



TOWN OF EAST LONGMEADOW
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EAST LONGMEADOW, MA 01028

TOWN COUNCIL

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Kathleen G. Hill, President
Michael J. Kane, Vice President *Joseph A. Ford*
Donald J. Anderson *Kevin M. Manley*
Paul L. Federici *Thomas C. O'Connor*

MINUTES

Town Council Minutes
April 23, 2019 at 5:00 P.M.
Council on Aging Media Room, 328 North Main Street
East Longmeadow, Massachusetts 01028

Present: President Kathleen Hill, Vice President Michael Kane, Donald Anderson, Paul Federici (arrived at 5:45 p.m.), Joseph Ford, Thomas O'Connor, Town Manager Denise Menard, and Clerk of the Council Thomas Florence.

President Hill opened the meeting at 5:05 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.

Motion: Councilor Anderson made a motion to go out of order of the agenda to the Financial Oversight Committee's Status Report to the Town Council. The Council will then return to the regular order of the agenda, unless the time permits for the scheduled public hearings, at which time they will begin the public hearings. Councilor O'Connor seconded and all were in favor.

Financial Oversight Committee's Status Report to Town Council of Town Manager's FY20 Budget

Financial Oversight Committee Chair Christine Saulnier appeared before the Council with Committee member Jim Broderick. Ms. Saulnier said she and Mr. Broderick were both honored to be of service to the Town once again, and they both had experience on the Appropriations Committee and with capital planning. She said the Oversight Committee had three meetings, and they are working off the summary of the draft budget, but are still eagerly waiting for more in-depth information they had requested.

Ms. Saulnier said that she has been invited to meet with the Town Manager and the Finance Director sometime next week so it is understood what the Committee needs and what its function is. Ms. Saulnier is looking forward to the meeting, as well as pursuing ideas in the budget and submitting the Committee's analysis to the Council with a fiscally sound recommendation.

President Hill said, for the record, the Financial Oversight Committee consists of Ms. Saulnier as Chair, Mr. Broderick, Vice President Kane and Councilor O'Connor. Councilor Manley was originally appointed to the Committee, but had to forego due to other commitments. President Hill said the Committee has proved to be very capable and are working diligently to get budget numbers for the Council to react to and, in the interest of the residents, do the very best they can for the money the Town needs to operate. She said the Council anxiously awaits for the Committee's recommendation when they get to that point.

FINANCIAL MATTERS**Appropriate \$3,188,859 for the purpose of paying costs of the capital project to replace the roof of Meadow Brook Elementary School**

Superintendent Smith appeared before the Council with Finance Director Sara Menard, and gave a quick history of the project. He said that the process for the roof began in February 2018 when both the School Committee and the Town Council voted to submit a Statement of Interest for the roof project to the MSBA (Massachusetts School Building Authority). In Spring of 2018, the MSBA invited them in to the accelerated repair program for the roof at Meadow Brook Elementary School, and in October of 2018 Superintendent Smith came to the Council and money was appropriated for a schematic design for the roof. During the MSBA process, the whole cost was estimated for the project, which was \$3,188,859, and he is asking for the appropriation for that amount. As a side note, Superintendent Smith said, after having gone through the MSBA process with another project, he feels the MSBA is very conservative with their estimates and the bids come in under cost. However, if they should reach that estimated cost they would have an estimated facilities grant of \$1,285,400 with a contingency of another \$140K for unforeseen circumstances. President Hill asked if the net obligation to the Town would be about \$2M, and Superintendent Smith said that was correct.

Finance Director Sara Menard said they would be bonding for the amount and would be part of the FY19 budget, and explained how the FY20 budget would be adjusted based on the bonding schedule. Councilor O'Connor asked if she could estimate the amount of the debt service. Ms. S. Menard said if they bond on June 30, 2019, it would be a thirty year amortization table with ultimately repaying back principal of \$1.9M at an interest rate of 3.750%, therefore, over the life of it of \$1,296,937. This would give a total cost of \$3,196,937. After June 30, 2020 the first payment would be \$106,250, which includes principal and interest. Councilor O'Connor asked if that included any fees that are assessed during the first year, and Ms. S. Menard said no, this is the cost for FY20. The bonding cost for right now is around \$10K.

Councilor O'Connor said that looking at the five year capital plan that was submitted by the DPW and the School Committee, there is a project scheduled for next year which includes replacing HVAC units on the roof at Meadow Brook Elementary School. He asked if the HVAC units should be replaced before the new roof is put on so as not to damage the new roof. Superintendent Smith said he wasn't familiar with that specific project, but he said that was a great point, and they would reevaluate the five year plan now that the roof has been approved. He added that the original capital project came out of a facility study, and he would reevaluate the project, including the HVAC unit replacement, with DPW Superintendent Bruce Fenney.

Councilor O'Connor referred to an e-mail Superintendent Smith sent to Town Clerk/Clerk of the Council Tom Florence which included mention of a possible grant from the MSBA of \$1,285,400. In response, Superintendent Smith said the MSBA protects themselves in many ways, and as long as we follow their prescribed steps the grant is awarded. It is also contingent upon the Town appropriating the full amount of the project and on the process that we follow for the project as we go forward. Councilor O'Connor said, therefore, that \$1,285,400 was voted on and passed contingent on the Town Council following the practice. Superintendent Smith said yes that was correct. The first step after the MSBA votes is that the school would work on a project funding agreement with the MSBA which would solidify funding. Almost concurrently, they'd also be finishing off the documents to get it out to bid.

Motion: Councilor Anderson made a motion that the Town of East Longmeadow appropriate the amount of \$3,188,859 dollars for the purpose of paying costs of the capital project to replace the roof at Meadow Brook Elementary School at 607 Parker Street East Longmeadow, MA, including the payment of all costs incidental or related thereto, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the Town of East Longmeadow may be eligible for a

grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of East Longmeadow School Committee.

To meet this appropriation the Treasurer, with the approval of the Town Manager, is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority. The Town of East Longmeadow acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town of East Longmeadow incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of East Longmeadow; provided further that any grant that the Town of East Longmeadow may receive from the MSBA for the Project shall not exceed the lesser of (1) 55% (percent) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of East Longmeadow and the MSBA. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Vice President Kane seconded, then Councilor O’Connor referred to the last portion of the vote and asked Ms. S. Menard to explain the process of using the cost of issuance and applying it toward the payment. She replied that when the Town goes to bond, if they get the bond premium it can be applied to reduce the total borrowed amount. Rather than borrow the full amount, plus get a premium to then spend, they’ll just reduce the whole amount, thereby saving interest and making the payments better. If the project is \$3M, for example, they would only borrow up to the total amount. At the time when they have to make the decision to bond in June they will know what the Town Council has approved for FY20, as to whether we want a short term note or not. For a short term note, they would borrow an amount to cover the cost of the project that we receive, but not the full amount, and then they will bond after the fact. We won’t have extra that we didn’t use. If we did we’d have up to two years to use it before subject to arbitrage penalties, but she will not be doing that.

There was no more discussion; all were in favor and the motion passed.

TOWN MANAGER REPORT

Town Manager Denise Menard read her report to the Council as shown in Attachment A.

PUBLIC COMMENTS

Julie Ryan - The collaborative discussions between the DPW and Recreation Department regarding Town field conditions

Julie Ryan of Somers Road approached the Council and said that Chad Ruel had addressed the Council at a prior meeting to speak about the conditions of Town fields. Since then a committee was formed to focus on this subject and they have had many meetings. The committee consists of residents, and members of the Recreation and DPW Departments. Ms. Ryan is feeling very confident that they can make big headway. The smaller issues are already underway, and the larger ones are going to take more time and money. She is asking the Council for \$25K for the DPW Department so they can hire extra help to prepare the fields before games. Ms. Ryan is also asking for an additional \$20K to outsource fertilizing the fields in order to alleviate this responsibility from the DPW. Ms. Ryan said much can be done with better communication and everyone helping to show support of youth sports, for both the kids and parents.

Don Maki – Open Meeting Law

Don Maki of 12 Colony Drive, addressed the Council and said he is wearing two hats, one as a resident and one as the Director of ELCAT. He stated that this conversation may be more appropriate to take place with President Hill and Town Manager Denise Menard. He had concerns with a Town Council Financial Oversight meeting that took place where he had asked an ELCAT employee to tape, and she was asked not to tape the meeting.

Mr. Maki felt, as a resident and someone who has followed town government and is familiar with it, he had two immediate concerns. The first is that Open Meeting Law and the Town Charter have provisions in them that are raised in instances where there may be a lack of clarity. He said sometimes that best intentions and best objective of the public good don't always line up. The Town has rules to give us a framework to navigate those conflicts.

Mr. Maki then read an excerpt from Open Meeting Law, Chapter 30A, Section 20(f): "After notifying the chair of the public body, any person may make a video or audio recording of an open session of a meeting of a public body, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. At the beginning of the meeting, the chair shall inform other attendees of any recordings." He added that there is no provision in the Open Meeting Law that gives discretion to the chair of a public body to prohibit the taping of a meeting other than to disrupt the meeting by the presence of the equipment. Mr. Maki said for the past ten years the basis of his job has been to provide access to the public of what goes on in public bodies.

Mr. Maki said ELCAT is required to record the meetings of elected boards. There have been many occasions when ELCAT was asked to record meetings of appointed boards due to a topic being of interest to the public. He said that if Open Meeting Law allows any member of the public to attend an open meeting and record that meeting, this should also apply to ELCAT. Regarding the Financial Oversight Committee, Mr. Maki said ELCAT had already taped their first two meetings. He felt that this may or may not be easy to discuss in a public forum, and he does not feel that he needs permission of the Town Manager or the chair of any elected or appointed body to determine if a given meeting is to be recorded.

Mr. Maki said that the budget is a primary subject for public interest, and the viewers and taxpayers have the right to see budget discussions, and the reasoning and analysis for recommendations that are to be made to the Council.

COUNCIL COMMENTS

Councilor Ford thanked Julie Ryan for coming forward regarding the conditions of Town fields, as well as other residents, Recreation Director Donna Prather, and DPW Superintendent Bruce Fenney and his staff, that are taking time out of their schedules for this effort. He felt there was no way this season that Mr. Fenney can put workers on the fields with the amount of rain they've had. What is most critical is getting workers on the fields in the spring and the fall. Councilor Ford said they are not asking for full time help; they are asking for part time workers to help with the workload to improve the safety and conditions of the fields, and the \$45K being asked for is integral in addressing this.

Councilor Ford added that there are a lot of disgruntled people not happy with fields, and now all the right people are involved and an impact can be made now. He feels they are making more progress in one month than he made in fifteen years.

President Hill said the budget submission has already occurred and the timing is unfortunate. She and Ms. D. Menard questioned how this item would appear in the budget and Ms. Menard was thinking it would be

put in the DPW's budget but she needs direction from the Town Council as to whether they want that added to a line item, which would have to be endorsed by the entire Council. Ms. D. Menard will follow up with this under Summary Action Items later in the agenda.

President Hill reacted to Mr. Maki's public comments, and told him that she'd be more than happy to have a conversation with him and Ms. D. Menard regarding his concerns and would like that to happen sooner, rather than later.

ACT ON MINUTES AND MOTIONS OF BUDGET WORKSHOP SESSION MEETING OF APRIL 2, 2019

Motion: Councilor Anderson made a motion to approve the minutes of the Budget Workshop Session Meeting of April 2, 2019. Councilor Ford seconded and all were in favor, with Councilor Federici abstaining.

ACT ON MINUTES AND MOTIONS OF OPEN SESSION MEETING OF APRIL 9, 2019

Motion: Councilor Ford made a motion to approve the minutes of the Open Session Meeting of April 9, 2019. Councilor Anderson seconded and all were in favor, with Councilor Federici abstaining.

COMMUNICATIONS, CORRESPONDENCE AND ANNOUNCEMENTS

Letter from Kate Delaney Chung

President Hill said that the Council received a letter from Ms. Chung regarding the current bylaw for commercial vehicles. Ms. Chung had given this considerable thought in regards to finding a middle ground. However, since the Council is in the midst of budget discussions and attempting to keep the agendas light, except for time sensitive issues, the Council will table this issue for further review. Ms. Chung is amenable to this.

Motion: Councilor Anderson made a motion to continue with Agenda Item 9.A., until the public hearing scheduled at 6:30 p.m. Councilor Manley seconded and all were in favor.

LICENSING MATTERS

Appointment and confirmation of the East Longmeadow Police Department as agent of the Town Council acting as the local licensing authority pursuant to the Charter, Article 2, Section 5 and Massachusetts General Laws, Chapter 138, for the purposes of investigation and enforcement

President Hill said that almost two months ago Police Chief Jeff Dalessio directed a letter to the Town Manager and the Town Council, as the local licensing authority, regarding an incident that the police responded to in early March. There had been a citizen's complaint and allegation of assault at an establishment in Town that is licensed to sell alcohol. The responding officers observed interior lights on between 2:00-3:00 a.m. with the door locked. When the officers entered the establishment they found patrons still inside with beverages in front of them. The police could only address the allegations in the parking lot, and couldn't question the appearance of alcoholic beverages being served outside the allowed hours. This is because the Town has not moved to have the Town Council appoint the police department to act as agent of the Town for investigation and enforcement relative to licensing.

President Hill reached out to Town Attorney Kevin Maynard to put together language so the Council can take action. Once this is done, the police department can take action for any licensed establishment that is not in compliance with allowed operations. If there is an infraction, they can write a report and submit it to the Council for further action. President Hill said the Council wants to be in a position to give the police department the official tools they need to do their job properly. She added that in the interest of the Council being the licensing authority, it behooves them to make sure those licensed establishments are doing their due diligence, as well as, being compliant. Mr. Florence commented that he had checked with

surrounding communities and found if there were repeat offenses, the licensing authority could hold hearings for those licensees with the repeat offenses and can enforce fines.

Councilor Ford said, in this instance, without giving this authority a violation would never come before the Council, and it makes perfect sense to give that authority to the police. Ms. D. Menard said that the aforementioned incident has happened before with the same establishment, and the process should be tightened up. President Hill said she had consulted the ABCC (Alcoholic Beverages Control Commission) and was told to seek counsel at the local level. She found this a little troubling as a resident, since the ABCC is a commission set up as a guide for licensing authorities, such as the Council, and yet they refer them to local counsel. Vice President Kane said that other communities have adopted similar policies for enforcement purposes.

Motion: Councilor Anderson made a motion that the East Longmeadow Police Department be appointed and confirmed as the agent of the East Longmeadow Town Council acting as the Local Liquor Licensing Authority pursuant to the Charter, Article 2, Section 5, and Massachusetts General Law, Chapter 138, for the purposes of investigation and enforcement. Councilor Ford seconded and all were in favor.

Councilor O'Connor said they might be missing something in the motion in regards to the "reporting of" instead of "purposes of investigation and enforcement". The investigation would require the police to produce a report to give to the Council so they are aware of the violations occurring, and they can keep track of them. Then if they continue to occur at the same establishment, action can be taken. There was discussion that the police already keep a list of offenses, and it's their standard operating procedure. It was Attorney Maynard's opinion that the reporting of the police is already in the language.

All were in favor of the motion and it was passed.

Continued discussion and confirmation of BYOB policy

President Hill reported that in November and December of 2018 the BYOB policy went to the Town Council Bylaw Committee, and it was discussed at the last Council meeting. In the interim, there has been discussion amongst the Committee members as it relates to the actual intentions of the actions the Council took. She said they will set this item aside until the Bylaw Committee and the Licensing Committee members can discuss this, as well as not to tie up the Council's time now, since their primary obligation is to continue through the budget process. Therefore, this item will be tabled until after June 1, 2019.

Motion: Councilor Ford made a motion to table the confirmation of the BYOB policy until after June 1, 2019. Councilor Federici seconded and all were in favor.

NEW BUSINESS

Vote to exercise the right of first refusal to purchase 7 Schuyler Drive, Benton Estates

Attorney Maynard addressed the Council and said he had contacted a staff person at the Massachusetts Department of Housing & Community Development, and this process is commonplace for smaller towns. The Comprehensive Housing Project is designed for individuals of low and medium income to own their own homes. The owner of 7 Schuyler Drive is looking to sell, and in accordance with the program's requirements, he must first offer the property to the Town. The Town would then act as a broker and find a qualified buyer to purchase the property and facilitate that transaction. The Town could also pass and allow those options to go to the state, or the third option is to do nothing and let the required thirty days (for action) pass. In talking to the state, Attorney Maynard said they are very anxious to have this property passed on to them.

Councilor O'Connor asked if the Town relinquishes any rights if they pass this on to the state, and Attorney Maynard replied no. The state then has thirty days to exercise its options to find a buyer.

However, the Town could lose the property from the rolls of affordable housing and that owner could then sell the property at whatever price they choose. However, the excess between that sales price and the qualified price fixed by the state's formula comes to the Town. Councilor O'Connor asked if whatever action the Council takes would set a precedent. Attorney Maynard said the Council can take whatever action they choose each time this comes up, and after inquiring with the Town Clerk, he has found that this has not come up during the time since the Council has been in existence.

Councilor Federici said when he was a selectman, this situation came up at least twice. He asked how that would affect the Town's affordable housing percentage if the state took the property and didn't find a low income buyer. Attorney Maynard said it doesn't affect the Town's position financially, but philosophically, if the Town wanted to continue to be able to offer affordable housing within this program to residents, the Town would be a unit short. He added that just because you've passed the opportunity to the state it doesn't mean the Town loses its input.

Councilor Anderson commented that if someone wants to be a part of this program and be put on a list of potential buyers, who would they contact. Ms. D. Menard said they should call the Town Manager or the Town Clerk.

Motion: Vice President Kane made a motion to authorize a "no response" letter to the buyer at 7 Schuyler Drive, Benton Estates, having the State's Department of Housing and Urban Development orchestrate the sale. Councilor O'Connor seconded and all were in favor.

PUBLIC HEARINGS

Proposed Bylaw for Stormwater Enterprise Fund, Second Reading, 6:30 p.m.

President Hill opened the public hearing at 6:37 p.m., and explained that this public hearing is for the second reading of the bylaw. She introduced the Council members and Mr. Florence read the legal notice into the record.

DPW Superintendent Bruce Fenney and Deputy Superintendent Tom Christensen approached the Council. Mr. Christensen gave an overview of the bylaw, and said they are here again to discuss the draft bylaw and the language of the document. This is the public hearing's second reading for the purpose of receiving input from the public.

Councilor Ford read the bylaw into the record as shown in Attachment B.

Ralph Page of 306 Prospect Street approached the Council and said he addressed the Council approximately a month ago when they approved a stormwater enterprise fund. The stormwater bylaw says that a new stormwater division is to be established within the DPW. Mr. Page said at that time he said in order to divide the DPW, or any organization, per the Charter, the Town Manager must submit to the Town Council an organizational plan. Mr. Page said he was told a line item under the highway department will be made instead of creating a new division. Now, a month later, this bylaw specifically says that a stormwater division will be created to manage the stormwater. Mr. Page said he had asked for a copy of the Town Manager's organization plan and found out that one had not been submitted. To be clear, Mr. Page read the excerpt of the Charter from Article 5, Section 1, Organization of Town Agencies, which included the statement: "The Town Manager may from time to time prepare and submit to the Town Council organization or reorganization plans that establish operating divisions for the orderly, efficient or convenient conduct of the business of the town."

Mr. Page said at this time the Council is expected to hold a public hearing, but no organizational plan has been submitted. He said he spoke with Mr. Fenney and discussed the budget and needs for

stormwater, and he feels that the \$25K turnback doesn't coincide with the stormwater needs. Mr. Page is not against the bylaw, and agrees something needs to be done; therefore, it is important to have a reorganization plan to address the budget for the future.

Phil Abair, of 5 Fifth Street, said he agrees with Mr. Page, but feels the 3,200 storm drains in Town cannot all be addressed in one year. This is just the first step of initiating an organization to satisfy the state's requirements. Mr. Abair said he would recommend that the Town Council approve this stormwater enterprise fund in order to address the stormwater problems.

With no other comments from the public, President Hill closed the public hearing at 6:48 p.m. Councilor Anderson said he would have to agree with Mr. Page regarding an organizational plan, and thinks the motion should be contingent upon the Town Manager making a plan pursuant to the Charter. Ms. D. Menard said she can do that even though Attorney Maynard said it does not have to be done. She said the organizational plan submission was not ignored; this is not a whole new division, and stormwater is already under a department.

Councilor O'Connor said this was brought up a month ago and he still firmly believes it should be under the purview of the Council in the budgeting process. He feels it's not up to the department head to decide what the fee will be that's passed on to the residents. Councilor O'Connor agreed with Messrs. Page and Abair that this is a monumental task and he feels it should be funded from year to year instead guess what it's going to cost, so as to control what rates are going to be passed on to the taxpayers.

Councilor Ford said he understands Councilor O'Connor's thinking of this in a different way. The fund is proposing a flat fee that's equal to all residents. If that's not done and put in the normal budget, it will be a part of the mill rate. Councilor Ford does think that businesses should pay more as reflected under the fee structure. He would like to know what would be put into the budget to fund this and how it would work. He feels the Council is not giving up control since they still have to approve the fee schedule. Councilor Ford said they talked about this before and Mr. Fenney and Finance Director Sara Menard recommended the stormwater enterprise fund be established; however, he is open to something else that makes sense.

Ms. S. Menard said if the \$285K for the stormwater management was merged into a line item it would result in a fifteen cent increase in the tax rate. Councilor Ford said if it were put in the budget it will affect some more than others, and if it's through the fund, it's a flat rate for every resident. There was discussion regarding the \$25 flat rate for residents, and the fact that some homes are larger than others; however, the fund is supporting the roadway system that everyone uses and everyone pays for.

Councilor O'Connor said he had brought up during the budget process that \$25K is being given back as part of work not being done by that department any longer, yet \$300K is being asked for, which is a big disparity. Mr. Fenney said he can't give back money that isn't there, and you'll see it next year once the fund is established. He is trying to keep the cost at a minimum, and this is the starting point. He will make adjustments if needed. The bills will go out July 1 and the monies will accumulate.

Motion: Councilor Federici made a motion to approve a new proposed Stormwater Enterprise Fund as read into the minutes at the April 9, 2019 and April 23, 2019 Town Council meetings. Councilor Anderson seconded and all were in favor.

Proposed Zoning Map Amendment to rezone Parcel 27-154A-A (51 Prospect Street) from Residence C to Business Zoning District, Second Reading, 6:40 p.m.

President Hill opened the public hearing at 7:08 p.m. and reviewed the reason for the public hearing at its second reading. She introduced the Council members and Mr. Florence read the legal notice into the record.

Mr. Florence read the zoning map change background and description into the record as shown in Attachment C. There were no public comments and President Hill closed the public hearing at 7:09 p.m.

Motion: Councilor Federici made a motion to approve a proposed zoning map amendment to rezone Parcel 27-154A-1 (51 Prospect Street) from Resident C to Business Zoning District as read into the minutes at the April 9, 2019 and April 23, 2019 Town Council meetings. Council Anderson seconded and all were in favor.

Approval of Flammable License Application for Suddekor LLC, 82 Deer Park Drive, for a license to store flammables and combustibles, 6:50 p.m.

President Hill stated the reason for the public hearing, which was to address a flammable license application for Suddekor, LLC, at 82 Deer Park Drive. She opened the public hearing at 7:12 p.m. and introduced the Council members. Mr. Florence read the legal notice into the record.

Patrick Presto, Quality Manager, and John Klapecki, Safety Coordinator, both representing Suddekor, approached the Council. Mr. Presto said that Suddekor is a producer of decorative laminated paper, and is applying for a flammable license for three different substances, as reflected in the application, totaling a maximum quantity of 625,000 pounds.

Fire Chief Paul Morrissette addressed the Council and said he has signed off on the application. He said the combustibles are stored in silos in an inside structure. Chief Morrissette added that Suddekor has a good safety process, and is recommending approval by the Council based on the Fire Department's review.

Vice President Kane asked if they were maxed out on the amount of combustibles, and Mr. Presto said they currently have the maximum amount based on what the silos can hold. Under normal operation the silos are not filled completely. Vice President Kane then asked if the silos are above ground, and Mr. Klapecki said they are all above ground so you don't have to worry about leaks. He added that the silos are in a bermed area and made with fiberglass, which is a product that is not corrosive. There have been no accidents since he started working there in 2007. Chief Morrissette said there had been one small incident with another product which required hazmat, and Suddekor followed the correct protocol.

Motion: Councilor Ford made a motion to approve a flammable license application for Suddekor LLC, 82 Deer Park Drive, for a license to store flammables and combustibles. Councilor Anderson seconded and all were in favor.

Summary: Action Items for Next Meeting

In reviewing the action items for the next meeting, President Hill commented on the recommendation from the interested citizens regarding the improvement of the Town's athletic fields. Ms. D. Menard

said they had requested \$25K for manpower and \$20K for fertilizing, which would be in addition to the current budget requests.

Vice President asked about the fertilizer and asked if they are increasing what they use or is it a different application. Councilor Ford said after researching they felt it was best to have an outside company be responsible for the fertilizer who would be licensed and knows what they're doing. It may be a little more costly to do this, and \$20K was their best guess. Councilor Ford added that they were at a point that so many residents have children using the fields, and the field conditions have become a hot button issue that won't go away. He also feels \$45K won't impact the FY20 budget.

President Hill said the labor would not be full time so it would not impact benefits. The labor would be more like summer help. Councilor Ford said Mr. Fenney has part time summer help and he could add to that. Mr. Fenney said they are trying to get a UMass intern for soil analysis, which would save time and avoid inappropriate fertilizer applications. An intern would also help the DPW in the long term. Councilor O'Connor suggested that a separate line item be created to keep better track of the requested funds.

There was more discussion regarding the timing of the hiring of the intern, and the possibility of students working as community service or a work study program, which could be considered for next spring.

Motion: Councilor Ford made a motion to add a line item to the DPW budget for \$25K for part time seasonal labor and an additional \$20K for the outsourcing of fertilizer, to be incorporated into the FY20 budget by the Town Manager. Councilor Anderson seconded and all were in favor.

Ms. D. Menard said there was still no vote or finality for additional money for roads, and Councilor Ford said \$1.2M over two years. Councilor Ford said he wanted to clarify that and he was just asking for suggestions. The recommendation is \$600K a year, and if the Council is comfortable with \$600K and go through normal financing and put it in the budget, he would be okay with that. Another choice is to go with \$1.2M and bond that. He does not know enough to make the best recommendation, but he does know that \$100K is very deficient given the state of many of our roads. Councilor Ford added that if they don't catch up this year, it's just going to get worse.

Ms. D. Menard said her thought is to add it to the capital budget. Instead of the \$100K that's budgeted there now, make it bigger, perhaps make it \$1.2M and add it to the bonding. However, they first need to see the Town's capacity for bonding. President Hill said she thought she recalled a statement that it wasn't a good practice to bond for a recurring expense. Ms. D. Menard replied that a lot of communities bond for road improvements that last for twenty years.

Councilor O'Connor asked Mr. Fenney if they bond \$1.2M can he accomplish the road improvements over one year. Mr. Fenney said the DPW board is meeting that night to vote on Chapter 90 funds for a portion of three roads. He said the Massachusetts Department of Transportation has different specifications and parameters when it comes to Chapter 90. With bonding sources you don't have to adhere to some of those requirements. Chapter 90 requires funding for at least five hundred feet, so he can do a lot more with a lot less.

Councilor O'Connor said he wanted to make sure if \$1.2M is appropriated, whichever the source, that the work can be accomplished. Mr. Christensen said they would have no problem getting a bid from a contractor, and discussed that process. Mr. Fenney said they continue to look at different funding,

including TIFs (Tax Increment Financing), and the Complete Streets Program, for which they've already applied for. Mr. Christensen said smaller communities are not getting enough money, and Ms. D. Menard said she can talk to Governor Baker when she and President Hill meet with him next week at his regional event.

Ms. D. Menard said if the Council wishes she can find a place to put it in the proposed budget as conservatively as she can. She said that she and Ms. S. Menard have already been cutting things but they are not big dollar amounts. However she can address the needs of the Town as conservatively as possible and the Council would have the next step.

After discussion the Council agreed that Ms. D. Menard should recommend if the amount would be a one-time capital request of \$600M, or if it is appropriate to bond for the \$1.2M. Her recommendation would then go to the Financial Oversight Committee, then to the Council and public hearing.

President Hill said the last action item relative to the stormwater enterprise fund, and the Council was going to be provided with an organizational chart which included duties. Ms. D. Menard said she and Mr. Fenney were working on it.

President Hill reminded everyone that the next Council meeting was Monday, April 29, 2019, beginning at 6:00 p.m., for the sole purpose of Ms. D. Menard presenting her FY20 budget to the Council.

Motion: Councilor Ford made a motion to adjourn at 7:53 p.m. Councilor O'Connor seconded and all were in favor.

Respectfully submitted,

Jeanne R. Quaglietti
Assistant Town Clerk

ATTACHMENT A

Town Manager's report to the Town Council
April 26, 2019 Council Meeting

5.
4-23-19

Good evening –

I have a very brief report tonight as I have not been in the office much in the last week.

On April 11, I attended a dinner recognizing the many volunteers that provide support to the Council on Aging. What a great evening. It is amazing how many people give of their time and energy to their community. Thank you to all.

I initiated Friday afternoon "Meet with the Town Manager" at the suggestion of a Town resident and wanted to report that they have been a great success. In the 3 months since I began the Friday afternoon visits, I have had 12 residents come in for a variety of reasons. Some have come in just to get to know the Town Manager, others had specific topics from standing water in backyards and playing fields to comments on trash & recycling and pot belly pigs. Thank you to Pat Henry for the suggestion.

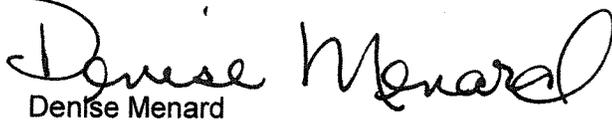
Emergency Communications Director Scott Burns sent a letter to the Hampden Selectmen and Town Administrator introducing himself to them and letting them know that East Longmeadow would be willing to discuss a shared dispatch center now that ours is up and running. It was very low key, just opening that door in case there may be interest.

The Lions First Annual Spring Fishing Derby last weekend was a great success. It was great to see all the children having a great time and the adults with them sharing in an activity they seemed to enjoy. It was a great 125th Anniversary event with lots of participation. Thank you to the Lions and the 125th Celebration Committee volunteers for organizing the event.

The reception for Library Trustee Virginia Robbins retirement a 40 years of service to the Library Board was very well attended. Members of the Library Board, the present and past Library Directors, along with the Town Clerk who thanked Ms. Robbins for her many years of service at elections attended.

The Egg Hunt scheduled for April 20 was rescheduled for this Saturday due to last Saturday's rainy weather. It will be held at Heritage Park from 10 a.m. to 12:30 p.m.

Respectfully submitted,


Denise Menard

ATTACHMENT B

Proposed Bylaw Summary

Stormwater Enterprise Fund

The stormwater management program is a state mandate designed to promote the health and safety of the public, to protect property from flooding and the damage caused by stormwater runoff, and to protect and manage water quality by controlling the level of pollutants in stormwater runoff and the flow of water as conveyed by man-made and by natural stormwater management systems and facilities.

There is hereby established within the Department of Public Works a utility known as the "Stormwater Division" under the day-to-day supervision of the Superintendent of Public Works.

The Department of Public Works shall administer the stormwater management programs of the Town through the Stormwater Division. It shall be funded by revenue collected through the Stormwater fee and such other funds as may, from time to time, be appropriated or obtained through other sources including but not limited to grants and low-interest loans.

A full description of the "Stormwater Enterprise Fund Bylaw" including scope of responsibility, stormwater management credit policy and stormwater enterprise funding is available and on file at the Town Clerk's office, Town Hall 60 Center Square, East Longmeadow, MA 01028.

Thomas P. Florence
Town Clerk/Clerk of the Council