



TOWN OF EAST LONGMEADOW  
60 CENTER SQUARE  
EAST LONGMEADOW, MA 01028

*Thomas P. Florence, Town Clerk/Clerk of the Council*

(413) 525-5400 ext. 1001

*Town Council General Bylaw Committee*

*Councilor Paul L. Federici, Chair*

*Councilor Thomas O'Connor*

*R. Patrick Henry, Member at Large*

Meeting of January 4, 2019

The General Bylaw Committee meeting opened at 9:09AM with Councilor Tom O'Connor, Pat Henry, Town Clerk Tom Florence and DPW Superintendent Bruce Fenney and DPW Deputy Superintendent Tom Christensen in attendance.

Bruce Fenney stated how he has worked extensively on the stormwater enterprise fund bylaw and had referenced the use of the bylaw in other towns.

Pat Henry asked Mr. Fenney if fees were part of the tax levy. Mr. Fenney said that the town residents will get charged for the stormwater. If approved, it will go into effect on 7/1/19.

Councilor O'Connor indicated that this is an unfunded mandate by the state. Mr. Christensen then said that this stormwater mandate is in effect until further change.

Mr. Fenney had come up with a fees schedule. Fees will be a part of the water/sewer bill. All other administration reports will be handled by Mr. Fenney and Mr. Christensen and the DPW department. No additional staff will be needed; except they did indicate that they will be looking for a foreman to do data collection work for FY 2020 similar to the MS4 referenced sheet analysis.

Councilor O'Connor then asked a question pertaining to the rate schedule. Mr. Fenney says he's taking a snap shot of where we are now.

Mr. O'Connor and Mr. Henry then had questions pertaining to specific terms in the stormwater bylaw, specifically the rates section.

Mr. Fenney, for example, explained that the Fields of Chestnut's stormwater charge would be mailed to their Management group for the Fields of Chestnut.

Councilor O'Connor pointed out that there is a big perception fact when dealing with a tax vs. fee. He then said that it is important to explain the stormwater process to the public

Mr. Fenney has stated that he has already done a preliminary budget.

Mr. O'Connor understands that the operation is a one year process mandated by the state and to put this operation into the FY 2020 budget.

Mr. O'Connor indicated that other towns may be using an enterprise fund, but he would like to see this not as an enterprise fund.

Councilor O'Connor said that from a budget perspective, you can add this as part of your operational budget and look to cut elsewhere in the budget, if necessary.



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Mr. Henry then said to remove some areas of the rate section of the proposed bylaw to make it simpler and also recommended to update the code/rate table.

Mr. Fenney then again said that he is used to doing more with less, but this is mandated by the state. He and Mr. Christensen have gone to classes in the last year and have networked to see what other cities and towns are doing.

Mr. Fenney would like to see this as a self-sustaining line item.

Mr. O'Connor and Mr. Henry would like to move this topic forward with the Committee's recommendation to the Town Council to have this stormwater operation be part of the DPW's FY 2020 budget operation and not as an enterprise fund.

Mr. O'Connor made a motion to accept this recommendation which was seconded by necessity by Mr. Henry.

Mr. Fenney said that he had spent a great deal of time creating this bylaw, but he will continue to update any recommend changes.

Councilor O'Connor and Mr. Henry asked to include a Description of Service when updating the bylaw, as well as work on a "Purpose" section of the bylaw. Mr. Henry recommended moving some of the current sentences in this section for better clarification. He said that the enterprise fund may happen next year, but supported putting it into the FY 2020 budget first.

Mr. Fenney then went on to explain how the program may expand in the future and he may come back to the Council to ask for additional funding.

Mr. O'Connor discussed that if this new bylaw is accepted, include salaries when referencing operations, as well as including benefits and OPEB costs.

In summarizing, the Committee's recommendation back to the Town Council will be creating a budget vs. an enterprise fund for the stormwater operation.

Mr. Fenney will continue to update the bylaw and forward on to the Town Clerk.

After Mr. Fenney and Mr. Christensen exited the meeting, Councilor O'Connor made a motion to accept the minutes from the September 6, 2018 Bylaw Committee meeting. Mr. Henry seconded by necessity. The motion passed unanimously.

A discussion then ensued regarding the Organizational Analysis which was recently forwarded to the Town Clerk by General Code as part of the Bylaw Codification process.

It was suggested that the Town Clerk check with Marilyn Richards regarding the Zoning and Planning Sections of the Organizational Analysis due to her area of expertise.

Mr. Henry said that it's important to have the "stakeholders" or department heads involved in the Organizational Analysis and how the Table of Contents are formed, i.e., the Finance Director, IT Director and DPW Superintendent.

Councilor O'Connor and Mr. Henry both stated that they feel that anything related to fees and charges should be listed in an appendix. Bylaws with fees and charges should reference "see appendix".



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Mr. Henry would like to see a list of Department heads who act as shareholders for the bylaws. He mentioned that the Committee should invite Denise Menard to the next meeting to review and get her “buy-in” of the Organizational Analysis.

The Town Clerk will review the Organizational Analysis specifics in more detail for next meeting and will set up the meeting as a separate agenda topic.

Councilor O'Connor made a motion to adjourn at 10:16 AM which was seconded by Mr. Henry out of necessity. The motion passed unanimously.

Respectfully submitted,

Thomas P. Florence  
Town Clerk, Clerk of the Council