



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

TOWN COUNCIL

(413) 525-5400 ext. 1001

Kathleen G. Hill, President
Michael J. Kane, Vice President *Thomas C. O'Connor*
Donald J. Anderson *Ralph E. Page*
R. Patrick Henry, Jr. *Marilyn M. Richards*

Approved February 25, 2020

MINUTES

Town Council Meeting
January 28, 2020 at 6:00 pm
Council on Aging Media Room
East Longmeadow, Massachusetts 01028

Present: President Kathleen Hill, Vice President Michael Kane, Tom O'Connor, Pat Henry, Ralph Page, Marilyn Richards and Don Anderson.

Council President Hill opened the meeting at 6:00 p.m. with the Pledge of Allegiance, followed by a Moment of Silence. Announcements were made in accordance with Mass General Law, and it was noted that ELCAT was taping the meeting.

Public Comments: None

Council Comments: None

Town Manager Report:

Town Manager Mary McNally gave her Town Manager report as shown in attachment A. Ms. McNally also stated that herself, the IT Director Ryan Quimby, Chief Morrissette and Chief Dalessio attended a meeting at Westcomm, which is the Chicopee Regional Dispatch Center. They had their governing board meeting today and one of the items on the agenda was the inclusion of new communities. East Longmeadow may be one because they did file a letter of intent to join, which is the first step to initiating some discussion on that issue. Ms. McNally stated that the meeting was very informative and they are going to meet again a week from today to hear the results of a technology assessment. Ms. McNally stated that the decision to join or not to join turns on not only the fiscal matters but also the operational issues, the technology is integral to the operational issues. There was a lot of information on grant funding that would be available. Westcomm would be the applicant but the costs of the transition for a community like ours could be absorbed. Ms. McNally stated that they are in the process of trying to figure out what costs we would have to retain.

Ms. McNally stated that one of the goals for the Town Manager was to take care in hiring and to get people who want to be a part of the community and want to work hard. Ms. McNally stated that she has done that with Jennifer Kerr who has been a tremendous asset. Jennifer has only been here four months' and is doing a great job stated Ms. McNally.

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Ms. McNally informed the Council that she will be on vacation in early February, as an incident to the Charter; Ms. McNally has asked Ryan Quimby to serve in her capacity for the time that she is away. Mr. Quimby gladly agreed.

Councilor O'Connor asked about the ADP software purchase; Councilor O'Connor stated that in the Capital he noticed that the monies have not been expended yet. Councilor O'Connor asked if we are going to see how it goes and then determine whether or not the full payment would be required. Ms. McNally stated that she is not satisfied with what the Town's obligations are if we want to shift gears and get out of this situation. If there is a financial obligation that we cannot escape or if there is some sort of liquidated damages clause or some sort of penalty that is a factor she would have to consider. Ms. McNally stated that this preceded her therefore she is not as familiar with the terms. Ms. McNally is certain there is a continuing financial obligation and that is one of the things that came out of the budget process. The annual support figure is about \$78,000.00 and Munis has a similar figure of around \$72,000.00 so going into Fiscal 21 we would be paying both of those and that does not seem prudent to Ms. McNally. Ms. McNally stated she is not as well versed in the details of that so she does not think she can answer that question. Ms. McNally stated that she does not know if it is the product and the version that was purchased or if it is the internal implementation, Ms. McNally believes it is the former and not the latter because she knows our finance office works diligently to try and identify the areas that are troublesome.

Councilor O'Connor asked Ms. McNally who attends the Westcomm meetings; Ms. McNally stated that at today's meeting the Police and Fire Chief from East Longmeadow, the IT Director from East Longmeadow, all of their contemporaries from Longmeadow, all the colleagues and contemporaries from Chicopee, Monson's Town Administrator, the Fire Chief from Monson, the Police Chief from Monson and also people from the 911 Office. Christine Wingfield who works at the State 911 division was there as well, the Executive Director of Westcomm and her Administrative Assistant and the IT director for Westcomm. They acknowledged that there have been a few bugs since Longmeadow has joined, but they are confident those will be worked out stated Ms. McNally. Ms. McNally stated that Chief Dearborn, the Fire Chief in Longmeadow is the chair of the Board and he is quite thorough and offered some suggestions, like having a project plan. He is hopeful that new communities that join can benefit from the experience that Longmeadow had. President Hill asked how many cities or towns could conceivably be managed in Westcomm. Ms. McNally stated that they talked today and beyond the two there is more than sufficient capacity. Ms. McNally believes that it is a goal of the Commonwealth to regionalize and the more communities that participate in one place the better.

Ms. McNally stated she has spoken to our dispatchers because she wanted to be straight forward with them about their job security; there is no guarantee that they would be hired in Westcomm but that Westcomm would certainly interview any and all that wanted to be interviewed. Ms. McNally also stated that one of the concerns that were expressed to her was that it was a private organization and that people would lose retirement benefits, Ms. McNally stated that Westcomm is a district established under Mass General Laws and that they are members of Scantic Valley Health Trust and also members of Hampden County Retirement. Ms. McNally stated that most concerns were allayed.

Councilor Page asked if we hired a consultant to help bring the new payroll software on board. Ms. McNally stated we do have a consultant's contract for a limited amount of hours. Ms. McNally stated that the Finance Director, Sara Menard would be able to give a better answer. Sara Menard stated there

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was a conference call yesterday with the consultant. Ms. Menard stated they gave them a list of all of their frustrations and hopefully they will hear something early next week as to how they will be able to help them. Ms. Menard stated that the ADP implementation team has been very responsive and has been trying to help them; Ms. Menard does not think it is a lack of effort on ADP's part.

President Hill asked Ms. Menard about the \$78,000.00 maintenance fee. President Hill stated that she does not recall that figure ever being told to the Council. President Hill stated that fee is over 50% of the cost of the software and wanted to know if that was typical for this type of software. Ms. Menard was not sure and she would have to go back and look at it because all the research was done well over a year ago. Councilor O'Connor stated that he does not recall the \$78, 000.00 maintenance fee either. Councilor O'Connor stated that he does not understand why the Council was not aware of this. Sara Menard stated that they do pay a per employee cost for every check that is cut and for every W-2 that is issued; Ms. Menard believes that the maintenance costs includes all of this as well.

Approval of Minutes: December 18, 2019 Open Session Minutes

*Councilor Henry made a motion to approve the December 18, 2019 Open Session Minutes. Councilor Richards seconded the motion. **The vote was 7 in favor and 0 opposed.***

Communications, Correspondence and Announcements: None

Public Hearings:

- A. Proposed Zone Change at Rear Pease Road (Parcel 33-1-0) from Resident AA to Industrial/Industrial Garden Park continued from December 10, 2019 – 6:30 p.m. President Hill opened the hearing at 6:30 pm. Jeanne Quaglietti Town Clerk/Clerk of the Council read the legal notice into record. President Hill asked if the petitioner was in attendance. Attorney Maynard stated that he has not had any communication with Counsel for the petitioner. Attorney Maynard stated that this public hearing has been continued a number of times and that a site plan proposal for a solar project on that same parcel is under consideration by the Planning Board. It would certainly be appropriate to continue it once again. President Hill asked if the Planning Board Chair or the Director of Planning, who were in attendance, were able to offer any updates from the Planning Board side. Chair of the Planning Board Russ Denver stated that they have a site plan in front of the Board and there was a request to waive four conditions. The Planning Board voted to waive three of those and continued the hearing again until February 4, 2020. At which time they would take a vote. *Councilor Richards made a motion to continue the Public Hearing for Rear Pease Road (Parcel 33-1-0) from Resident AA to Industrial/Industrial Garden Park to February 11, 2020 at 6:30 pm. Councilor Kane seconded the motion. **The vote was 7 in favor and 0 opposed.***

*Councilor Anderson made a motion to go out of order on the agenda to item 9-B number 1. Councilor Kane seconded the motion. **The vote was 7 in favor and 0 opposed.***

Orders of the Day

Financial Matters:

1. Emergency capital request from free cash for motor replacement for DPW truck #72 for \$28,152.83 – DPW Superintendent Bruce Fenney and Highway and Utilities Manager Darrell Kean were present. Mr. Fenney stated that the Department of Public Works is looking for the

Council's consideration for emergency Capital funding from free cash in the amount of \$28,152.83 to replace a truck motor on truck 72. They started having problems with the motor during the snow storm on December 17, 2019. They brought it into the shop, hooked it up to the diagnostic equipment and it was determined that the motor was blown. Councilor Page asked what they were looking to put in its place since it only has 60,000 miles. Mr. Kean stated the only replacement International has is the max sports motor. Councilor Page asked about the warranty, Mr. Kean stated that he has not seen the paperwork yet but he believes it is three year warranty on parts only no labor. Councilor O'Connor asked what the projected down time of this truck would be; Mr. Fenney stated probably two to three weeks.

*Councilor Henry made a motion to approve an emergency capital project to repair DPW truck #72 for \$28,152.83, which shall be funded from General Fund Free Cash. Councilor Richards seconded the motion. **The vote was 7 in favor and 0 opposed.***

Public Hearings:

- B. Transfer of License, Pledge of License, Pledge of Stock and change of Manager for Arman Shree, Inc. dba Countryside Store, 334 Somers Road – 6:45 p.m. – President Hill opened the hearing at 6:53 p.m. Jeanne Quaglietti Town Clerk/Clerk of the Council read the legal notice into record. Councilor Page recused himself. Attorney Brian Fitzgerald stated he is here tonight on behalf of Arman Shree whose principles are Anil Patel and Ayana Patel who will be the owners and operators of the store should this transfer be allowed. Attorney Fitzgerald stated that Anil Patel and Ayana Patel will be on site for roughly 40 to 50 hours per week operating the store. Attorney Fitzgerald stated that all documents that are required have been submitted with the application.

Public Comments: None.

President Hill closed the Public Comment portion of the hearing.

Council Comments: Councilor Kane asked Attorney Fitzgerald if his clients were currently working for the owner, Attorney Fitzgerald informed him that yes they are currently working there. Councilor Henry asked how long they have worked there and Mr. Patel stated about six and a half years.

*Councilor Kane made a motion to approve Transfer of License, Pledge of License, Pledge of Stock, and Change of Manager for Arman Shree, Inc. dba Countryside Store. Councilor Richards seconded the motion. **The vote was 6 in favor 0 opposed and 1 recusal.***

- C. Proposed Bylaw addressing liquor license rules and regulations, second reading– 7:00 p.m. – President Hill opened the Public Hearing at 7:08 p.m. and stated the reason for this Public Hearing is a continuation of the hearing from January 14, 2020 for a proposed bylaw for liquor license rules and regulations. Councilor Anderson read the proposed bylaw into record as shown in attachment B.

Public Comments: Connor O'Shea of 20 Tanglewood Drive asked when it says substitution of brands of alcoholic beverages does that just mean if someone was to serve a bottom shelf thing as opposed to what someone asked for. President Hill stated yes.

President Hill closed the public portion of the hearing.

Council Comments/Discussion: Councilor Page asked if all liquor license holders

received a copy of this. President Hill stated yes they have. Councilor Henry pointed out that they did have a member of the community who runs a liquor serving establishment on the licensing subcommittee. Councilor Richards stated that two typos need to be corrected before it goes to final printing.

*Councilor Henry made a motion to approve the liquor license rules and regulations bylaw as presented. Councilor O'Connor seconded the motion. **The vote was 7 in favor and 0 opposed.***

Orders of the Day:

A. Licensing Matters:

1. Pledge of License for Tudor House Discount Liquors, Inc., 161 Shaker Road – President Hill stated that the applicant or their Counsel were present and asked if they were notified. Town Clerk/Clerk of the Council Jeanne Quaglietti stated that they were notified and she explained to them the purpose of the application, since we just approved a transfer. Ms. Quaglietti stated she received an email from Ben Coyle, Counsel for the applicant which explained the purpose of the application. Mr. Coyle said in his email at the time the transfer application was filed there was no request for a pledge to be approved because his client's lender, his brother, did not want one. Subsequent to the transfer, the lender consulted with an attorney who suggested that a pledge be procured as additional collateral for the loan. The lender then requested that they obtain the required approvals. So his client's brother's attorney requested that the pledge be approved after the transfer was approved.

President Hill stated that historically the Council does not address a matter without the applicant or petitioner being present.

*Councilor O'Connor made a motion to table the matter of a Pledge of License for Tudor House Discount Liquors, Inc. until the applicant can be present. Councilor Page seconded the motion. **The vote was 7 in favor and 0 opposed.***

Financial Matters:

2. Quarterly and Capital Projects Budget Report for FY20 – Finance Director Sara Menard Sara Menard Finance Director stated the Council should have the revised Capital Projects Financial Report in their packet. Ms. Menard went over the report as shown in attachment C, and noted some of the changes that were made. Ms. Menard stated that she added a couple of things to make it a bit easier so that everyone would be able to understand the report. Ms. Menard stated that on the first page she added a legend to the report; the legend describes each of the column headings and gives a brief definition of each column. It also has some of the frequent abbreviations that she uses in the report.

Councilor O'Connor asked if a column could be added for any monies that are encumbered and appropriated by the Council; so that each year if there are projects that

have not been started the Council has the authority to rescind that fund. Sara Menard stated that yes she could add that column moving forward if that is what the Council wants. Ms. Menard also stated that the Department that is requesting the capital project should be present so that they are able to answer any questions the Council may have.

Some of the Councilors had questions on some of the items on the report pertaining to the DPW, the School Department and Health Department. Sara Menard indicated that those questions would be best answered by the departments that requested the funds for the projects. President Hill stated that they will reach out to some of the Department Heads so that they could answer whatever questions the Council had. President Hill asked the Council; besides Bruce Fenney from the DPW, what other Department Heads should be present to answer the questions they had. Councilor Anderson stated that his thoughts would be the School Department and the Health Department as well, definitely the DPW. President Hill stated she feels the other two departments can be handled by email. President Hill will reach out to Mr. Smith and Ms. Petrosky via email.

Ms. Menard asked the Council if they wanted her to use the same format going forward. President Hill stated yes and that having the legend in the report is very helpful.

Councilor O'Connor asked how these projects stack up against the five year plan, Councilor O'Connor stated that in the future it would be helpful to see where we are with the five year plan and whether or not the projects have been completed, suspended, move forward or backwards and not just fall off the document. Councilor O'Connor wants to make sure they are following the five year plan. Ms. Menard asked what year they would like her to start at. Councilor O'Connor would like to see it going back to 2018 continuing to 2023.

Old Business:

1. Update of General Code Project/Town Council Bylaw Review Committee – Councilor Henry summarized the General Code Project modifications and additions to Town Bylaws as shown in attachment D.

Councilor Henry recognized the dedicated work of the Bylaw Subcommittee including Tom O'Connor, Ralph Page, Bill Fonseca, Tom Christensen and Jeanne Quaglietti.

Councilor Henry asked if there were any questions on fines.

Councilor O'Connor stated that he did not agree with some of the increases in the fines that were proposed by some of the Department Heads; he feels that some of the fines are exorbitant.

Councilor Richards asked if the increases were based on a standard in neighboring communities or was it just a percentage that they went up. Councilor Henry stated they were all different; some of them were from Mass. General Law.

Councilor Page stated that he agrees with Councilor O'Connor regarding the fines and that

most of these came through the Department Heads. Councilor Page has a concern with number 10 (Fire lanes) increasing from \$15.00 to \$100.00. Councilor Page feels that a \$50.00 fine is more comparable. Councilor Page also has a concern with number 9 (Penalties for Violation of General Bylaw) going from \$200.00 to \$300.00 if you are in violation of a General Bylaw. Councilor Page feels that most residents do not know they are in violation and a \$300.00 violation is a lot.

Councilor Henry asked Mary McNally to address the Council on these items. Ms. McNally agrees with Councilor Page that number 9 seems like a hefty increase for a violation of any General Bylaw. Ms. McNally disagreed with Councilor Page on the fire lane fine because the consequences of that could be dramatic and severe. Ms. McNally did not have a problem with the rest of them and asked the Council if it has been a long time since fees have been increased. Councilor Henry stated that yes it has been. Councilor O'Connor stated that we educate and advocate and not jump right to a severe fine for something that people might not be aware of.

Councilor Kane stated that it might be helpful going forward to have a tracking system that show which bylaws are violated, that way we would know which offenses we should be looking at and which offenses rarely occur.

Item #9 (Penalties for violation of General Bylaw) - The Council all agreed that they keep the fine at \$200.00 instead of \$300.00.

Item #12 (Fines for violation of leash law) – The Council all agreed that they keep this as it was and not change it.

*Councilor Henry made a motion to approve the list of approved significant new bylaws and or modifications as presented by the Town Council Bylaw Committee with the changes identified in penalties in numbers 9 and 12. Councilor Kane seconded the motion. **The vote was 7 in favor and 0 opposed.***

*Councilor Henry made a motion to approve the submittal of the General Code workbook to General Code, including the aforementioned approved new bylaws and the modifications mentioned at this meeting. Councilor Richards seconded the motion. Discussion – Councilor Page stated that it will not only be what is at this meeting there are still some corrections that he needs to send to Councilor Henry; Councilor Page wants to make sure that we are not limiting it to what you have now. President Hill stated the Council understands this. **The vote was 7 in favor and 0 opposed.***

New Business:

1. Vote of the Council to Designate Early Voting Polling Place – Town Clerk/Clerk of the Council Jeanne Quaglietti stated that Early Voting is going to take place a week before the March 3, 2020 election and if the Early Voting is not in the Town Hall the State recommends the Council approve the location outside of the Town Hall.

Councilor Richards made a motion to approve the East Longmeadow Public Library Community Room as the designated Early Voting Poll Location for the Town for the March 3, 2020,

*Presidential Primary Election. Councilor Page seconded the motion. **The vote was 7 in favor and 0 opposed.***

2. Discussion of a Policy for Naming/Renaming of Town Parks and Facilities – Councilor Richards stated that the purpose of this proposal is to provide guidance to those that have an interest in the naming and/or renaming of a Town Park and/or Town Facility. Councilor Richards also stated that this particular project was initiated by two requests from the Recreation Department to consider the renaming of Pine Knoll pool to Coach Sylvia who was instrumental in a successful swim program over many years. The proposal is shown in attachment E.

Councilor Richards asked where the policy can be stored, assuming it is adopted, so it does not get lost or fall through the cracks. Councilor O'Connor stated that General Code is doing a lot of work creating a processing system that can be easily accessed by residents. Councilor Page stated that after they are completely done with General Code they will be able to add documents, so it can be stored in General Code and that way everything is in one location and it will always be there.

Councilor Richards asked if they should have a Public Hearing on this policy. President Hill stated that she believes the task has been met and does not believe it requires a Public Hearing.

Councilor O'Connor made a motion to approve the Naming/Renaming of Town Parks and Facilities Policy. Councilor Page seconded the motion. The vote was 7 in favor and 0 opposed.

3. Town Council Goals – President Hill stated that the Council's attention on the replacement of a Town Manager that began in the summer months and kept them busy until the end of December and has impeded their attention to goals. President Hill stated that she would caution that they choose or identify goals that they know they can achieve with a reasonable amount of success in a short period of time, at the same time they should speak to their obligation as the Legislative Body. President Hill stated that she is looking for suggestions from the Council of one or more goals.

Councilor Henry suggested that each Councilor put together some goals and send them to whomever President Hill suggests; and that person can go through them and maybe find some commonality among them and put together a list. Councilor Kane agreed and stated they could revisit the goals that were originally created and find out if there is any relevance to those goals at this point in time and add new goals. President Hill asked that the Councilors each send her their lists of goals by this weekend and she will go through them and get the list back to them before the next Town Council meeting.

4. Council Approval of Terms of Town Manager's Contract- Executive Session
5. Summary of Action items for Next Meeting – 0 Pease Road, address the pledge of license for Tudor House, Goals, Follow up on the Capital Projects with DPW, Health and the School Department.

Councilor Anderson made a motion to adjourn open session at 9:02 pm and move into Executive Session for the purpose of discussing contract negotiations for a non-union employee, Town Manager Mary

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*McNally and they reconvene into open session for a vote on the Town Managers contract. Councilor O'Connor seconded the motion. **The following roll call vote was taken: Councilor Richards – Yes, Councilor Page – Yes, Councilor Anderson – Yes, President Hill – Yes, Councilor Kane – Yes, Councilor O'Connor – Yes and Councilor Henry – Yes.***

Respectfully Submitted,

Jackie Sullivan

Assistant Town Clerk

Documents: Agenda, Town Manager initial contract terms agreed 1/17/20, suggested motions for 1/28/2019, Significant Modifications and additions to Town Bylaws, Liquor license rules and regulations. Application transfer of license Country Side Store, Town Manger report, Liquor License Rules and Regulations, 12/18/2019 Draft minutes, Renaming Policy, Pledge of License Tudor House, Emergency capital request, Capital Projects as of 12/31/2019, Bylaw Committee Update.

Open Session reconvened at 9:33 pm.

*Councilor Kane moved to approve the contract terms of Town Manager Mary McNally as discussed in Executive Session. Seconded by Councilor Richards. **The vote was 7 Aye, 0 Nae.** Councilor Henry moved notwithstanding the Town Charter's provisions requiring residency, the Town Council under its powers under Article 3 Section 1, hereby waives the requirement for residency so long as the Town Manager continues to reside at 156 South Branch Parkway, Springfield, MA 01118. Seconded by Councilor Page. **The vote was 7 Aye, 0 Nae.***

Motion to adjourn at 9:35pm

Respectfully Submitted,

Kathleen Hill

Town Council President



TOWN OF EAST LONGMEADOW

Acting Town Manager's Report

January 28, 2020

Good evening:

The last few weeks have been devoted to the initial review of operating budgets for all Departments. This is a very time consuming process and I am grateful to all of the Department Heads for the attention and care they have demonstrated in preparing these documents. The budgets which have been reviewed will have to be modified a bit once the results of the ongoing negotiations with the respective Unions have been completed. Three of those meetings are scheduled for later this week.

The January Department Heads meeting generated a good deal of discussion about current and future activities in each Department. All Departments shared the concern of having residents' issues addressed promptly by the correct Department. We will devise a system whereby all requests for attention will be funneled through the Town Manager's office, distributed to the proper Department, and a report of findings/results filed with my office and the resident.

Elcat indicated a plan to create several two minute "how to" videos to assist Town residents in certain procedures.

COA reported on the success of its food drive and mobile food pantry.

The Finance office reported on the continuing administrative issues involved with the conversion to a new vendor for payroll processing. Considerable time and effort is being expended to address the various Department schedules that are not easily accommodated by this platform.

We (IT, Police and Fire) attended a meeting today at Westcomm to discuss joining their dispatch center. I will report those results orally at the meeting.

I appointed Peter Punderson to the Planning Board and Erin Lynch to the Conservation Commission this month. My office is in the process of reviewing all Boards and Commissions to fill vacancies and update status.

The goals set out for the Town Manager in the recent past, namely, issuance of an RFP for legal services and reorganization of Town offices have been addressed. Responses to the RFP were received on January 10, 2020 and are being reviewed. The office moves will take place on February 4, 2020. Care has been exercised in the new hires in the administrative areas, my Assistant and our HR Director, pro-tem. Succession planning is underway regarding plans to hire a permanent HR Director and to staff that Department as required to meet the needs and demands of our employees and retirees.

Mary E. McNally
Town Manager

PROPOSED BYLAW FOR THE TOWN OF EAST LONGMEADOW

6.050 – Liquor License Rules and Regulations

- A) All establishments serving liquor shall abide by all requirements of Massachusetts General Laws, and regulations of the Alcoholic Beverages Control Commission. In addition, the Local Licensing Authority (LLA), which shall be the Town Council, requires the following:
- i. Last call for service of alcoholic beverages or drinks shall be 30 minutes before closing.
 - ii. Police shall be contacted promptly in the event of any altercation that becomes physical.
- B) The LLA may, after deliberation and hearing, impose penalties for violation of any applicable regulations and laws, including but not limited to, the following:
- i. Sale of alcoholic beverages to person(s) under the age of 21; permitting persons(s) under the age of 21 to consume; furnishing or causing to be furnished alcoholic beverages to person(s) under the age of 21;
 - ii. Absence of manager or substitute manager of record on the licensed premises;
 - iii. Failure to call Police for a physical disturbance on the licensed premises;
 - iv. Sales of alcoholic beverages to intoxicated person(s);
 - v. Failure to comply with last call requirement;
 - vi. Sale and/or consumption of alcoholic beverages after closing time (whether by the public, by employees of the licensee or friends of the licensee's employees);
 - vii. Service of alcohol in impermissible areas of the licensed premises;
 - viii. Consumption of alcohol by employees of the licensee while on duty;
 - ix. Substitution of brands of alcoholic beverages;
 - x. Failure of licensee or employee(s) of the licensee to permit inspection of the premises by the EL Licensing Authority, or its agent;
 - xi. Sale/possession of alcoholic beverages not permitted by license;
 - xii. Keg registration violations;
 - xiii. Misrepresentation of material facts on an initial license application, or renewal application;
 - xiv. Presence of licensees, managers or employees on the licensed premises while in an intoxicated condition;
 - xv. Knowing allowance by licensee, manager, or employee of the use of licensed premises for the purpose of engaging or promoting any illegal activity.
- C) Hearings
- i) Upon written notification to the LLA from the Police Chief or other law enforcement source that a violation has allegedly occurred on a licensed premise, the LLA will consider whether or not a reasonable basis exists to conduct a violation hearing. If it is determined

that a reasonable basis for a violation hearing does not exist, the LLA shall so inform the licensee and reporting source. If it is determined that a reasonable basis for a violation hearing exists, the LLA shall send written notice via United States Postal Service to the licensee setting forth the alleged violation(s) and a hearing date.

- ii. A licensee may be represented by an attorney or other trial person, but need not be.
- iii. Hearings shall be conducted informally, without the application of the rules of evidence or the need for testimony under oath.

D) Penalties

- i. For a first-offense, the LLA may issue up to a 5-day liquor license suspension.
- ii. For a second-offense within a twenty-four (24) month period, the LLA may issue up to a 10-day liquor license suspension.
- iii. For a third or subsequent offense within a thirty-six (36) month period, the LLA may authorize revocation of the liquor license.
- iv. Notwithstanding the above, the LLA may in its discretion determine on a case-by-case basis whether any such said suspension or revocation should be issued or held in abeyance or served. The LLA may in its discretion issue a letter of warning to be added to the licensee's file.
- v. If a subsequent violation occurs during the period of any suspension and/or abeyance, licensee shall serve any period remaining in suspension or abeyance on the violation previously adjudicated and will face an additional penalty for the new violation.

The LLA shall have the authority in its discretion to issue a more severe penalty, including but not limited to revocation of a license for a first offense, upon determination after hearing on a particular violation(s) that a licensee constitutes a threat to public health and safety based upon said violation(s).

PROPOSED BYLAW FOR THE TOWN OF EAST LONGMEADOW

6.050 – Liquor License Rules and Regulations

A) All establishments serving liquor shall abide by all requirements of Massachusetts General Laws, and regulations of the Alcoholic Beverages Control Commission. In addition, the Local Licensing Authority (LLA), which shall be the Town Council, requires the following:

- i. Last call for service of alcoholic beverages or drinks shall be 30 minutes before closing.
- ii. Police shall be contacted promptly in the event of any altercation that becomes physical.

Violations and Offenses

B) The LLA may, after deliberation and hearing, impose penalties for ~~violations~~ violation of ~~all~~ any applicable regulations and laws, including but not limited to, the following:

- ~~Sales to Minors (sale)~~ i. Sale of alcoholic beverages to person(s) under the age of ~~21~~ 21; permitting persons(s) under the age of 21 to consume; furnishing or causing to be furnished alcoholic beverages to person(s) under the age of 21);
- ~~No~~ ii. Absence of manager or substitute manager of record on the licensed premises;
- ~~iii.~~ Failure to call Police for a physical disturbance on the licensed premises;
- ~~iv.~~ Sales of alcoholic beverages to intoxicated person(s);
- ~~v.~~ Failure to comply with last call requirement;
- ~~vi.~~ Sale and/or consumption of alcoholic beverages after closing time (whether by the public, by employees of the licensee or friends of the licensee's employees);
- ~~Alcohol service~~ vii. Service of alcohol in impermissible areas of the licensed premises;
- ~~Employees~~ viii. Consumption of alcohol by employees of the licensee ~~accepting alcoholic drinks~~ while on duty;
- ~~ix.~~ Substitution of brands of alcoholic beverages;
- ~~Licensee~~ x. Failure of licensee or employee(s) of the licensee ~~not permitting to permit~~ inspection of the premises by the EL Licensing Authority, or ~~their~~ its agent;
- ~~xi.~~ Sale/possession of alcoholic beverages not permitted by license;
- ~~xii.~~ Keg registration violations;
- ~~Misrepresenting~~ xiii. Misrepresentation of material ~~fact(s)~~ facts on ~~the~~ an initial license application ~~for a license~~, or ~~on a~~ renewal application;
- ~~Licensees~~ xiv. Presence of licensees, managers or employees ~~present on their~~ the licensed premises while in an intoxicated condition;

- ~~Licensee xv.~~ Knowing allowance by licensee, manager, or employee knowingly permitting of the use of licensed premises for the purpose of engaging or promoting any illegal activity.

C) Hearings

- i) Upon written notification to the LLA from the Police Chief or other law enforcement source, that an illegality violation has allegedly occurred on a licensed premise, the LLA will consider whether or not a reasonable basis exists to conduct a violation hearing ~~should be held~~. If it is determined ~~a violation hearing should be held~~ that a reasonable basis for a violation hearing does not exist, the LLA shall so inform the licensee and reporting source. If it is determined that a reasonable basis for a violation hearing exists, the LLA shall send written notice via United States Postal Service to the licensee setting forth the alleged violations(s) and a hearing date.
- ii. A licensee may be represented by an attorney or other trial person, but need not be.
- iii. Hearings shall be conducted informally, without the application of the rules of evidence or the need for testimony under oath.

D) Penalties

- i. For a first-offense, the LLA ~~shall~~may issue up to a 5-day liquor license suspension.
- ii. For a second-offense within a twenty-four (24) month period, the LLA ~~shall~~may issue up to a 10-day liquor license suspension.
- iii. For a third or subsequent offense within a thirty-six (36) month period, the LLA may authorize revocation of the liquor license.
- iv. Notwithstanding the above, the LLA may in its discretion determine on a case by case basis whether any such said suspension or revocation should be issued or held in abeyance or served. The LLA may use in its discretion in determining whether the facts surrounding a violation warrant issue a letter of warning to be added to the licensee's file, a suspension to be served or a suspension to be held in abeyance.
- ~~For purposes of the determination of the suspension and/or abeyance period, the period shall commence upon the LLA's finding, after hearing that a violation occurred.~~ v. If a subsequent violation occurs during the period of any suspension and/or abeyance period, licensee shall serve any period remaining in suspension or abeyance on the violation previously adjudicated and will face an additional penalty for the new violation occurring during the abeyance period.

The LLA shall have the authority in its discretion to ~~disregard the foregoing suspension periods and~~ issue a more severe penalty, including but not limited to revocation of a license for a first offense, upon determination after hearing on a particular violation(s) that a licensee constitutes a threat to public health and safety based upon said violation(s).

PROPOSED BYLAW FOR THE TOWN OF EAST LONGMEADOW

Liquor License Rules and Regulations

All establishments serving liquor shall abide by all requirements of Massachusetts General Laws, and regulations of the Alcoholic Beverages Control Commission. In addition, the Local Licensing Authority (LLA) requires the following:

- Last call for service of alcoholic beverages or drinks shall be 30 minutes before closing.
- Police shall be contacted promptly in the event of any altercation that becomes physical.

Violations and Offenses

The LLA may, after deliberation and hearing, impose penalties for violations of all applicable regulations and laws, including but not limited to, the following:

- Sales to Minors (sale of alcoholic beverages to person(s) under the age of 21, permitting persons(s) under the age of 21 to consume, furnishing or causing to be furnished alcoholic beverages to person(s) under the age of 21)
- No manager or substitute manager of record on the licensed premises
- Failure to call Police for a physical disturbance on the licensed premises
- Sales of alcoholic beverages to intoxicated person(s)
- Failure to comply with last call requirement
- Sale and/or consumption of alcoholic beverages after closing time by the public, by employees of the licensee or friends of the licensee's employees
- Alcohol service in impermissible areas of the licensed premises
- Employees of the licensee accepting alcoholic drinks while on duty
- Substitution of brands of alcoholic beverages
- Licensee or employee(s) of the licensee not permitting inspection of the premises by the EL Licensing Authority, or their agent
- Sale/possession of alcoholic beverages not permitted by license
- Keg registration violations
- Misrepresenting material fact(s) on the initial application for a license, or on a renewal application
- Licensees, managers or employees present on their licensed premises while in an intoxicated condition
- Licensee, manager, or employee knowingly permitting the use of licensed premises for the purpose of promoting any illegal activity

Hearings

Upon written notification to the LLA from the Police Chief or other source, that an illegality has allegedly occurred on a licensed premise, the LLA will consider whether or not a violation hearing should be held.

If it is determined a violation hearing should be held, the LLA shall send written notice via United States Postal Service to the licensee setting forth the alleged violation(s) and a hearing date.

Penalties

- For a first-offense, the LLA shall issue a 5-day liquor license suspension.
- For a second-offense within a twenty-four (24) month period, the LLA shall issue a 10-day liquor license suspension.
- For a third or subsequent offense within a thirty-six (36) month period, the LLA may authorize revocation of the liquor license.

The LLA may determine on a case by case basis whether any such said suspension or revocation should be held in abeyance or served. The LLA may use its discretion in determining whether the facts surrounding a violation warrant a letter of warning to be added to the licensee's file, a suspension to be served or a suspension to be held in abeyance.

For purposes of the determination of the suspension and/or abeyance period, the period shall commence upon the LLA's finding, after hearing that a violation occurred. If a subsequent violation occurs during the suspension and/or abeyance period, licensee shall serve any period remaining in abeyance on the violation previously adjudicated and will face an additional penalty for the new violation occurring during the abeyance period.

The LLA shall have the authority to disregard the foregoing suspension periods and issue a more severe penalty, including but not limited to revocation of a license for a first offense, upon determination after hearing on a particular violation(s) that a licensee constitutes a threat to public health and safety based upon said violation(s).



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

TOWN COUNCIL

(413) 525-5400 ext. 1000

Kathleen G. Hill, President
Michael J. Kane, Vice President *Ralph E. Page*
Donald J. Anderson *Thomas C. O'Connor*
R. Patrick Henry, Jr. *Marilyn M. Richards*

December 19, 2019

TO: All East Longmeadow Liquor License Holders

The Town Council recently voted for the attached proposed Liquor License Rules and Regulations to move forward with a public hearing, with the intent of introducing the Rules and Regulations as a Town bylaw. The public hearing will take place on January 14, 2020 at 6:30 p.m. at the Council on Aging in the Media Room, 328 North Main Street.

There will be a first reading of the proposed bylaw on January 14, and the opportunity for the public to comment. As required by the Charter, the public hearing will be continued to allow for a second reading and any additional public input. The planned date for the continued public hearing is January 28, 2020 at 6:45 p.m.

You are being informed of this proposed bylaw since you are a current license holder, and are welcome to share your opinion during the public hearing when invited to do so by the Council President.

If you have any questions, please do not hesitate to contact me.


Jeanne R. Quaglietti
Town Clerk/Clerk of the Council

Enclosure

Legend for Capital Projects Financial Report

Column Heading	Definition
Year Approved	This tells you when the project was approved and which fiscal year the project was effective for.
Fund #	This is the Munis fund number in the system.
Description	Project description based on what was on the warrant or budget presentation.
Dept Responsible	Town department that requested the project and is responsible for managing the project.
Bonded?	This is a no if the project was not approved for bonding and a yes if the project was approved for bonding.
Original Amount Appropriated	This is the original amount approved either at ATM or by the TC.
Remaining Balance as of 6/30/2018	This is the original amount minus any expenses. This is the amount available that can still be spent on the project as of the date listed.
Remaining Balance as of 6/30/2019	This is the original amount minus any expenses. This is the amount available that can still be spent on the project as of the date listed.
Remaining Balance as of 12/31/2019	This is the original amount minus any expenses. This is the amount available that can still be spent on the project as of the date listed.
Funds Turned Back	This is the amount not needed to complete the project and was returned to the original funding source (General Fund, Enterprise Fund, CPA Fund).
Comments as of 12/31/19	This is the status of the project and any relevant comments that the Department Responsible felt were important to share.

Abbreviations	Definition
FY	Fiscal Year - which runs from 7/1-6/30
ATM	Annual Town Meeting
TC	Town Council
CPA	Community Preservation Act Funds

Format Information

The very top left tells you the date the information is provided through.

The very bottom tells you how many pages in the report.

The projects are listed in order of fiscal year.

Please note that some funds are replenished and you may see more than one date in the year approved (an example is the Sidewalk Fund).

These types are funds are either ongoing projects that the Town cannot afford to fund all at once, so have decided to fund in different years, or are multi-year leases.

Capital Project Narrative

Purpose: This narrative is to give a high level description of the capital process.

Process:

- 1 The Town Manager requests departments to provide any capital requests for the next fiscal year. The capital must be \$20,000 or greater and have a useful life of at least 3 years.
- 2 The Town Manager, Director of Municipal Finance, and the Town Council go through the budget process.
- 3 The Town Council approve capital projects. This is typically done in May. However, a department can submit a request to the Town Manager and the Town Council for a capital item outside of the normal budget process. This is generally for either A) emergency repairs/replacements B) a time-sensitive grant or reimbursement (like the MSBA projects) C) Community Preservation Funds which follows slightly different rules.
- 4 Once the project has been approved, the Department who requested it, manages the project. They can begin the procurement process once the fiscal year that it was approved for begins.
- 5 The Town Manager oversees the departments and follows up on the status of those projects.
- 6 The Director of Municipal Finance requests a status update on projects a few times a year. This is done to report accurate information to the Town Council, to properly close projects that are complete, and to ensure that the general ledger (or Town Books) are correct.
- 7 Once a project is complete, the department notifies the Director of Municipal Finance, who then closes the project in Munis and returns any funds to its original source. For example, if a project was funded by the Water Fund, when the project is closed, any excess that is turned back goes back into the Water Fund.
- 8 Once a project is appropriated, the funds stay with that project until it is complete or the Town Council rescinds the project. There is no time limit.
- 9 Funds that are returned to their original source, essentially become part of the next fiscal year's Free Cash.

Please note that at no time can funds be used to pay for a project from a different fund. The funds most often used are: General Fund, Water Enterprise Fund, Sewer Enterprise Fund, ELCAT Enterprise Fund, Stormwater Enterprise Fund, Community Preservation Act Fund, and the Ambulance Fund.

Capital Projects as of December 31, 2019

Year Approved	Fund #	Description	Dept Responsible	Bonded?	Original Amount Appropriated	Remaining Balance as of 6/30/2018	Remaining Balance as of 6/30/2019	Remaining Balance as of 12/31/2019	Funds Turned Back	Comments as of 12/31/19
FY 2003	01421827-5000	EPA Storm Water	DPW	No	50,000.00	6,760.82	380.71	380.71	-	In progress - (to comply with Federal Stormwater Regs). 60% complete
ATM 5/5/03 FY 2004	3054	Sewer discharge meter	DPW	No	156,000.00	156,000.00	156,000.00	150,047.86	-	Bid April 2020. 0% complete
FY 2010	3205	Rec fields renovations	DPW	No	50,489.75	2,832.60	-	-	2,832.60	Complete
FY 2010	13440835-5000	Sewer discharge meter	DPW	No	84,564.58	84,564.58	27,864.58	13,661.36	-	Bid April 2020. 5% complete
ATM 5/16/11 FY 2012	3233	Sewer main sanitary repl FY12	DPW	No	100,000.00	22,768.43	22,768.43	22,768.43	-	Bid April 2020. 50% complete
ATM 5/20/13 FY 2014	3900932-582003	Convert Historic Docs to Digital	IT	No	25,000.00	12,550.39	8,202.05	2,802.05	-	On Going - will wrap up soon, was waiting on balance to do scanning for building dept
Balance contains \$3,145.26 from ATM 5/19/14 FY 2015; TC 5/28/19 FY 2020 (\$50k)	3252	DPW Sidewalk	DPW	No	200,000.00	108,171.86	3,145.26	53,145.26	-	Elm Street sidewalk / Project Award D&P Morais Construction Inc. 100% complete. Waiting for more funding.
Balance contains ATM 5/18/15 FY 2016 (\$3k); TC 5/28/19 FY 2020 (\$100k)	3277	Sew-Inflow & Infiltration FY15	DPW	No	250,000.00	98,435.75	3,000.00	103,000.00	-	In Progress W/ Tighe & Bond. 80% complete
ATM 5/18/15 FY 2016	3287	Town Hall New Switch Gear	DPW	No	30,000.00	10,502.00	-	-	10,502.00	Complete
ATM 5/18/15 FY 2016	3288	Town Hall Renovation Phase 1	DPW	No	124,000.00	1,735.73	-	-	608.79	Complete
ATM 5/18/15 FY 2016	3900932-582005	Digitize Historical Town Records	Town Clerk	No	25,000.00	3,156.19	-	-	-	Complete
ATM 5/16/16 FY 2017	3291	Somers Road Landfill - Phase 2A closure	DPW	No	89,100.00	9,463.72	413.45	-	413.45	Complete.
ATM 5/16/16 FY 2017	3296	Town Hall Renovation Phase 2	DPW		125,427.00	5,231.75	-	-	5,231.75	Complete
ATM 5/16/16 FY 2017	3300	MV Bathroom Renovation	DPW		67,000.00	59,579.63	55,840.96	41,382.85	-	Town Plumber Installation complete summer of 2019. 50% complete
ATM 5/16/16 FY 2017	3302	DPW- Chestnut & Shaker Intersection Traffic Control Equip	DPW		35,000.00	27,012.29	-	-	-	Complete
ATM 5/16/16 FY 2017 (\$100k); TC 5/22/18 FY2019 (\$100k)	3304	Sewer - Inflow & Infiltration Rehab	DPW		200,000.00	98,440.00	176,550.83	155,530.83	-	In Progress W/ Tighe & Bond Bids To be prepared in January 2020. 50% complete
ATM 5/16/16 FY 2017	3305	Water - Fern Glen Water Main	DPW		74,250.00	70,563.32	-	-	436.68	Complete
ATM 5/16/16 FY 2017	3306	DPW - Mapleshade Ave Water Main	DPW		480,000.00	424,731.60	-	-	-	Complete

Capital Projects as of December 31, 2019

Year Approved	Fund #	Description	Dept Responsible	Bonded?	Original Amount Appropriated	Remaining Balance as of 6/30/2018	Remaining Balance as of 6/30/2019	Remaining Balance as of 12/31/2019	Funds Turned Back	Comments as of 12/31/19
TC 5/23/17 FY 2018	3307	Somers Road Landfill - Phase 2B closure	DPW	No	94,200.00	81,489.14	13,487.36	11,753.51	-	Complete Spring 2020. 80% complete
TC 5/23/17 FY 2018	3308	3 Electric Distribution Panels	School	No	25,595.00	1,560.00	-	-	1,560.00	Done
TC 5/23/17 FY 2018	3309	Officer Safety Equipment	Police	No	18,520.00	8,605.00	-	-	292.10	Complete
TC 5/23/17 FY 2018	3310	3 New Cruisers with Equipment	Police	No	137,428.00	8,518.66	-	-	8,518.66	Complete
TC 5/23/17 FY 2018; TC 5/22/18 FY 2019; TC 5/28/19 FY 2020	3312	Ladder 1 Replacement with Equipment - Yr 2 of 5 Lease	Fire	No	644,362.00	214,538.00	214,538.00	214,538.39	-	L-1 in service as of 7/1/18. The 3rd lease payment will be due 7/2020.
TC 5/23/17 FY 2018	3313	Dump Truck #50 Replacement (25%)	DPW	No	56,347.00	56,347.00	-	-	3,729.25	Complete
TC 5/23/17 FY 2018	3314	N. Main St. & Harkness Traffic Equipment	DPW	No	55,000.00	47,296.83	-	-	2,499.35	Complete
TC 5/23/17 FY 2018	3316	MS Door Replacement (Phase 1 of 3)	School	No	35,000.00	34,494.50	28,841.70	-	-	Started 12-20-19. Complete
TC 5/23/17 FY 2018	3317	21 SCBA Replacements	Fire	No	20,000.00	20,000.00	-	-	-	Complete
TC 5/23/17 FY 2018	3318	Pine Knoll Admin Building Completion	DPW	No	84,872.00	47,440.73	32,069.99	31,700.51	31,700.51	Building Complete/ Operational Evaluation Ongoing Fiber Connection. 100% complete
TC 5/23/17 FY 2018	3319	MB Front Parking Lot Lighting	School	No	69,628.00	69,628.00	-	-	19,676.12	Done
TC 5/23/17 FY 2018	3320	2018 Technology Maintenance	IT	No	220,076.00	72,905.31	-	-	2,621.91	Complete - Closed
TC 5/23/17 FY 2018; TC 5/22/18 FY 2019; TC 5/28/19 FY 2020; TC 11/12/19 FY 2020 (\$135,159.57)	3321	Ambulance with Equipment - 3YR Lease	Fire	No	411,054.57	-	0.73	135,159.57	0.46	1st Lease Complete. The 2nd ambulance has been ordered with the expected delivery in July 2020.
TC 5/23/17 FY 2018	3322	Sewer- Allen St Pump Station Generator	DPW	No	25,000.00	11,210.00	-	-	7,673.74	Complete
TC 5/23/17 FY 2018	3324	Water- Dump Truck #50 Replacement (75%)	DPW	No	169,042.00	169,042.00	-	-	11,188.75	Complete
TC 5/23/17 FY 2018	3326	Water-Replace Maple St Water Main	DPW	Yes	640,000.00	356,750.93	86,870.94	86,870.94	-	GEG Construction Inc. / Retainage to be paid. 80% complete
TC 6/12/18 FY 2018	3345	2 New Cruisers with Equipment	Police	No	90,841.00	90,841.00	46,307.51	-	3,449.56	Complete
TC 6/12/18 FY 2018	3346	HS Interior & Exterior Security Door Modifications	School	No	30,918.00	30,918.00	30,918.00	30,918.00	-	Still in design, first plan rejected
TC 6/12/18 FY 2018	3347	Clock/Intercom/Bell Systems at the High School, Birchland Park, Mountain View, and Council on Aging	IT	No	86,397.00	86,397.00	14,762.26	14,762.26	-	Waiting on device count from COA, should be done by end of fiscal year
TC 6/26/18 FY 2018	3348	Public Safety Dispatch Console Upgrade	IT	No	30,000.00	30,000.00	-	-	-	Complete - Closed
TC 6/27/17 FY 2017 (\$100k not bonded); TC 5/22/18 FY 2019	3327	MB Replace Windows & Doors (MSBA Accelerate Repair Program)	School	Yes	2,896,805.00	46,869.13	349,894.37	448,379.87	-	Project done, waiting on close out documents
TC 5/22/18 FY 2019	3331	Replace Truck #28 with F550	DPW	No	91,588.00	-	-	-	5,775.05	Complete

Capital Projects as of December 31, 2019

Year Approved	Fund #	Description	Dept Responsible	Bonded?	Original Amount Appropriated	Remaining Balance as of 6/30/2018	Remaining Balance as of 6/30/2019	Remaining Balance as of 12/31/2019	Funds Turned Back	Comments as of 12/31/19
TC 5/22/18 FY 2019		3332 Time, Labor & Accrual Management Software - Purchase and Implement	Finance	No	140,000.00	-	137,943.75	132,443.75	-	Went live and paid first payroll on 1/8/20.
TC 5/22/18 FY 2019		3333 Server Host Replacement with Hyper-converged Solution	IT	No	85,761.00	-	-	-	1,761.00	Complete - Closed
TC 5/22/18 FY 2019		3334 Town Hall - Renovations Phase 3 (Yr 1 - Bathroom/Breakroom)	DPW	No	35,000.00	-	21,654.78	21,654.78	21,654.78	DPW Staff Working on Break Room / Unisex Bathroom/ Complete
TC 5/22/18 FY 2019		3335 Teacher Device Replacement at MeadowBrook & High School	IT	No	85,410.00	-	-	-	3,162.00	Complete - Closed
TC 5/22/18 FY 2019		3336 MS Door Replacement (Phase 2 of 3)	School	Yes	62,000.00	-	59,515.00	30,984.50	-	Started 12-20-19
TC 5/22/18 FY 2019		3337 MB Modular Classroom Replacement (4 Classrooms & 2 Group Bathrooms)	School	Yes	2,085,498.00	-	2,085,060.00	1,902,844.88	-	Started 1-6-20
TC 5/22/18 FY 2019		3338 MS Replace Steam Piping & Insulation	School	Yes	622,392.00	-	562,186.60	101,446.35	-	First phase complete second stage in design
TC 5/22/18 FY 2019		3339 Sewer - Replace Truck #9 with MACK GU712 Dump Truck	DPW	Yes	220,000.00	-	220,000.00	32,475.00	-	Complete/ Bid Awarded to Ballard Truck 10/1/18. 100% complete
TC 5/22/18 FY 2019		3340 Sewer - Replace Truck #45 with F550 with Crane (75% Sewer)	DPW	Yes	65,072.00	-	-	-	149.75	Complete
TC 5/22/18 FY 2019		3341 Water - Upgrade Meter Reading Equipment & Software	DPW	No	50,000.00	-	41,120.00	22,490.00	-	Project awarded Stiles Company. 10% complete
TC 5/22/18 FY 2019		3342 Water - Replace Truck #45 with F550 with Crane (25% Water)	DPW	No	21,691.00	-	-	-	50.25	Complete
TC 5/22/18 FY 2019		3343 Water - Replace Water Main-Michael St (1,000' of 8")	DPW	No	164,000.00	-	108,013.68	80,989.31	80,989.31	DPW Staff Summer 2019/ Complete. 100% complete.
TC 5/22/18 FY 2019		3344 Water - Replace Water Main-Wendover Lane (280' of 8")	DPW	No	35,000.00	-	35,000.00	35,000.00	-	DPW Staff Summer 2020. 0% complete
TC 10/23/18 FY 2019		3349 MB - Roof Replacement (MSBA Accelerate Repair Program)	School	No	122,000.00	-	8,311.08	(849,031.74)	-	90% Complete
TC 2/26/19 FY 2019		3350 Watchaug Brook Pump Station	DPW	No	43,473.00	-	-	-	288.00	Complete
TC 6/11/19 FY 2019		3351 Stormwater Plan Development	DPW	No	140,000.00	-	140,000.00	140,000.00	-	In process
TC 6/11/19 FY 2019		3352 Police - Pickup Truck Purchase/Equip	Police	No	45,000.00	-	45,000.00	45,000.00	-	In process
TC 6/11/19 FY 2019		3353 Police - Building Feasibility Study	Police	No	25,000.00	-	25,000.00	25,000.00	-	RFP Complete / Project Award to Hill Architects & Engineers Inc.
TC 6/11/19 FY 2019		3354 Voting Machines (5)	Town Clerk	No	26,000.00	-	26,000.00	-	-	Complete
TC 11/13/18 FY 2019	3900932-582008	Norcross Driveway Replacement	CPC	No	25,000.00	-	8,075.00	7,175.00	-	Project is complete. Waiting on final ok to release remaining funds.
TC 6/25/19 FY 2019	3900932-582009	Historical Driveway Replacement	CPC	No	7,600.00	-	7,600.00	1,600.00	1,600.00	Project is complete.
TC 5/28/19 FY 2020		3355 LifePak Monitor/Defibrillator	Fire	No	47,159.00	-	-	5,664.06	-	Open, waiting for components.
TC 5/28/19 FY 2020		3356 2 New Cruisers with Equipment	Police	No	82,000.00	-	-	82,000.00	-	One cruiser ordered and the other is in process.
TC 5/28/19 FY 2020		3357 Replace 8 Town Switches and 2 Routers	IT	No	70,122.00	-	-	16,451.07	-	In progress, should be done by end of fiscal year
TC 5/28/19 FY 2020		3358 1:1 Chromebook Devices	IT	No	300,000.00	-	-	-	23.28	Complete
TC 5/28/19 FY 2020		3359 Computer Equipment Replacement	IT	No	30,000.00	-	-	21,180.00	-	In progress, should be done by end of fiscal year
TC 5/28/19 FY 2020		3360 145 Phone & 4 Voice Router Replacements	IT	No	38,107.00	-	-	18,421.70	-	In progress, should be done by end of fiscal year
TC 5/28/19 FY 2020		3361 Bobcat #53 Purchase and Equip	DPW	No	46,000.00	-	-	-	846.28	Complete
TC 5/28/19 FY 2020		3362 Roadway Improvement	DPW	Yes - will be bonding Spring 2020	1,200,000.00	-	-	-	-	Spring 2020. 0% complete
TC 5/28/19 FY 2020		3363 Sewer - Drain Camera Purchase and Equip	DPW	No	130,000.00	-	-	-	210.00	Complete

Capital Projects as of December 31, 2019

Year Approved	Fund #	Description	Dept Responsible	Bonded?	Original Amount Appropriated	Remaining Balance as of 6/30/2018	Remaining Balance as of 6/30/2019	Remaining Balance as of 12/31/2019	Funds Turned Back	Comments as of 12/31/19
TC 5/28/19 FY 2020	3364	Sewer- 50G Mini Excavator	DPW	No	17,892.00	-	-	-	185.85	Complete
TC 5/28/19 FY 2020	3365	Water - Maple St Water Services/Interconnections Upgrades	DPW	Yes - will be bonding Spring 2020	835,358.00	-	-	-	-	Bid Out Spring 2020. 0% complete
TC 5/28/19 FY 2020	3366	Water - Prospect St Tank Painting Project	DPW	Yes - will be bonding Spring 2020	1,301,000.00	-	-	(20,500.00)	-	Tighe & Bond/ Bid Awarded to Atlas Painting & Sheeting Corp. 10% complete
TC 5/28/19 FY 2020	3367	Water - 50G Mini Excavator	DPW	No	53,675.00	-	-	-	556.53	Complete
TC 5/28/19 FY 2020	3368	Stormwater - Purchase and equip F250 Truck with Utility Body	DPW	No	45,000.00	-	-	45,000.00	-	Project awarded to MHQ. 0% complete
TC 5/28/19 FY 2020	3369	Pine Knoll Upper Lot Paving	DPW	No	55,000.00	-	-	55,000.00	-	Completed by Palmer Paving Inc./ Line Striping Spring 2020
TC 5/28/19 FY 2020	3370	HS Athletic Office Carpet & Asbestos Removal	School	No	24,162.00	-	-	-	4,427.00	Complete
TC 5/28/19 FY 2020	3371	MS Interior & Exterior Door Replacement - Final Phase	School	Yes - will be bonding Spring 2020	50,000.00	-	-	-	-	Started 12-20-19
TC 5/28/19 FY 2020	3372	Allen St Landfill Closure	Health	No	75,000.00	-	-	75,000.00	-	Spring 2020. 0% complete
TC 5/28/19 FY 2020	3373	Purchase and equip 3038E John Deer Tractor	DPW	No	27,510.00	-	-	-	441.91	Complete
TC 8/6/19 FY 2020	3374	35G Trash Barrels with Lid and RFID - Reimbursement grant and revolving fund source	Health	No	45,000 (net of grant)	-	-	(95,284.35)	-	Bills are still expected to be received on this project. We are currently withholding payment due to a discrepancy in their tally of assessts delivered.

Please note that a project may have multiple steps to it and multiple vendors.

CODE PROJECT MODIFICATIONS AND ADDITIONS TO TOWN BYLAWS

Who suggested these changes, and who has approved them so far?

These changes were suggested by the Department Heads, the former bylaw committee, the current bylaw committee, and our vendor General Code. Each suggestion was reviewed individually by the current bylaw committee and in case of doubt or clarification, re-visited with the appropriate Department Head(s). The bylaw committee then agreed on each one individually and approved their being added to the Jan 31 submission, subject only to the approval of this Council and the Town Manager.

The job is perhaps 95% done, and the Committee is meeting three more times before submission, but most significant items are accounted for, and it is possible that we will meet the Jan 31 deadline for submission.

What kind of changes are we talking about? There are two categories:

“Global” changes, including:

- Conversion to gender-neutral language
- Additions to bylaws solely to provide reference to Mass General Laws requirements
- Removal of bylaw provisions that have been superseded by Mass General Laws
- Changes to titles of departments or personnel

These issues will not be presented individually, but as global changes effective throughout.

“Significant” changes. Examples include:

- New material, such as departments being added to bylaws
- Fee or penalty increases
- Miscellaneous

These issues will be identified and presented individually for Council approval and presentation to the public at the eventual public hearing(s)

LISTING OF SIGNIFICANT NEW BYLAWS AND/OR MODIFICATIONS:

Addition of new departments and department heads:

1. Establishes an Emergency Communications Center and describes the activities and responsibilities of the Center
2. Identifies the Fire Chief as the Emergency Management Director
3. Establishes a Department of Municipal Finance and describes the activities and responsibilities of the department
4. Updates the former Health Department bylaw by describing additional activities and increased responsibilities of the department
5. Establishes an IT Department and describes the activities and responsibilities of the department
6. Establishes a Department of Public Works and describes the activities and responsibilities of the department
7. Added description and duties of the Council on Aging Board.
8. Added description and duties of the Recreation Commission.

Increases to fines, fees, or penalties:

9. Penalty for violation of General Bylaws increased from \$200 to \$300.
10. Fine for parking in a fire lane increased from \$15 to \$100
11. Fines for alcohol consumption on public ways or public property increased from \$50 to \$100
12. Fines for violation of leash law increased by \$25 to a maximum of \$100 for 4th offense.
13. Penalty for hawkers who fail to file for peddler's license increased from \$30 to \$50.
14. Penalty for stormwater violations increased from \$200 to \$300
15. Increases fine for street/sidewalk violations from \$25 to \$100
16. Fine for violating severe weather emergency parking ban increased from \$15 to \$30 (in addition to towing and storage charges if applicable).
17. Fines for unauthorized parking in Handicapped Zone increased from \$50 to \$100 for 1st offense; \$150 for 2nd offense within a calendar year; \$200 for 3rd or subsequent offense within a calendar year.
18. Fine for unlawful use or consumption of marijuana products set at \$100 for each offense.

Other significant new bylaws or modifications of existing bylaws:

19. Three existing duties of the Town Clerk are added to the bylaws: conducting elections, compiling annual census and street listing, responsibility for records access by public.
20. All Enterprise Funds will be maintained in accordance with MGL Chapter 44, Section 53F ½
21. Multiple member bodies of the Town elect their own chair unless the Council President appoints the chair
22. The Recreation Commission is reduced from 9 members to 5.
23. House numbers on residences must be at least 4 inches in height, per Mass General Law.
24. Where a house is not visible from the public way, the house number shall be posted on a monument, pole or sign visible from the public way.
25. Added new bylaw governing marijuana establishments
26. Added new bylaw prohibiting public use and consumption of marijuana products in any public space, or any private space without consent of the owner.
27. Construction site wastes, such as demolition debris, litter and sanitary wastes are added to the listing of stormwater pollutants.
28. Builder's bond may be retained by Town for failure to file "as built" plan within 2 years of completion of project.
29. Police are authorized to issue citations if sidewalks not cleared within 24 hours of end of storm.
30. Upon failure to clear sidewalks of snow or ice within 72 hours of the end of storm, the DPW may clear the sidewalks and charge the property owner with the cost of removal.

- Options: 1. We still have 3 days to remove or change any items the Council wants pull from the submission.**
2. We will still be permitted to make A FEW changes after this submission, so it would be possible to remove or change A FEW items if you tentatively approve them today.

Bylaw Review Subcommittee:

Pat Henry, Chair
Tom O'Connor
Ralph Page
Bill Fonseca
Tom Christiansen
Jeanne Quaglietti, Clerk



EAST LONGMEADOW TOWN COUNCIL POLICY

SUBJECT: NAMING/RENAMING OF TOWN PARKS AND FACILITIES

DATE: TBD when adopted

I. PURPOSE

The purpose of this policy is to provide guidance to those that have an interest in the naming and/or renaming of a Town Park and/or Town Facility.

II. INTRODUCTION

The naming or renaming of Town Parks and Facilities is often complex and emotionally expressive since assigning a name is a powerful and permanent identity for the parks and/or facilities. The naming and renaming of parks and/or facilities often requires significant resources in terms of changing names on signs, maps, and literature. In addition, excessive and constant name changing can be the source of confusion to the public. Therefore, this policy is intended to give guidance to the Town Council in the decision making of naming or renaming parks and facilities.

III. AUTHORIZATION

The Town Manager shall be responsible for recommending to the Town Council the naming of all town parks and facilities in the Town of East Longmeadow.

IV. DEFINITIONS

1. **Donations**: a gift of property, goods, cash or land of which NO BENEFITS are sought.
2. **Facilities**: major structures owned by the Town such as; Town buildings, community centers, swimming pools, pavilions, sporting facilities, located within Town boundaries.
3. **Naming**: the permanent name assigned to a given Town park and/or Town facility through adoption of this policy by the Town Council.
4. **Parks**: all traditionally designed parks, gardens, landscaped areas, trails, natural open spaces, and specialized parks owned by the Town.

V. POLICY STATEMENT

A. Naming Categories

It is the policy of the Town of East Longmeadow to reserve the name or renaming of parks and/or facilities for circumstances that will best serve the interests of the community and assure a worthy and enduring legacy. To this end, the Town Council will give consideration to naming requests in the following broad categories.

1. Historic Events, People, Places

The history of a major event, historic place, or a significant person can play an important role in the naming or renaming of parks and/or facilities. The community often wishes to preserve and honor the history of the Town, its founders, pioneers, and other historical figures, its war veterans, local landmarks and prominent geographical locations, and natural and geological features through naming.

2. Outstanding Individuals

The Town has benefited from contributions made by many outstanding individuals. This category is designed to acknowledge the sustained contribution that has been made by such individuals to the Town and the development and management of the parks and facilities.

B. Principles of Consideration

1. A name selected for a Town park and/or facility should be bestowed with the intent that it will be permanent, and changes should be discouraged. The renaming of parks and facilities is strongly discouraged. It is recommended that efforts to change a name be subject to the most critical examination so as not to diminish the original justification for the name or discount the value of the prior contributors. When naming a park and/or facility, the proposed name will:

- Engender a strong positive image.
- Be appropriate to the park and/or facility's geographic location and/or history.
- Have a historical, cultural or social significance.
- Commemorate places, outstanding features, people or events that are of continued importance to the Town, region, state, and/or nation.

- Have a symbolic value that transcends its ordinary meaning or use, and enhances the character and identity of the park and/or facility.
 - Recognizes an individual who through their professional pursuits has improved the quality of life in the Town of East Longmeadow, or brought recognition to the community.
2. Proposals to rename parks and/or facilities, where a major donation is involved will be evaluated on a case-by-case basis. Names that have become widely accepted by the community will not be abandoned unless there are compelling reasons and strong public sentiment from the broader community for doing so. Historical or commonly used place names will be preserved wherever possible.
 3. Naming/Renaming a park and/or facility for an outstanding individual is encouraged only for those who have been deceased for at least three years (this provision can be waived by the Town Council), and where that person's significance and good reputation have been accepted in the Town's, State's, and/or Nation's history.
 4. The Town of East Longmeadow reserves the right to rename any park and/or facility if the person for whom it is named turns out to be disreputable or subsequently acts in a disreputable way.

VI. FINAL STATEMENT

The Application for Naming/Renaming Town Parks and/or Facilities is in the Appendix attached hereto. All such requests must be made through completion and submission of the Application to the Town Manager's office.



TOWN OF EAST LONGMEADOW
60 Center Square
East Longmeadow, MA 01028
APPLICATION FOR NAMING/RENAMING TOWN PARKS AND/OR FACILITIES

PROCEDURES & GUIDELINES

These procedures and guidelines have been established to ensure that the naming or renaming of Town parks and/or facilities is approved in a consistent manner.

1. Requests for Naming/Renaming of Town Parks and/or Facilities
 - a. All requests shall be through the application process.
 - b. Requests should contain the following minimum information on the application:
 - The proposed name.
 - Reasons for the proposed name.
 - Description/map showing location and boundaries of the public place.
 - If proposing to name a facility, include a description/map showing the location of the facility.
 - If proposing to rename a park and/or facility, include justification for changing an established name.
 - If proposing to name a park and/or facility after an outstanding person, include documentation of that person's significance and good reputation in the history of the Town, State, or Nation.
 - Letters of support will be allowed from individuals and/or companies who have had a strong connection to the entity whose name has been proposed, yet are unable to sign the petition due to residency requirements.
 - Completed application to be submitted to the Town Manager for approval by Town Council. The Council may require a Public Hearing and any costs incurred with this application are to be born by the Sponsor or Sponsoring Organization. All signs are subject to Town approval and all replacement and/or sign creation expense will be the sole responsibility of the sponsoring applicant.

GENERAL INFORMATION

1. _____
Sponsor/First Name MI Last Name

Address, Town, State, Zip

Home Phone

Cell Phone

Email

AND / OR

2. _____
Name of Sponsoring Organization,

Organization Address

First Contact Person

Email

Phone Number/Ext:

Cell Phone

Second Contact Person

Email

Phone Number/Ext:

Cell Phone

NAMING OR RENAMING A TOWN PARK/FACILITY

4. _____
Location of the Park/Facility

If named, state the current name

5. _____
Proposed name

6. Reason for naming/renaming

7. If named after a deceased person(s), please list their contributions to the community

Number of years the person(s) has been deceased_____.

REQUIRED DOCUMENTS

8. **Description Map**-- showing the location and borders of the Town Park and/or Facility.

9. If proposing to name a Town park and/or facility after an **outstanding person**, include documentation of that person's significance and good reputation in the Town, State, or Nation.

10. **Letters of Support**—The letter could include individuals or organizations **within** and **outside** the Town of East Longmeadow.

SIGNATURE

Applicant – Printed Name

Applicant – Signature

Date