



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 4-28-2020

MINUTES
Town Council Meeting
April 14, 2020 at 5:15 pm

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 5:15 p.m. Announcements were made in accordance with Mass General Law, and it was noted that the meeting was being audio taped as well as in a virtual remote format.

President Hill read the following: This open meeting of the East Longmeadow Town Council is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth, given the outbreak of the Corona Virus. The order which you can find posted with agenda materials for this meeting allows Public Bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. This meeting will feature public comment. Even if members of the public do not provide comment, participants are advised that people may be listening who do not provide comments and those persons are not required to identify themselves.

President Hill noted that all votes that are taken will be roll call votes.

*Councilor Richards made a motion to move into Executive Session to (A) discuss strategy with respect to litigation regarding PLH, LLC vs Town of East Longmeadow for Rear Pease Road (Parcel 33-1-0) and (B) to discuss strategy with respect to collective bargaining unit TEU (Town Employees Union) and to conduct strategy sessions in preparation for negotiations with non-union personnel (library pages and school crossing guards) at 5:12 pm. Councilor Kane seconded the motion. **Roll Call Vote: Councilor Kane- Yes, Councilor Richards- Yes, Councilor O'Connor – Yes, Councilor Henry – Yes, Councilor Page- Yes, Councilor Anderson- Yes, President Hill- Yes.***

Open Session reconvened at 6:00 pm.

Council Comments: None

Town Manager's Report:

Ms. McNally gave her Town Manager Report as shown in Attachment A.

Councilor Page asked if the ambulance donated by Palmer is for the short term until the new ambulance arrives, and Ms. McNally said the plan is to have the donated ambulance in service until the new one arrives. It will then be kept on site for emergency purposes or used for parts. The new ambulance was supposed to arrive in late July or August.

Public Comments:

A. Connor O'Shea – Concerns for possible reduction in polling hours (Agenda Item 8.B.).

Connor O'Shea of 20 Tanglewood Drive addressed the Council and said, in the spirit of transparency, he is a candidate on the ballot for the June 2 election, but that fact doesn't pertain to his comments. He then thanked the Town Council and Town Manager for their unwavering commitment to the Town during the pandemic.

Mr. O'Shea said he had serious concerns about the proposed reduction of hours that the polls are open for the local election on June 2, 2020. Mr. O'Shea felt that reducing the polling hours was voter suppression. The typical number of voting hours is thirteen, and the proposal is to reduce those hours to five hours, which is a drastic change. He understands that absentee ballots will be available and would recommend that voters use this option to protect their health.

Secondly, Mr. O'Shea felt that limiting the hours would have the opposite effect and risk more voters being together at once even though they would be six feet apart. Also, if there was inclement weather, they would have to wait outside in long lines.

Mr. O'Shea then said if the Council did approve the reduction in hours, how would this be communicated effectively to the registered voters? He didn't think posting the information on the website is sufficient, and commented that in the past the date and time of the election would appear on sawhorses throughout the Town.

Approval of Minutes:

- A. February 25, 2020 Open Session Minutes
- B. February 25, 2020 Executive Session Minutes
- C. March 10, 2020 Open Session Minutes
- D. March 24, 2020 Open Session Minutes

*Councilor Page made a motion to approve the February 25, 2020 Open Session Minutes. Councilor Anderson seconded the motion. **Roll Call Vote: Councilor Kane- Yes, Councilor Richards- Yes, Councilor O'Connor – Yes, Councilor Henry – Yes, Councilor Page- Yes, Councilor Anderson- Yes, President Hill- Yes.***

*Vice President Kane made a motion to approve the February 25, 2020 Executive Session minutes. Councilor O'Connor seconded the motion. **Roll Call Vote: Councilor Kane- Yes, Councilor Richards- Yes, Councilor O'Connor – Yes, Councilor Henry – Yes, Councilor Page- Yes, Councilor Anderson- Yes, President Hill- Yes.***

*Councilor Henry made a motion to accept the March 10, 2020 Open Session minutes with amendments. Councilor Richards seconded the motion. **Roll Call Vote: Councilor Kane- Yes, Councilor Richards- Yes, Councilor O'Connor – Yes, Councilor Henry – Yes, Councilor Page- Yes, Councilor Anderson- Yes, President Hill- Yes.***

*Councilor Page made a motion to table the March 24, 2020 Open Session minutes until the April 28, 2020 Town Council Meeting. Councilor Anderson seconded the motion. **Roll Call Vote: Councilor Kane- Yes, Councilor Richards- Yes, Councilor O'Connor – Yes, Councilor Henry – Yes, Councilor Page- Yes, Councilor Anderson- Yes, President Hill- Yes.***

Communications, Correspondence and Announcements:

A. Acceptance of a 2006 Ford E350 Van Style Ambulance valued at approximately \$4,000 from the Palmer Ambulance Service in Palmer, MA, per Massachusetts General Laws Chapter 44 Section 53A ½.

President Hill announced that before they addressed the next agenda item, she wanted to join in Ms. McNally in applauding Fire Chief Paul Morrissette for all his efforts as the Town's Emergency Management Director. President Hill thanked Chief Morrissette for all he did under unusual and extraordinary circumstances.

Chief Morrissette addressed the Council and said that he reached out to MEMA's Emergency Operations Center, and had received a lot of good Covid 19 items from them, including personal protective equipment, disinfectant and hand sanitizer. However, they were unable to respond to his request for an ambulance, and suggested he check into rentals. Chief Morrissette reached out to the regular vendors and they didn't have anything available.

On a whim, Chief Morrissette sent out a request for an ambulance to the Western Massachusetts Fire Chiefs Association for which he has many great colleagues. Within a half hour he had two responses, one from Palmer and one from Westhampton. Westhampton's ambulance wasn't readily available and they were running it until April 1, and they decided to get out of the EMS business. There were too many hurdles to receive the Westhampton ambulance. Regarding the offer from Palmer, they wanted to help out an agency that was just starting up or needed a second ambulance. Chief Morrissette said this ambulance is a great opportunity for East Longmeadow, and in the future they can use it as a mechanical backup when the second one comes in.

*Vice President Kane made a motion to accept a 2006 Ford E350 Van Style Ambulance valued at approximately \$4,000, from the Palmer Ambulance Service in Palmer, Massachusetts, per Massachusetts General Laws Chapter 44, Section 53A ½. Councilor O'Connor seconded the motion. **Roll Call Vote: Councilor Kane- Yes, Councilor Richards- Yes, Councilor O'Connor – Yes, Councilor Henry – Yes, Councilor Page- Yes, Councilor Anderson- Yes, President Hill- Yes.***

Councilor Richards commented that recently she needed to call 911 for a neighbor who had fallen. Councilor Richards was glad to personally witness the process from the dispatch center to the ambulance pulling out, and said it was an amazing experience. Councilor Richards said this experience gave her the opportunity to let Chief Morrissette know, and wanted everyone to know, the level of service that was provided by the Fire Department.

B. Approval to reduce polling hours of June 2, 2020 local election from 7:00 a.m.-8:00 p.m. to 2:00–7:00 p.m. – Town Clerk/Clerk of the Council Jeanne Quaglietti:

Councilor Richards and Vice President Kane recused themselves from voting on this item since both their names appear on the ballot for the election under consideration.

Town Clerk/Clerk of the Council Jeanne Quaglietti addressed the Council and explained that the state recently passed legislation allowing Massachusetts communities to postpone their municipal elections if they were originally scheduled on May 30, 2020 or earlier. East Longmeadow has their Town election on June 2, 2020 which excludes the Town from this provision. Therefore, the Town has to hold their election on June 2, 2020 unless there is further legislation that extends beyond the May 30, 2020 date.

That same legislation allows voters to vote absentee, without reason, or by mail in ballots. In order to hold a safe election and have the fewest amount of people at the polls Ms. Quaglietti will encourage voting in this manner. In addition, she is asking the Council to approve reducing the polling hours from 7:00 a.m. – 8:00 p.m., to 2:00 – 7:00 p.m. However, after discussion with School Superintendent Gordon Smith that morning, she would like to go later than 2:00 p.m. to avoid school dismissal time. Superintendent Smith said he would not know anything definitive regarding school going back in session for another week or two; therefore, Ms. Quaglietti said they have to plan accordingly with the current date of May 4, 2020.

After discussion with the Council, it was agreed that 3:00 p.m. would be a better start time, especially if school were back in session, and an end time should be 8:00 p.m. since that time would not be a change for the voters.

To address Mr. O’Shea’s concerns, Ms. Quaglietti said she would have six foot marks on the floor, and if need be a line could extend out the door along the sidewalk and she would have election workers managing that line. Relative to communicating this to voters, she would have something in The Reminder, on the website, on the Town’s Facebook page, and at least two robo calls. Ms. Quaglietti thought that having the date and time of the election on sawhorses throughout the Town was a great idea and will look into that.

Councilor Page commented that Ms. Quaglietti did confirm with the state that East Longmeadow is considered a “town” relative to elections and, as such, East Longmeadow does not have to have thirteen voting hours, but needs to have at least four voting hours.

Bill Caplin, Chair of the Registrars, stated that he agrees with everything that has been said and is very much in favor of protecting all of our town residents and all the Election workers. Mr. Caplin said they need to keep this as simple as possible.

*Councilor Henry made a motion to reduce the polling hours of the June 2, 2020 local election from 7:00 a.m.-8:00 p.m. to 3:00–8:00 p.m. Councilor Page seconded the motion. **Roll Call Vote: Councilor Kane-***

Recused, Councilor Richards- Recused, Councilor O'Connor – Yes, Councilor Henry – Yes, Councilor Page- Yes, Councilor Anderson- Yes, and President Hill- Yes.

Public Hearings

A. Continuation of a public hearing to address a zoning change at Rear Pease Road (Parcel 33-1-0), a 21.26+/- acre site, from Residence AA to an Industrial/Industrial Garden Park zoning district., 6:30 p.m. – Rescheduled from March 24, 2020:

President Hill opened the Public Hearing. Jeanne Quaglietti, Town Clerk/Clerk of the Council read the legal notice into record. President Hill stated that at the request of Attorney Martin, Counsel for the applicant, she will entertain a motion to continue this hearing.

Councilor Anderson made a motion to continue the public hearing for a zoning change at Rear Pease Road (Parcel 33-1-0), a 21.26+/- acre site, from Residence AA to an Industrial/Industrial Garden Park zoning district, to May 12, 2020, at 6:30 p.m. Councilor Kane seconded the motion.

Discussion: Councilor Page stated this has been continued multiple times. Councilor Page is not against continuing this but he feels at this time they should take a vote on whether or not we want a zone change and move on from there.

Roll Call Vote: Councilor Kane- Yes, Councilor Richards- Yes, Councilor O'Connor – Yes, Councilor Henry – Yes, Councilor Page- No, Councilor Anderson- Yes, President Hill- Yes.

B. Public hearing for an application from NUAZ dba Zain's Smoke Shop, 611 North Main Street, for a Wine and Malt Beverages off Premises Liquor License, 6:45 p.m. – Rescheduled from March 24, 2020:

President Hill opened the Public Hearing, and introduced the Councilors. Jeanne Quaglietti, Town Clerk/Clerk of the Council read the legal notice into record.

President Hill stated that it is her understanding that if this application is approved then you will be licensed to sell two different products; the merchandise in the smoke shop and the wine and malt. President Hill believes that given the nature of both licenses you would be required to change the name of your business. Sarib Nuaz has talked to the Planning Board and understands that he has to do either the smoke shop or the package store. Mr. Nuaz understands that tonight is just one step in the process.

Councilor Kane asked if the application has been reviewed and is everything in order. Jeanne Quaglietti stated yes it has been reviewed and everything is in order.

Councilor O'Connor asked if the Board of Health was included in the approvals. Ms. Quaglietti stated that yes they were included and Mr. Nuaz and his partner have worked with Donna Bowman and Aimee Petrosky very closely with their current retail shop.

Councilor Henry stated he does not see a Cori in the package and wanted to know if a Cori was required. Ms. Quaglietti stated that the Cori was received. Councilor Henry also stated he did not see any evidence of any training to sell liquor. Ms. Quaglietti is unaware of any required certification or training to sell

alcohol. Mr. Nuaz stated the only thing available for certification would be TIPS certification. Mr. Nuaz and his partner are planning on taking the TIPS certification.

Councilor Page asked if they would be changing the name of the shop since they will only be able to sell Wine and Malt or the tobacco products. Mr. Nuaz stated they would eventually.

Councilor O'Connor stated he is not comfortable moving forward with an approval; he would like to have further comments from the Board of Health and the Police Department.

Councilor Richards stated if there was any desire for additional information she would rather postpone they can make a more informed decision.

Ms. Quaglietti stated that she has all the emails that she received back from the Police Department, Health Department, Fire Department and Building Department on February 25, 2020 and all of the departments reported that there were no issues.

Councilor Henry feels that we have the answers from all the various departments and he is not sure what point there would be to continue the hearing unless someone could give him an example of what it is we are missing.

*Councilor Henry made a motion to approve an application from NUAZ dba Zains Smoke Shop, 611 North Main Street, for a Wine and Malt Beverage off Premises Liquor License. Councilor Kane seconded the vote. **Roll Call Vote: Councilor Kane- Yes, Councilor Richards- Yes, Councilor O'Connor – Yes, Councilor Henry – Yes, Councilor Page- Yes, Councilor Anderson- Yes, President Hill- Yes.***

Orders of the Day

A. Licensing Matters – None

B. Financial Matters-

1. Approval of Local Option to Extend the Real Estate Exemption Application Deadline: An Act to Address Challenges Faced by Municipalities and State Authorities Resulting From COVID-19, Chapter 53 of the Acts of 2020 –

Town Manager Mary McNally explained that the Governor signed an order on April 3, 2020 allowing local communities to extend certain due dates, filing of certain exemption requests, to delay the payment of Real Estate taxes from May 12 to June 1 and to waive interest on certain payments made after due dates.

Ms. McNally stated that the Charter names the Town Manager as the Chief Executive Officer and this order says that the decision on whether to extend this relief lies with the Chief Executive Officer if there is a person so designated by a local Charter. Ms. McNally feels it would make sense to have the Council members' thoughts on the reasons for or against making this relief available. Ms. McNally is in favor of this and thinks we should allow the benefit that the Commonwealth is giving to all of the residents who need it. Ms. McNally spoke with the Treasurer who informed her that about 36% of the tax bills that were sent out are paid by the Mortgage Holders.

Ms. McNally knows that the Assessor has some questions as well about the applications for veterans that are due to be filed by April 1, 2020. The Assessor has received them after that date and would like to grant the relief requested and cannot do so unless this order is implemented in East Longmeadow.

Councilor O'Connor asked Ms. McNally if she was looking for some direction from the Council to move forward with this. Ms. McNally thinks it is important as Elected Representatives in the Community that the Council weighs in if they chose to. Councilor O'Connor agrees with Ms. McNally's recommendation.

The rest of the Council also agreed with Ms. McNally's recommendation to accept this relief.

There is no vote required by the Council to accept this. Ms. McNally informed the Council that they will get the word out to residents.

2. FY20 3rd Quarter Update – Finance Director Sara Menard

Mary McNally informed the Council that Ms. Menard's report was not available for this meeting and that it will be available for the next meeting on April 28, 2020.

Ms. McNally wanted to make the Council aware of a couple of items that Ms. Menard transmitted to her. With our budget situation as it is and the uncertainty about the revenue stream, Ms. McNally wants the Council to be aware of the specific accounts that are in overspent status so far. We are \$342,000.00 in red ink between six different Departments through the end of March. These are bills and invoices that were processed through the end of March. It does not necessarily encompass all the services and invoices that have been incurred in March but not processed. This also does not include the anticipated overage in the Town Manager account, the Town Council account and Police and Fire overtime. We may get some relief from MEMA funds for the Police and Fire overtime and there is \$112,000.00 reserve that is available to offset some of these deficiencies. The legal bill alone is \$99,000.00 through the end of March. Ms. McNally stated that she wanted the Council to know that those funds will likely be paid through free cash allocation.

Old Business: None

New Business:

1. Action Items for next meeting –No specific action items.

*President Hill made a motion to enter back into Executive Session at 7:28pm for the purpose discussing strategy with respect to collective bargaining unit TEU (Town Employees Union) and to conduct strategy sessions in preparation for negotiations with non-union personnel (library pages and school crossing guards) and to return to Open Session for the purpose of adjournment. Vice President Kane seconded the motion. **Roll Call Vote: Councilor Kane- Yes, Councilor Richards- Yes, Councilor O'Connor – Yes, Councilor Henry – Yes, Councilor Page- Yes, Councilor Anderson- Yes, and President Hill- Yes.***

Open session reconvened at 8:15 pm.

*Councilor Richards made a motion to adjourn Open Session. Councilor Page seconded the motion. **Roll Call Vote: Councilor Kane- Yes, Councilor Richards- Yes, Councilor O'Connor – Yes, Councilor Henry – Yes, Councilor Page- Yes, Councilor Anderson- Yes, and President Hill- Yes.***

April 14, 2020

Town Council Meeting

The meeting was adjourned at 8:16 pm. The next Town Council meeting will be April 28, 2020 at 6:00 pm via Zoom.

Respectfully submitted,

Jackie Sullivan

Assistant Town Clerk

Documents: Agenda, Town Managers Report, February 25, 2020 Open Session minutes, February 25, 2020 Executive Session minutes, March 10, 2020 Open Session minutes, March 24, 2020 Open Session minutes, Decrease Polling Hours Letter, Acceptance of Ambulance PDF, Zain's Smoke Shop Wine and Malt license application and the Act to address COVID19 Challenges



Attachment A

TOWN OF EAST LONGMEADOW

Town Manager's Report April 14, 2020

Good Evening:

This week's efforts were again primarily devoted to the management of Covid-19 issues and FY 21 budget preparation. There continue to be a number of weekly and daily conference calls and webinars to view, absorb, respond to, advise others about and implement as necessary or required. The health crisis gives rise to innumerable, time consuming issues daily.

Despite this incessant pressure, the Town continues to function very well as a result of the efforts of its many dedicated employees. This form of conducting business is extremely difficult and requires all of us to adjust our normal expectations. Working remotely, while better than not working at all, creates additional layers of technological constraints, which, when combined with the absence of physical proximity, exacerbates the difficulty of performing our duties and requires an abundance of patience and perseverance.

Department Heads and other interested parties continue to confer daily on our Emergency Operations conference calls to report progress, problems, difficulties and proposed solutions. The past month has demonstrated excellent teamwork and cooperation. The Town can be rightfully proud of the extraordinary contributions made by many of its employees working together to manage the taxpayers' needs and expectations in this very difficult period.

In the midst of this situation, I have asked all Departments to revisit their operating budget submissions and devise an outline to reduce spending by 5-10% if possible. I am gratified by the response received to date. That information will be compiled and will assist in the budget preparation for FY21.

Palmer Ambulance Service has donated a used, surplus ambulance to the Town. The Fire Department will use this vehicle as its second ambulance pending delivery of the new vehicle previously approved by the Council and on order. The ambulance needs approximately \$2,000 in repairs. It can be registered, licensed to operate, inspected, equipped with a stretcher and mobile radios and in service by next Friday, April 17, 2020. This vehicle is necessary now due to additional Covid-19 demands and call volume. Usual and customary reliance on our mutual aid partners for back up service has become problematic because of increased demands in neighboring communities as well, significantly Somers, CT. and Longmeadow, MA.. The expenses (75%) associated with this ambulance and the supplies for it, will be reimbursed by MEMA and/or FEMA disaster funds. Chief Morrissette had asked MEMA for a loaner ambulance two weeks ago to meet East Longmeadow's needs, but the request was denied due to a lack of availability. Acquisition of this ambulance from Palmer is, at least in part, the result of his working relationships with neighboring communities and is evidence of the goodwill generated by cooperation.

All Department Heads continue to track their expenses and time spent in anticipation of submission of these costs for reimbursement.

Respectfully submitted,

Mary E. McNally
Town Manager