



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

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**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 6/09/2020

MINUTES  
Town Council Meeting  
May 26, 2020 at 6:00 pm  
East Longmeadow, Massachusetts 01028

**Present:** President Kathleen Hill, Vice President Michael Kane, Pat Henry, Ralph Page, Marilyn Richards and Don Anderson.

**Absent:** Councilor O'Connor

Council President Hill opened the meeting at 6:00 p.m. followed by a Moment of Silence. The meeting was conducted remotely consistent with Governor Bakers Executive Order of March 12, 2020. 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 noted that all votes that are taken will be roll call votes.

**Public Comments:** None

**Council Comments:** President Hill spoke in regards to actions taken against one of the small business in town by the Health Department that has yielded unusual public outcry. President Hill stated that it is important for the Public to understand the chronology of events. On May 7, 2020 the owner of this small business reached out by email to our Health Department asking for direction on when he would be able to re-open the Health Director notified the owner of the Governors orders within minutes of his email and also provided a link to the various websites so that he could see the written order. What ensued over the remainder of May 7, 2020 was a volley of emails back and forth between our Health Department and the owner, where on two occasions the owner asked if he could open this particular aspect of his business and the answer continued to be no it is not regarded at this time by the Governor as an essential business and had to remain closed.

On May 22, 2020 the Health inspector was asked to join the Fire Department at a scene of a residence in East Longmeadow that required the decision making of someone from the Health Department. When that event was over on her way out of town the Health Inspector by happenstance passed by the particular business and observed that the business was open and notified the Health Director. The Health Director checked online to make sure there had not been an update to the guidelines around this particular business

being closed. When it was determined that the business was still regarded as non-essential the Health Director instructed the Health Inspector to issue a Cease and Desist order which was accompanied with a \$300.00 fine. The owner of the business did comply with the order. What has ensued since is very troubling; the public outcry has risen beyond what you would think would be normal discourse among respectful citizens. It has resulted in allegations of potential harm directed at the Health Director and her family, she has been the subject of harassment, inflammatory and insensitive pictures, none that can be authenticated, with the advancement of technology today it is very easy to alter an image and make it appear to be something it is not. President Hill stated the purpose of her going into this kind of detail is to remind the public that as Councilors they have an obligation to uphold the health, safety and welfare of all of our residents and that applies to businesses. We also have an obligation for our employees to do their job. The Health Departments across the Commonwealth are tasked with the enforcement of the Governors orders whether they agree with it or not. The responsibility to safeguard the safety and welfare of our residents extends as well to our employees, for that reason this Council will stand behind our Health Director in that she was doing her job, she was carrying out the orders of the Governor consistent with the guidelines and she did take her due diligence. There were two occasions in writing via email to alert the business owner. This is not to portray that this town is anti-business, what it needs to portray is that rules apply to everyone. Going forward our hope is that, as we all struggle with the various phases and the hope for relaxation on some of the parameters that we've all had to live under, President Hill would ask that our residents be mindful of their obligation to be respectful about how your opinion is expressed.

Councilor Anderson echoed President Hills remarks and calling for harm to someone for doing their job is uncalled for. One thing Councilor Anderson wanted to remind themselves moving forward that maybe in this time where there is such a blurred line in enforcing these and understanding the Governors guidelines and regulations perhaps one warning is not enough not to attribute malice. There's another circumstance that he brought to President Hill's attention of another small business that also received a \$300.00 fine. It was merely a situation where it appeared, he was open for business when in reality he was not. Councilor Anderson believes that there needs to be a better understanding of small business and how they are run, perception may not necessarily be a reality. Councilor Anderson stated that threatened attacks on our Health Director or any other employees is really uncalled for, but he does think that maybe this is an opportunity to have a greater understanding of how businesses are trying to cope in a responsible way.

President Hill stated that she received a call from the Chair of the Board of Health, Dr. Sarah Perez McAdoo asking what they as the Board of Health could do to assist the Health Department employees as well as the Town Management to work with businesses to make sure they truly understand. President Hill stated that there is a challenge in the interpretation of the guidelines. This town is very fortunate in that our Board of Health, which is a three-member Board and all three of the members are medical professionals and extremely dedicated. With the Board of Health and the Health Directors help they will host a webinar so that we can work together to go forward in the subsequent phases if the Governors reopening of the State.

Councilor Henry stated he was online following the announcement and was defending Aimee and defending what the town did. Councilor Henry pointed out that people did not have all the formation, people where blaming the Council. For the purpose of people watching Councilor Henry would like to point out is that the Council is not involved directly at this point because under the Governors order the

Executive of the Town takes over which is the Health Department, the Town Manager and Emergency Management this does not mean that the Council ceases to exist but insofar as decisions are made in terms of Covid19 and those issues that power the decision making is in the hands of the Town Manager and the Health Director. For anything else the Council is still there, and they are supportive and interested stated Councilor Henry.

Councilor Page has a concern that the cease and desist order was given at the same time as the fine. Councilor Page said going back to his Planning Board day's the Building Inspector would give a cease and desist and if they did not comply then he would issue a fine, he is looking for consistency throughout all the Board's. Councilor Page thinks a cease and desist would have worked. We all know the Fisk family and Fenway Golf we also know how important businesses are. Consistency within the Board's would definitely make a better aspect of this.

Councilor Anderson stated that maybe as a thought so that everyone can understand the process the whole town, business owners as well, rip up the ticket return the \$300.00 the message was delivered. One of the tickets that was issued is going up on appeal, so we are going to have to dedicate police officer resources and so forth on that appeal. Councilor Anderson feels the message has been delivered, there is a spirit of cooperation we have fine businesses here in East Longmeadow that are all trying to find strategies to work. Councilor Anderson stated he does not believe anyone was trying to intentionally break the law and believes it was a clear misunderstanding.

President Hill stated that this particular business is very supportive of the town of East Longmeadow it is a long-standing family run business who was very accommodating during the town's 125 Celebration last year by donating their time and resources.

### **Town Manager Report:**

Town Manager, Mary McNally stated that the Council's comments are noted, and they have already been considered, progress hopefully will be made tomorrow on some of the issues that have just been discussed.

Town Manager, Mary McNally gave her report as shown in attachment A.

Councilor Page asked about the disinfectant that was ordered, a couple of months ago. Ms. McNally stated that it was authorized and ordered. Ms. McNally was told by Chief Morrissette that the delivery was delayed.

Councilor Page asked about the Health Department Partnership with Longmeadow, he is still concerned about the financial aspect of it, will that be included in the paperwork that they receive? Ms. McNally informed him that it would be

### **Approval of minutes:**

May 12, 2020 Open Session Minutes- Tabled until the June 9<sup>th</sup> 2020 Town Council Meeting.

*Councilor Page made a motion to table the approval of the May 12, 2020 minutes. Councilor Anderson seconded the motion. **Roll Call Vote- President Hill – Yes, Councilor Anderson- Yes, Councilor Page – Yes, Councilor Henry – Yes Councilor Richards – Yes, Councilor Kane – Yes.***

**Communications, Correspondence and Announcements:**

Naming of the Pool at Pine Knoll Recreation Area to Coach Charles E. Silvia Pool

President Hill stated that there has been multiple interest from various residents and longtime participants in the Pine Knoll program to rename the Pine Knoll pool in honor of Coach Silvia.

Susan Laing, Coach Silvia's daughter and her husband Dave Laing were present. Ms. Laing and her husband ran the program with her father for 20 years before it was sold. Ms. Laing presented a slide show that went over the history of the Pine Knoll Swim School and Coach Silvia from 1957 – 1994.

Susan Laing discussed Coach Silvia's numerous accomplishments including being inducted into the International Swimming Hall of Fame, inventing the Silvia egg and coaching swimmers who swam the English Channel.

Coach Silvia was an Assistant Olympic swim coach in the spring of 1956 and also wrote a manual that was used in colleges all over the country. Pine Knoll won an award from the American Academy of Physical Education which was a very prestigious award that her parents were very proud of stated Ms. Laing.

President Hill stated that it is very heartwarming to hear Coach Silvia's story and the evolution of Pine Knoll. It is an honor for them to be able to name the pool in his honor.

*Councilor Anderson made the following motion: It is my honor to move the town to name the pool at Pine Knoll Recreation area to the Coach Charles E. Silvia Pool. Councilor Kane seconded the motion. **Roll Call Vote- President Hill – Yes, Councilor Anderson- Yes, Councilor Page – Yes, Councilor Henry – Yes Councilor Richards – Yes, Councilor Kane – Yes.***

Councilor Anderson commented that this is the first time in their history that they have ever officially named a municipal structure. This started when the Council was created, and Bruce Stebbins helped spear head this it is very appropriate that Coach Silvia being an innovator helped create this innovation with the Town of East Longmeadow dedicating the first one to him. Councilor Anderson thanked the first Town Manager, Denise Menard who helped create the backbone that they were able to build off of, also a special thank you to Marilyn Richards who was very instrumental in helping them get to this point.

**Appointment of Charter Review Committee:**

President Hill appointed the following to the Charter Review Committee: Ralph Page, Marilyn Richards, William Fonseca, Lawrence Levine, Thomas Christianson, Jeanne Quaglietti who is a nonvoting member, Jeffrey Bosworth and Andrew Frasier. President Hill will be meeting with these folks before the end of June to give them their charge and let them set up.

Public Hearings None

Orders of the Day None

Licensing Matters None

Financial Matters None

**Old Business**

Traffic on Rural Road – Speed Bump Estimates – DPW Superintendent Bruce Fenney. Mr., Fenney was not available for this meeting.

*Councilor Page made a motion to table this until the June 9, 2020 Town Council Meeting. Councilor Henry seconded the motion. Roll Call Vote- President Hill – Yes, Councilor Anderson- Yes, Councilor Page – Yes, Councilor Henry – Yes Councilor Richards – Yes, Councilor Kane – Yes.*

**New Business**

1. Town Manager’s Performance Evaluation –

President Hill is pleased to report that the Council at the instruction of the President of the Council in concert with requirements in our Town Managers contract, two weeks ago were asked to evaluate the Town Manager’s performance on six areas that were identified as short-term goals. President Hill explained the ratings scale.

The Council has unanimous agreement that the Manager is in the process of developing a fiscally responsible FY2021 budgeting Capital Plan which is a work that begs tremendous detail and is a work in progress.

The Council has also agreed that the Town Manager is in the process of creating a succession plan for her position as well as Department Heads.

There is nearly unanimous agreement that the goal of addressing underperforming personnel has been achieved.

The fourth goal to develop organizational charts using a universal template is in progress.

The fifth goal was to hire an HR Department Head. President Hill stated in theory the goal is achieved but in reality, there is no individual by name in a permanent position at this time, this is all related to the uncertainty of the budget. Once a budget is in place President Hill believes the Town Manager will be able to recruit a permanent HR Department Head. President Hill noted that we do have an interim HR Department Head who is working between 12 and 18 hours a week.

The last goal was to fill all vacancies on Boards and Commissions that goal has been rated as in progress.

President Hill stated that the Council is unanimous that Mary McNally has done a very good job in the short 6 months that she has been here.

Mary McNally thanked the Council appreciates being here and being supported by the Council and looks forward to continued progress for the Community and for the town, the employees and residents.

**Action Items**

Revisit May 12, 2020 minutes, Mr. Fenney’s report, Porter Rd culvert update, operational budget for the 1/12<sup>th</sup> budget.

*Councilor Richards made a motion to enter into Executive Session To discuss strategy with respect to collective bargaining units International Brotherhood of Police Officers, Local 482, and the United Municipal Employees of East Longmeadow and to return to Open Session for the purpose of adjournment. Councilor Page seconded the motion. **Roll Call Vote- President Hill – Yes, Councilor Anderson- Yes, Councilor Page – Yes, Councilor Henry – Yes Councilor Richards – Yes, Councilor Kane – Yes.***

Open Session adjourned at 7:10 pm. The next Town Council meeting will be June 9, 2020. President Hill announced that the Local Town Election will be June 2, 2020 at Birchland Park Middle School from 3:00 pm – 8:00 pm.

Open Session reconvened at 7:30 pm.

*Councilor Anderson made a motion to adjourn Open Session at 7:30 pm. Councilor Henry seconded the motion. **Roll Call Vote- President Hill – Yes, Councilor Anderson- Yes, Councilor Page – Yes, Councilor Henry – Yes Councilor Richards – Yes, Councilor Kane – Yes.***

Respectfully submitted,

Jackie Sullivan  
Assistant Town Clerk

Documents: Agenda, Town Manager report, Speed bump estimates, Naming of pool-Silvia, Town Manager Performance Evaluation, Charter Review Committee appointments.



## TOWN OF EAST LONGMEADOW

Town Manager's Report

May 26, 2020

### Attachment A

Good Evening:

Since we last met, the Secretary of Administration & Finance, Michael Heffernan, issued new information regarding the distribution to communities of Cares Act funding for Covid-19 expenses. All Departments will submit their Covid related expenses and estimates of future expenses to me by tomorrow for inclusion in my draw down request from this fund. Based on population, East Longmeadow may receive up to \$1,436,781.00. Use of the funds is not without restrictions, i.e. costs must be incurred after March 1, unbudgeted and cannot be reimbursable by FEMA. The request to A&F is due by June 5, 2020.

We continue to work with all state agencies regarding implementation and enforcement of the Governor's Orders and Advisories. There was a great deal of planning effort this past week and will be more in the coming weeks to prepare our public and business communities for the various phases of re-opening the economy. All Town Departments are scheduled for specific training to ensure compliance with the self-certification and attestation requirements of the re-opening.

Work continues on both the Capital Planning and Financial Oversight committees in preparation for FY 21 budget year. Various directives and budget preparation guidance continues to flow from the Division of Local Services. Absent some certainty regarding our revenue stream from the Commonwealth in the very near future, I expect to seek the Council's approval of a 1/12 budget for July and potentially August and September as well as authorized by recent legislation.

Departments continue to work remotely as much as possible and with staggered work shifts when a physical presence is necessary. I have authorized variance of work schedules and short term re-arrangement of internal office layouts to meet required safety standards. The Library plans to begin curbside pickup service on Wednesday of this week. Occupancy limitations within the facility and sanitization protocols have been implemented as required. There is no immediate plan to reopen the Town Hall or other buildings for several more weeks.

Work continues on the development of the health partnership between East Longmeadow and Longmeadow. A proposed Inter Municipal Agreement on this matter will be discussed in the near future. Finance continues to manage leftover administrative problems of proper credit for employee payroll deductions. The COA has introduced a curbside mobile food service with great success.

The weekly EOC conference calls and various webinars continue the constant flow of information from a variety of sources, all of which attempt to provide guidance and support. This guidance is evaluated and passed through to the community.

Now ten weeks into this emergency, the anticipation of a return to pre-Covid life is clear. That anticipation creates new problems for municipal departments seeking to remain responsive to the community's public health needs. We continue to remember those lives lost and the mourning by our neighbors. Town employees continue to put their best effort into every challenge.

Respectfully submitted,

Mary E. McNally  
Town Manager