts General Law Chapter 32B that the South Hadley Selectboard will meet to consider acceptance of subsections 21 and 22 of said chapter of law at a public held meeting on January 22, 2019 in South Hadley Town Hall 116 Main Street, South Hadley, Massachusetts in the Selectboard Meeting Room beginning at 7:00 PM.

The previously mentioned sections of law have been attached for your review and consideration. If you are unable to attend, but would like to submit a statement or have questions please call (number below) or send an electronic mail to msullivan@southhadleyma.gov at your earliest convenience. I will try to answer or direct your questions to the appropriate source and we will make any statement a part of the official record.

Sincerely,

Michael J. Sullivan
Town Administrator, South Hadley

Copy; Selectboard
South Hadley Police Chief J Gundersen

Ira Brezinsky, Chair
Andrea Miles, Vice-Chair
Jeff Cyr, Clerk
Sarah Etelman
Bruce Forcier

Michael J. Sullivan
Town Administrator

January 9, 2019

Certified mail to;

Pete Jesionowski
12 East Street
South Hadley, MA 01075

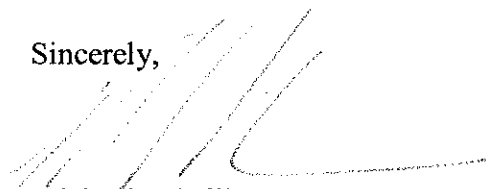
Regarding: IBEW

Mr. Jesionowski,

Please consider this as notification under Massachusetts General Law Chapter 32B that the South Hadley Selectboard will meet to consider acceptance of subsections 21 and 22 of said chapter of law at a public held meeting on January 22, 2019 in South Hadley Town Hall 116 Main Street, South Hadley, Massachusetts in the Selectboard Meeting Room beginning at 7:00 PM.

The previously mentioned sections of law have been attached for your review and consideration. If you are unable to attend, but would like to submit a statement or have questions please call (number below) or send an electronic mail to msullivan@southhadleyma.gov at your earliest convenience. I will try to answer or direct your questions to the appropriate source and we will make any statement a part of the official record.

Sincerely,



Michael J. Sullivan
Town Administrator, South Hadley

Copy; Selectboard
SHELD Manager

Ira Brezinsky, Chair
Andrea Miles, Vice-Chair
Jeff Cyr, Clerk
Sarah Etelman
Bruce Forcier

Michael J. Sullivan
Town Administrator

January 9, 2019

Frank Valeri, President
Retired State County and Municipal Employees Association of Massachusetts
11 Beacon Street
Boston, MA 02108-3030

Mr Valeri,

Please consider this as notification under Massachusetts General Law Chapter 32B that the South Hadley Selectboard will meet to consider acceptance of subsections 21 and 22 of said chapter of law at a public held meeting on January 22, 2019 in South Hadley Town Hall 116 Main Street, South Hadley, Massachusetts in the Selectboard Meeting Room beginning at 7:00 PM.

The previously mentioned sections of law have been attached for your review and consideration. If you are unable to attend, but would like to submit a statement or have questions please call (number below) or send an electronic mail to msullivan@southhadleyma.gov at your earliest convenience. I will try to answer or direct your questions to the appropriate source and we will make any statement a part of the official record.

We request you designate a retiree appointment to the South Hadley Public Employee Committee, if possible please supply me with the contact information for the designee, thank you.

Sincerely,

Michael J. Sullivan
Town Administrator, South Hadley

Copy; Selectboard

Motion:

I move to accept Massachusetts General Law Chapter 32b Sections 21 and 22 for the purposes of considering and/or negotiating changes to health insurance benefits and/or copays and deductibles offered to all collective bargaining units and retirees by the Town of South Hadley.

Massachusetts General Laws

Chapter 32 B

Section 21: Manner of changing health insurance benefits; estimation of savings; approval of agreement; immediate implementation; time for review; distribution of savings; regulations

Section 21. (a) Any political subdivision electing to change health insurance benefits under sections 22 or 23 shall do so in the following manner: in a county, except Worcester county, by a vote of the county commissioners; in a city having Plan D or a Plan E charter, by majority vote of the city council and approval by the manager; in any other city, by majority vote of the city council and approval by the mayor; in a town, by vote of the board of selectmen; in a regional school district, by vote of the regional district school committee; and in all other districts, by vote of the registered voters of the district at a district meeting or by vote of the district's governing board. This section shall be binding on any political subdivision that implements changes to health insurance benefits pursuant to section 22 or 23.

(b) Prior to implementing any changes authorized under sections 22 or 23, the appropriate public authority shall evaluate its health insurance coverage and determine the savings that may be realized after the first 12 months of implementation of plan design changes or upon transfer of its subscribers to the commission. The appropriate public authority shall then notify its insurance advisory committee, or such committee's regional or district equivalent, of the estimated savings and provide any reports or other documentation with respect to the determination of estimated savings as requested by the insurance advisory committee. After discussion with the insurance advisory committee as to the estimated savings, the appropriate public authority shall give notice to each of its collective bargaining units to which the authority provides health insurance benefits and a retiree representative, hereafter called the public employee committee, of its intention to enter into negotiations to implement changes to health insurance benefits provided by the appropriate public authority. The retiree representative shall be designated by the Retired State, County and Municipal Employees Association. A political subdivision which has previously established a public employee committee under section 19 may implement changes to its health insurance benefits pursuant to this section and sections 22 and 23.

Notice to the collective bargaining units and retirees shall be provided in the same manner as prescribed in section 19. The notice shall detail the proposed changes, the appropriate public authority's analysis and estimate of its anticipated savings from such changes and a proposal to mitigate, moderate or cap the impact of these changes for subscribers, including retirees, low-income subscribers and subscribers with high out-of-pocket health care costs, who would otherwise be disproportionately affected.

(c) The appropriate public authority and the public employee committee shall have not more than 30 days from the point at which the public employee committee receives the notice as provided in subsection (b) to negotiate all aspects of the proposal. An agreement with the appropriate public authority shall be approved by a majority vote of the public employee committee; provided, however, that the retiree representative shall have a 10 per cent vote. If after 30 days the appropriate public authority and public employee committee are unable to enter into a written agreement to implement changes under section 22 or 23, the matter shall be submitted to a municipal health insurance review panel. The panel shall be comprised of 3 members, 1 of whom shall be appointed by the public employee committee, 1 of whom shall be appointed by the public authority and 1 of whom shall be selected through the secretary of administration and finance who shall forward to the appropriate public authority and the public employee committee a list of 3 impartial potential members, each of whom shall have professional experience in dispute mediation and municipal finance or municipal health benefits, from which the appropriate public authority and the public employee committee may jointly select the third member; provided, however, that if the appropriate public authority and the public employee committee cannot agree within 3 business days upon which person to select as the third member of the panel, the secretary of administration and finance shall select the final member of the panel. Any fee or compensation provided to a member for service on the panel shall be shared equally between the public employee committee and the appropriate public authority.

(d) The municipal health insurance review panel shall approve the appropriate public authority's immediate implementation of the proposed changes under section 22; provided, however, that any increases to plan design features have been made in accordance with the provisions of section 22. The municipal health insurance review panel shall approve the appropriate public authority's immediate implementation of the proposed changes under section 23; provided, that the panel confirms that the anticipated savings under those changes would be at least 5 per cent greater than the maximum possible savings under section 22. If the panel does not approve implementation of changes made pursuant to section 22 or section 23, the public authority may submit a new proposal to the public employee committee for consideration and confirmation under this section.

(e) Within 10 days of receiving any proposed changes under sections 22 or 23, the municipal health insurance review panel shall: (i) confirm the appropriate public authority's estimated monetary savings due to the proposed changes under section 22 or 23 and ensure that the savings is substantiated by documentation provided by the appropriate public authority; provided, however, that if the panel determines the savings estimate to be unsubstantiated, the panel may require the public authority to submit a new estimate or provide additional information to substantiate the estimate; (ii) review the proposal submitted by the appropriate public authority to mitigate, moderate or cap the impact of these changes for subscribers, including retirees, low-income subscribers and subscribers with high out-of-pocket health care costs, who would otherwise be disproportionately affected; and (iii) concur with the appropriate public authority that the proposal is sufficient to mitigate, moderate or cap the impact of these changes for subscribers, including retirees, low-income subscribers and subscribers with high out-of-pocket health care costs, who would otherwise be disproportionately affected or revise the proposal pursuant to subsection (f).

(f) The municipal health insurance review panel may determine the proposal to be insufficient and may require additional savings to be shared with subscribers, particularly those who would be disproportionately affected by changes made pursuant to sections 22 or 23, including retirees, low-income subscribers and subscribers with high out-of-pocket costs. In evaluating the distribution of savings to retirees, the panel may consider any discrepancy between the percentage contributed by retirees, surviving spouses and their dependents to plans offered by the public authority as compared to other subscribers. In reaching a decision on the proposal under this subsection, the municipal health insurance review panel may consider an alternative proposal, with supporting documentation, from the public employee committee to mitigate, moderate or cap the impact of these changes for subscribers. The panel may require the appropriate public authority to distribute

additional savings to subscribers in the form of health reimbursement arrangements, wellness programs, health care trust funds for emergency medical care or inpatient hospital care, out-of-pocket caps, Medicare Part B reimbursements or reimbursements for other qualified medical expenses; provided, however that in no case shall the municipal health insurance review panel designate more than 25 per cent of the estimated savings to subscribers. The municipal health insurance review panel shall not require a municipality to implement a proposal to mitigate, moderate or cap the impact of changes authorized under section 22 or 23 which has a total multi-year cost that exceeds 25 per cent of the estimated savings. All obligations on behalf of the appropriate public authority related to the proposal shall expire after the initial amount of estimated savings designated by the panel to be distributed to employees and retirees has been expended. The panel shall not impose any change to contribution ratios.

(g) The decision of the municipal health insurance review panel shall be binding upon all parties.

(h) The secretary of administration and finance shall promulgate regulations establishing administrative procedures for the negotiations with the public employee committee and the municipal health insurance review panel, and issue guidelines to be utilized by the appropriate public authority and the municipal health insurance review panel in evaluating which subscribers are disproportionately affected, subscriber income and subscriber out-of-pocket costs associated with health insurance benefits.

Section 22: Copayments, deductibles, tiered provider network copayments and other cost-sharing plan design features; increases

Section 22. (a) Upon meeting the requirements of section 21, an appropriate public authority of a political subdivision which has undertaken to provide health insurance coverage to its subscribers by acceptance of any other section of this chapter may include, as part of the health plans that it offers to its subscribers not enrolled in a Medicare plan under section 18A, copayments, deductibles, tiered provider network copayments and other cost-sharing plan design features that are no greater in dollar amount than the copayments, deductibles, tiered provider network copayments and other cost-sharing plan design features offered by the commission pursuant to section 4 or 4A of chapter 32A in a non-Medicare plan with the largest subscriber enrollment; provided, however, that for subscribers enrolled in a Medicare plan pursuant to section 18A the appropriate public authority may include, as part of the health plans that it offers to its subscribers, copayments, deductibles, tiered provider network copayments and other cost-sharing plan design features that are no greater in dollar amount than the copayments, deductibles, tiered provider network copayments and other cost-sharing plan design features offered by the commission pursuant to section 4 or 4A of chapter 32A in a Medicare plan with the largest subscriber enrollment. The appropriate public authority shall not include a plan design feature which seeks to achieve premium savings by offering a health benefit plan with a reduced or selective network or providers unless the appropriate public authority also offers a health benefit plan to all subscribers that does not contain a reduced or selective network of providers.

(b) An appropriate public authority may increase the dollar amounts for copayments, deductibles, tiered provider network copayments and other cost-sharing plan design features; provided that, for subscribers enrolled in a non-Medicare plan, such features do not exceed plan design features offered by the commission pursuant to section 4 or 4A of chapter 32A in a non-Medicare plan with the largest subscriber enrollment and, for subscribers enrolled in a Medicare plan under section 18A, such features do not exceed plan design features offered by the commission pursuant to section 4 or 4A of chapter 32A in a Medicare plan with the largest subscriber enrollment; provided, however, that the public authority need only satisfy the requirements of subsection (a) of section 21 the first time changes are implemented pursuant to this section; and provided, further that the public authority meet its obligations under subsections (b) to (h), inclusive, of section 21 each time an increase to a plan design feature is proposed.

Nothing herein shall prohibit an appropriate public authority from including in its health plans higher copayments, deductibles or tiered provider network copayments or other plan design features than those authorized by this section; provided, however, such higher copayments, deductibles, tiered provider network copayments and other plan design features may be included only after the governmental unit has satisfied any bargaining obligations pursuant to section 19 or chapter 150E.

(c) The decision to accept and implement this section shall not be subject to bargaining pursuant to chapter 150E or section 19. Nothing in this section shall preclude the implementation of plan design changes pursuant to this section in communities that have adopted section 19 of this chapter or by the governing board of a joint purchasing group established pursuant to section 12.

(d) Nothing in this section shall relieve an appropriate public authority from providing health insurance coverage to a subscriber to whom it has an obligation to provide coverage under any other provision of this chapter.

[Subsection (e) effective until July 1, 2016. For text effective July 1, 2016, see below.]

(e) The first time a public authority implements plan design changes under this section or section 23, the public authority shall not increase before July 1, 2016, the percentage contributed by retirees, surviving spouses and their dependents to their health insurance premiums from the percentage that was approved by the public authority prior to and in effect on May 1, 2014; provided however, that if a public authority approved of an increase in said percentage contributed by retirees before May 1, 2014, but to take effect on a date after May 1, 2014, said percentage increase may take effect upon the approval of the secretary of administration and finance based on documented evidence satisfactory to the secretary that the public authority approved the increase prior to May 1, 2014.

[Subsection (e) as amended by 2016, 133, Sec. 45 effective July 1, 2016. See 2016, 133, Sec. 203. For text effective until July 1, 2016, see above.]

(e) The first time a public authority implements plan design changes under this section or section 23, the public authority shall not increase before July 1, 2018, the percentage contributed by retirees, surviving spouses and their dependents to their health insurance premiums from the percentage that was approved by the public authority prior to and in effect on May 1, 2014; provided however, that if a public authority approved of an increase in said percentage contributed by retirees before May 1, 2014, but to take effect on a date after May 1, 2014, said percentage increase may take effect upon the approval of the secretary of administration and finance based on documented evidence satisfactory to the secretary that the public authority approved the increase prior to May 1, 2014.

Proposed Motion; "I motion to designate the Board of Assessors as Special Municipal Employees in accordance with MGL c. 268A"

Section 17: Municipal employees; gift or receipt of compensation from other than municipality; acting as agent or attorney

Section 17. (a) No municipal employee shall, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly receive or request compensation from anyone other than the city or town or municipal agency in relation to any particular matter in which the same city or town is a party or has a direct and substantial interest.

(b) No person shall knowingly, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly give, promise or offer such compensation.

(c) No municipal employee shall, otherwise than in the proper discharge of his official duties, act as agent or attorney for anyone other than the city or town or municipal agency in prosecuting any claim against the same city or town, or as agent or attorney for anyone in connection with any particular matter in which the same city or town is a party or has a direct and substantial interest.

Whoever violates any provision of this section shall be punished by a fine of not more than \$10,000, or by imprisonment in the state prison for not more than 5 years, or in a jail or house of correction for not more than 2 1/2 years, or both.

A **special municipal employee** shall be subject to paragraphs (a) and (c) only in relation to a particular matter (a) in which he has at any time participated as a municipal employee, or (b) which is or within one year has been a subject of his official responsibility, or (c) which is pending in the municipal agency in which he is serving. Clause (c) of the preceding sentence shall not apply in the case of a special municipal employee who serves on no more than sixty days during any period of three hundred and sixty-five consecutive days.

This section shall not prevent a municipal employee from taking uncompensated action, not inconsistent with the faithful performance of his duties, to aid or assist any person who is the subject of disciplinary or other personnel administration proceedings with respect to those proceedings.

This section shall not prevent a municipal employee, including a special employee, from acting, with or without compensation, as agent or attorney for or otherwise aiding or assisting members of his immediate family or any person for whom he is serving as guardian, executor, administrator, trustee or other personal fiduciary except in those matters in which he has participated or which are the subject of his official responsibility; provided, that the official responsible for appointment to his position approves.

This section shall not prevent a present or former special municipal employee from aiding or assisting another person for compensation in the performance of work under a contract with or for the benefit of the city or town; provided, that the head of the special municipal employee's department or agency has certified in writing that the interest of the city or town requires such aid or assistance and the certification has been filed with the clerk of the city or town. The certification shall be open to public inspection.

This section shall not prevent a municipal employee from giving testimony under oath or making statements required to be made under penalty for perjury or contempt.

This section shall not prevent a municipal employee from applying on behalf of anyone for a building, electrical, wiring, plumbing, gas fitting or septic system permit, nor from receiving compensation in relation to any such permit, unless such employee is employed by or provides services to the permit-granting agency or an agency that regulates the activities of the permit-granting agency.

b) Divided loyalties. Receiving pay from anyone other than the city or town to work on a matter involving the city or town is prohibited. Acting as agent or attorney for anyone other than the city or town in a matter involving the city or town is also prohibited whether or not you are paid. (See Sec. 17)

Because cities and towns are entitled to the undivided loyalty of their employees, a municipal employee may not be paid by other people and organizations in relation to a matter if the city or town has an interest in the matter. In addition, a municipal employee may not act on behalf of other people and organizations or act as an attorney for other people and organizations in which the town has an interest. Acting as agent includes contacting the municipality in person, by phone, or in writing; acting as a liaison; providing documents to the city or town; and serving as spokesman.

A municipal employee may always represent his own personal interests, even before his own municipal agency or board, on the same terms and conditions that other similarly situated members of the public would be allowed to do so. A municipal employee may also apply for building and related permits on behalf of someone else and be paid for doing so, unless he works for the permitting agency, or an agency which regulates the permitting agency.

Example of violation : A full-time health agent submits a septic system plan that she has prepared for a private client to the town's board of health.

Example of violation : A planning board member represents a private client before the board of selectmen on a request that town meeting consider rezoning the client's property.

While many municipal employees earn their livelihood in municipal jobs, some municipal employees volunteer their time to provide services to the town or receive small stipends. Others, such as a private attorney who provides legal services to a town as needed, may serve in a position in which they may have other personal or private employment during normal working hours. In recognition of the need not to unduly restrict the ability of town volunteers and part-time employees to earn a living, the law is less restrictive for "special" municipal employees than for other municipal employees.

The status of "special" municipal employee has to be assigned to a municipal position by vote of the board of selectmen, city council, or similar body. A position is eligible to be designated as "special" if it is unpaid, or if it is part-time and the employee is allowed to have another job during normal working hours, or if the employee was not paid for working more than 800 hours during the preceding 365 days. It is the position that is designated as "special" and not the person or persons holding the position. Selectmen in towns of 10,000 or fewer are automatically "special"; selectman in larger towns cannot be "specials."

If a municipal position has been designated as "special," an employee holding that position may be paid by others, act on behalf of others, and act as attorney for others with respect to matters before municipal boards other than his own, provided that he has not officially participated in the matter, and the matter is not now, and has not within the past year been, under his official responsibility.

Example : A school committee member who has been designated as a special municipal employee appears before the board of health on behalf of a client of his private law practice, on a matter that he has not participated in or had responsibility for as a school committee member. There is no conflict. However, he may not appear before the school committee, or the school department, on behalf of a client because he has official responsibility for any matter that comes before the school committee. This is still the case even if he has recused himself from participating in the matter in his official capacity.

Example : A member who sits as an alternate on the conservation commission is a special municipal employee. Under town by-laws, he only has official responsibility for matters assigned to him. He may represent a resident who wants to file an application with the conservation commission as long as the matter is not assigned to him and he will not participate in it

Brian Willette
174 Brainerd Street
South Hadley, MA 01075

January 3, 2019

To Whom it May Concern,

This letter is being provided to inform the leadership of the Town of South Hadley and Town of Easthampton of my great interest in serving as a member of the District Veteran Service Board for the South Hadley / Easthampton District. The issues effecting our local veterans in both communities are an everyday concern as leader in veterans activities. As the Post Commander of the South Hadley VFW Post 3104, our Post has increased its community involvement and community activism on behalf of all South Hadley Veterans and their families. Since becoming VFW Commander, the South Hadley VFW has earned the highest rating possible for excelling in carrying out community-based VFW Programs, the distinction of an "All-American VFW Post". South Hadley VFW Post 3104 is one of 250 VFW Post, out of over 7000 world-wide Posts, to earn this designation. We do not meet the standards, we *exceed* them. It is with that dedication and commitment, I will bring to the District Veterans Service Board if appointed. This same community-based involvement is also carried out through my membership in South Hadley Falls American Legion Post 260.

These are trying times for many Veterans and families. Veteran unemployment, or under-employment, access to Healthcare, including mental health care, and veteran suicide, are just some of the issues we work to tackle. The District Veteran Service Board directly effects these areas and the care and services of our most vulnerable veterans and families. I know I share the goal of my fellow veteran leaders and especially the DVS Board members to help our deserving Veterans.

This commitment I carry over, very readily, to the Veterans of Easthampton. I enjoy a very strong relationship both through my work alongside the members of Easthampton American Legion Post 224 and VFW Post 3244, and my personal relationships in both Posts. I addressed the recent meeting of the Dalton-Lavallee American Legion Post 224 in Easthampton. I informed them of this Board vacancy position and offered to forward any members interested in serving. I did vow if I were selected that I would report to them all issues effecting Veterans throughout the District.

I was born and raised in Springfield. My wife, Gina and I, moved to South Hadley in 2008. In 2009, I deployed to Afghanistan in support of Operation Enduring Freedom. My decorations and award include the Purple Heart and Army Combat Action Badge. I retired as a Staff Sgt from the Army National Guard in 2012. I am also a retired PVTA Bus Driver, retiring in 2017 after 31 years behind the wheel. My two youngest children are enrolled in South Hadley schools.

Thank you for your consideration,



Brian Willette

Ira Brezinsky, Chair
Andrea Miles, Vice-Chair
Jeff Cyr, Clerk
Sarah Etelman
Bruce Forcier

Michael J. Sullivan
Town Administrator

January 14, 2019

Honorable Selectboard,

Please accept this abridged account of projects and initiatives my colleagues and I are engaged in on your behalf in town hall and throughout South Hadley. We collectively appreciate your support.

Regional Age Friendly, Dementia Friendly Project; As you are aware, we have been accepted to be a part of DLTA Grant with PVPC to partner with Holyoke and Chicopee to create a regional plan for Age Friendly and Dementia Friendly practices. I have to say, South Hadley was very well represented at the inaugural meeting and, more importantly, we are at pace or ahead of our partners in practices and programs related to these important initiatives.

The only Holyoke person was Pat Beaudry, who works at PVPCand me, unfortunately. Pat accepted the task to make sure the key players in the Paper City will be filled in on the proceedings. A number of interested Springfield officials and some agencies were in attendance as interested parties.

There will be an AARP-based survey circulated shortly to attempt a baseline for needs. It will be critically important South Hadley does our best to participate. The survey will be available online, and the COA and hopefully the library will be able to assist the participants in filling out the survey.

The focus will be on creating communities which consider the needs of every age group for projects, programs and policies equitably. It encourages, when adopting planning or designing, consideration of all various demographics of age and ability.

Open Space Plan/Master Plan Update; Tracy Adamski (Tighe and Bond), Emily Innes (Harriman), Town Planner Richard Harris, and I met with the consultants who are charging ahead on the Open Space Plan and the Master Plan Update.

There was significant discussion on the need to ensure all citizens are given a variety of ways and multiple opportunities to provide input to either of the documents. I made it clear that the present MPIC should be used to the greatest extent as a resource. They

know what worked and what has not, where we have made progress and where we flamed out, what should be kept in and what should be jettisoned.

Both Tracy and Emily were interested in the Public Building Analysis, the BWC (PVPC) Study, and the upcoming ADA Plan, as these each have relevance. We also discussed the new Senior Center, VBS, PVT, the library, the South Hadley schools, SHELD, Woodlawn Plaza and other projects. Surprise! The meeting went over the allotted time...or no surprise to some.

Senator Comerford; I was happy the senator took us up on the offer to host the "People's Office," where she will meet with South Hadley constituents to discuss issues of the day. The concept is that the "office" is wherever she can meet with her constituents.

Senator Comerford and staff will be in South Hadley Town Hall from 11 a.m. – 2 p.m. on Wednesday, March 27 and Wednesday, June 26. The meetings are tentatively earmarked for the Selectboard Meeting Room, but subject to change.

Recently, District Director Elena Cohen visited South Hadley Town Hall to scope the place out for the "People's Office." Her exuberance radiated from her being. I believe Senator Comerford and staff will serve SoHa well.

Capital Planning; There was a recent meeting of Capital Planning called by Chair Boulais. I demonstrated the new budget feature where departments can make "Capital" requests. Some rise to the level of interest of the Capital Planning parameters, and some are smaller durable goods departments are seeking. They need to be durable and likely to last over several cycles, but may be under the threshold for CPC.

There was discussion about my favorite - repointing town hall. Everyone agreed it was needed and not getting cheaper year after year. I accept and agree it is a bear of a project and will be complicated to even coordinate ... if we can even find an interested mason, as you may recall from the most recent brick repair.

We also discussed the need for two cruisers to be purchased in the spring, due to the fact we did not do any capital at the last STM. I suggested we should buy two, as the quicker we can put the gas-guzzling Crown Vics out of their misery the better off we will be. The new "Interceptors" are more energy efficient and the next generation will be hybrids, making idling a net zero proposition in most cases.

There was also some discussion about school needs, particularly the stove at the high school, and whether students still use lockers. I am sure there will be more to come on Capital Planning.

South Hadley/Granby Chamber Annual Meeting; Tony Cignoli; Willets Hollowell hosted the Chamber Annual Meeting and I was swayed to attend when I heard longtime political consultant and prognosticator Tony Cignoli, of A.L. Cignoli, was the featured speaker. He did not disappoint.

He presented artful description of the present climate in the nation's capital, highlighting how important South Hadley's Congressman Richard Neal would be in Washington as the House Ways and Means Chair.

He spoke about the talent drain from the western part of the Commonwealth with the loss of so many state elected officials (Kocot, Scibak, Rosenberg etc.). However, he was very complementary to Senator Comerford in particular. He clearly sees her as a rising star ... and said she was a super star before she stood for election, due to her previous work.

Kim Prough was also introduced as the new executive director. Anyone who has met Kim in her short history in town knows she is a dynamo - one of those people I need a two-hour nap after I meet with her for a half hour. I think the South Hadley/Granby Chamber of Commerce will be a community force very shortly under her tutelage.

Bylaw Review Committee; There was successful meeting of the ByLaw Review Committee (BRC). Charles Miles was elected chair, Anne Awad vice chair and Jay Bruer as clerk. Vern Blodgett participated as well.

There remain three more openings under the revamped bylaw governing the BRC. The police chief, town counsel and the town administrator no longer are "ex-officio" members, but I assured the committee I would attempt to provide them as much access as possible, and any department head or legal counsel as necessary and appropriate moving forward. I also suspect I will remain deeply involved.

We discussed the historical way the committee operated. There were some questions about their function. I explained it was my view that the BRC is an "advisory" board tasked with making suggestions to the SB for potential warrant articles which effected bylaws. There were some questions about "zoning bylaws." I explained that it was my understanding they are exempt from review not by South Hadley bylaws, but by state law.

Furthermore, I did not see anything that suggested the BRC was prohibited from making suggestions to the Planning Board, which they could ignore or consider. It still is a free country!

PVTA Federal Funding; Thank you for your support in allowing to quickly get a letter out to MassDOT about the need to consider increased funding in Western Mass. The most

important point is that South Hadley should not suffer any further cuts, as we received two years in row, in respect to service.



Bird Scooter; I had an opportunity to meet with Bird Scooter - another Shared Mobility Device. As you can see from the picture, the scooters are well constructed and easy to ride.

Bird is interested in doing a pilot program for the area with MHC and SH. My intention is to give the concept more thought and research. I will also have additional conversations with MHC about their take.

Bird and VBS will, in my estimation, leverage each other and quicken the public acceptance. These units are another "last mile" option, but can be a year-round option. I promise the Selectboard this is not a lame attempt by me to decrease my exercise by eliminating pedaling.

O-Zones; I have been invited to a meeting in Holyoke to discuss with Mayor Morse and his team some possible partnerships to spur investment in the Flats and the Falls. This will be my first visit to my old office and only my second trip back to City Hall since I left in 2010. Hopefully they will let me in.

I believe this is a program where partnering with Holyoke and/or Chicopee will greatly benefit South Hadley. I am sure you will hear more ...

Respectfully submitted,

Michael J. Sullivan
Town Administrator, South Hadley