



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 R. Patrick Henry
Donald J. Anderson Thomas C. O'Connor
Joseph A. Ford Ralph E. Page

MINUTES

Town Council Minutes
July 2, 2019 at 6:00 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, Joseph Ford, Pat Henry, Thomas O'Connor, Ralph Page, and Town Manager Denise Menard.

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.

REORGANIZATION OF TOWN COUNCIL, PER ARTICLE 2, SECTION 3 OF THE CHARTER

President Hill announced that this was the first official Council meeting of the fiscal year. Pursuant to Article 2, Section 3 of the Charter regarding the reorganization of the Town Council, the Council must elect a President and Vice President for a one year term.

Councilor Anderson made a motion that President Hill and Vice President Kane be elected for one year terms, continuing their present roles, with the proviso that when the Council's Rules are updated that a limitation is put in place so that one person cannot serve more than two consecutive terms. Councilor O'Connor seconded the motion.

Councilor Anderson noted that his suggested update of the Council Rules would still have to be approved. Councilor Ford said, for clarity sake, the motion should be separated into two separate motions for each office. He also agrees with Councilor Anderson's comments regarding limiting the offices to two consecutive years, and said no one should serve a term three years in a row. Councilor Ford noted that he doesn't have the time that the role of President requires. He added that Council members serving as President or Vice President could always come back after two years and bring new ideas to the roles.

Motion: Councilor Anderson revised his original motion, and made a motion to have President Hill continue as President of the Council. Councilor O'Connor seconded the motion, and a roll call vote was taken: Councilor Ford – aye; Councilor Page – aye; Councilor Anderson – aye; President Hill – aye; Vice President Kane – aye; Councilor O'Connor – aye; Councilor Henry – aye. The motion passed.

President Hill thanked the Council for their support and said she is happy to be President again. She commented that, as Councilor Ford pointed out, to do the job properly, you have to put the time in, and she is more than pleased to serve as President for another year.

Motion: Councilor Anderson made a motion to have Vice President Kane continue as Vice President of the Council. Councilor O'Connor seconded the motion, and a roll call vote was taken: Councilor Ford – aye; Councilor Page – aye; Councilor Anderson – aye; President Hill – aye; Vice President Kane – aye; Councilor O'Connor – aye; Councilor Henry – aye. The motion passed.

COUNCIL COMMENTS

Councilor Henry said this was his first Council meeting sitting on the other side of the table, and he had three comments. First, he wanted to acknowledge former Council members Paul Federici and Kevin Manley, and said neither could ever be replaced. However, he would like to try to replace former Council member Eric Madison, who knew the Charter well, and protocol was always foremost in his mind.

Secondly, as a new Councilor, he doesn't feel he is in any position to suggest any major changes; however, he may suggest tweaks to better streamline the Council's processes. With many years of management experience, Councilor Henry has learned that rules and regulations can either simplify your life or make it tougher. It depends on if those rules exist to serve you, or if you think you exist just to serve the rules. Some of the rules that Councilor Henry feels that can help the Council are the Charter, the Council Rules, and Roberts Rules of Order.

Councilor Henry's third comment is addressed to East Longmeadow residents, and he wanted to thank the 422 residents who voted for him and the 1,000 who didn't vote for anyone. He acknowledged the young people in Town, as well as the seniors, and the small businesses, as well as the larger industries. Councilor Henry understands the community's desire for more services, at less cost, but that involved more than just cutting the budget. It means new ways to approach spending, and includes redirecting additional funds, which he felt the Council did for the FY20 budget.

Councilor Henry said he looks forward to working with the Council and the Town Manager to represent the interest of all the residents of East Longmeadow to the best of his ability.

Councilor Page thanked the residents that voted for him. He said he has been involved in Town serving on different boards, including the Planning Board, Community Preservation Committee and Charter Commission, as well as sitting in the audience of meetings for many years. Councilor Page said he looks forward to representing all residents of the Town. He feels there are pros and cons to the Charter, and the most important thing is for Council members to openly listen to everything; then they should make a judgment and vote. Councilor Page added that he looks forward to the next three years working with fellow Council members.

Councilor Ford said, reflecting on heading into the fourth year of the Council government, he feels they've accomplished a lot. He would like to see an improvement in the budget process, and looking forward to next year, they should plan on starting in November. Councilor Ford said they should have the Financial Oversight Committee get together and by the end of December have clear direction with "marching orders" from the Town Manager and Finance Director. He added that the Council has had some good successes, and will continue to work collectively together for another year.

TOWN MANAGER REPORT

Town Manager Denise Menard said it had been three (business) days since they had last met, and not a lot has happened. She is looking forward to working with the new Council members, and said they have a lot of learning and hard thinking to do. Ms. Menard added that she is available to help Councilors Henry and Page with whatever they need.

ACT ON MINUTES AND MOTIONS OF OPEN SESSION MEETING OF JUNE 25, 2019

Motion: Councilor Anderson made a motion to approve the minutes of the Open Session Meeting of June 25, 2019. Councilor Ford seconded and all were in favor, with Councilors Henry and Page abstaining.

COMMUNICATIONS, CORRESPONDENCE AND ANNOUNCEMENTS**Letter from the Office of the Inspector General regarding Surplus Disposition**

President Hill referred to a letter that was addressed to Ms. Menard from the state's Office of the Inspector General regarding the disposition of a ladder truck. Ms. Menard commented that this was the result of someone filing an official complaint with the state.

President Hill said the findings of the Inspector General were that the Town complied with procurement practices in advertising properly, and had recommendations regarding other considerations. In this particular case, in addition to considering a bid for the purchase of the equipment, the Town also should have investigated if there was any additional value to selling the truck for scrap metal or salvage value.

Councilor Henry commented that the conclusion said that the Town may have received slightly more for the truck if it was sold as salvage. He felt this is an example of an absurd amount of money being wasted, and it looks bad for the Town and it shouldn't. President Hill agreed with Councilor Henry and said the amount of effort that went into the investigation probably wasn't much different from the cost of the truck's salvaged value.

OLD**BUSINESS****Update from Town Council Licensing Committee**

President Hill said the Licensing Committee met last Wednesday (June 26, 2019), and they are developing a list of what constitutes a violation for an establishment holding a liquor license, and what the penalty would look like. President Hill commented that the Licensing Committee is putting together a list of those violations and penalties, but won't meet again until August. Once the Committee has a product that the Council is agreeable to, letters will be sent to the liquor license holders in Town with that information.

Update from Town Council Planning Matters Committee

Councilor Anderson opened the Town Council Planning Matters Committee meeting at 6:20 p.m., and announced there was a full quorum of Committee members present. The Committee members are Councilor Anderson, as chair of the Committee, Vice President Kane, Councilors O'Connor and Page, and Marilyn Richards. Councilor Anderson noted that at the time when the Committee was formed Councilor Page had been an at large member, prior to being elected to the Town Council.

Councilor Anderson said everyone has had a chance to review the minutes of the May 6, 2019 Planning Matters Committee meeting, at which they had discussed the zone change request for 0 Pease Road. The request is to change the zoning from Residential to Industrial, for the intention by the petitioner to install a solar array.

Motion: Vice President Kane made a motion to approve the May 6, 2019 minutes of the Town Council Planning Matters Committees as presented with amendments. Councilor Anderson said that was correct, and there was an additional amendment which was sent to Committee members today. He cited Page 4 which states, "Chair Anderson asked hypothetically, if he were to design a 2020 master plan, is it good planning." He added a question mark to that since he was posing that as a question. Following that, Councilor Anderson said the minutes state "Councilor Anderson opined at the time..", but that was also a question. Also, in the reasoning for the votes, the minutes read "the

industrial is the least restrictive zone”. Councilor Anderson said he changed the wording to “the industrial zone is the most permissive allowable zone”. Councilor Page seconded the motion to approve the amended minutes of the May 6, 2019 meeting with the additional changes made by Councilor Anderson. All were in favor and the motion passed.

Councilor Anderson reported that in the May 6, 2019 Planning Matters Committee meeting, the Committee members’ conclusion regarding the zone change request for 0 Pease Road was to recommend the Council not support the zone change.

Councilor Page made a motion to close the Planning Matters Committee meeting at 6:25 p.m. Vice President Kane seconded and all were in favor.

Recommendation for zone change request for 0 Pease Road

As stated above, Councilor Anderson said the Planning Matters Committee voted to recommend the Council not support a zone change for 0 Pease Road. For one reason, an industrial zone is the least restrictive zone, being the most permissive of allowable use. The site for the proposed industrial zone will not be accessible through East Longmeadow, as it is a landlocked parcel. Councilor Anderson said the proposed industrial zone is currently zoned Residential AA and abuts other Residential AA parcels. He said the petitioner has other options which could be explored, such as considering the green bylaw, or the introduction of an overlay district.

Vice President Kane commented that this proposal was for Connecticut, as well; therefore, if East Longmeadow did not grant this zone change, the petitioner can still continue to build in Connecticut without East Longmeadow’s zone change.

Councilor Anderson wanted to remind everyone that the Planning Matters Committee’s job is not one of site plan approval; it’s to decide if it’s a good idea to have a zone change. Currently, the industrial zone and industrial garden zone are the only two zones for a solar array, which is why the petitioner wants to propose the site for industrial. Councilor Anderson further said a change of zoning to industrial is a permanent change so you would have this entire piece that does not have access through the Town of East Longmeadow and abuts Connecticut. Therefore, anything can be built on that parcel, once changed to industrial, with site plan approval that is in the purview of an industrial zone.

After discussion, the Council agreed that a public hearing would be set for the Council to address this at the September 10, 2019 meeting, since they only have one meeting in August.

NEW BUSINESS

Update on East Longmeadow-Longmeadow Health Partnership

Health Director Aimee Petrosky and Board of Health Chair Sara Perez-McAdoo approached the Council to update the Council on the East Longmeadow-Longmeadow Health Partnership. Ms. Menard said Town Attorney Kevin Maynard had updated one section of the Agreement, a copy of which had been distributed to the Council as a supporting document. Ms. Menard said the language in Section 13 (Indemnification) is stronger now and they made that change today. She then distributed a revised Agreement to the Council with the change for Section 13.

Ms. Petrosky thanked the Council for allowing them to appear again, as they have appeared at prior Council meetings, regarding the process for the Partnership. Dr. Perez-McAdoo gave background on the project as presented in the past.

Ms. Petrosky said since they last met with the Council they have been working on an Agreement to be signed by both the East Longmeadow Town Manager and the Longmeadow Town Manager. She feels strongly that the Agreement is fiscally responsible and will expand the Town's services, and focuses on each community and their individual rights to their own policies. The next step is to seek any concerns or thoughts the Council has on the Agreement.

Councilor O'Connor said he doesn't like reacting to information that is given to him the same night, and would like to have time to review the Agreement.

Motion: Councilor O'Connor made a motion to table this item until the August 6, 2019 Council meeting to allow further time to review. Vice President Kane seconded.

Councilor Ford asked if there was anything in the Agreement that was time sensitive. Ms. Menard replied that what is time sensitive is that Longmeadow Town Manager Steve Crane is leaving at the beginning of August and he had wanted to present the Agreement to the Longmeadow Board of Selectmen with any issues the East Longmeadow Town Council had. She added that the only change in the document that the Council received prior to the meeting was the one paragraph with Town Attorney Kevin Maynard's suggested changes, which are very minor.

Dr. Perez-McAdoo commented regarding the timeframe, that it was important to note that they've been working very closely with these partners for almost two years and they really understand the history of this work. She said this is the third time that she and Ms. Petrosky have met with the Council to present this information to keep them informed. In terms of time sensitivity, they would like to present the Agreement to Mr. Crane while he is still there, instead of waiting for someone new to come in. However, she still wants to be responsible and give the Council the opportunity to review the Agreement and ask questions.

Councilor Ford suggested a short recess to review the document and its changes, but President Hill felt they should first address any other questions the Council may have. She had a question regarding Section 6.4 which states "The annual assessment shall be paid in two annual installments by the Town of Longmeadow to the Town of East Longmeadow on or before August 1 and on or before February 1." Relative to that section, President Hill asked Ms. Petrosky if she could attach a dollar amount to that section. Ms. Petrosky said the Council would approve any dollar amount that is put in this partnership. They haven't projected out yet, but right now it is showing cost neutral. Ms. Petrosky said they will be increasing services and efficiencies close to what we're paying now; however, that would all come before the Council before anything moves forward.

Councilor Henry said Ms. Petrosky is saying it's probably going to be almost revenue neutral. He asked what the installments would be if that turns out to be the case. Ms. Petrosky said she didn't mean revenue neutral, she meant the cost for the Health Department to continue to function within the partnership. Councilor Henry then again asked what the annual installments would be. Ms. Petrosky said East Longmeadow will be sharing its staff with the Town of Longmeadow, so Longmeadow will be paying for their share of the staff, and the partnership will be split 50/50.

In looking at the organizational chart, President Hill said a part-time clerical assistant will be working under Longmeadow, and be paid by Longmeadow. Ms. Petrosky said that was correct. Also, President Hill said the same was true for East Longmeadow; a full time clerk will be working under East Longmeadow and be paid by East Longmeadow. Ms. Petrosky agreed that was also correct. President Hill then inquired about the public health nurse, and asked if that position was split 50/50 by

the two towns. Ms. Petrosky said those benefits will come in as part of the annual assessment. She explained that there are equations for the annual assessments that cover all the Other Post-Employment Benefits (OPEB) liabilities and insurances.

President Hill said she doesn't have a philosophical issue at all with the premise of the partnership, but does not want East Longmeadow to take on any additional OPEB responsibilities. Ms. Petrosky said both parties agree that is fair and reasonable, and those liabilities will be reviewed in their annual assessment which is outside of staffing. Ms. Menard said that in talking to Attorney Maynard, he felt the way he fine-tuned the language covers the Town of East Longmeadow.

Councilor Anderson commented that the nurse position's OPEB would be split between the towns, but that position would be receiving health insurance and retirement benefits through East Longmeadow. He said this agreement could run for decades depending on the age of the person, so would Longmeadow continue to be responsible to give East Longmeadow money in the year 2035, for example, to help with that expense? Ms. Petrosky said there is a formula that projects those liabilities, and that's what Mr. Crane brought to the table.

President Hill said in the future, if the partnership dissolves, what happens to the public health nurse position? Ms. Petrosky said she would imagine the contracts would be written in a way that is contingent upon appropriation. She commented that all the public health nurse does is the mandatory communicable disease reporting for the state. The nurse is being paid the same amount that other communities pay for a nurse who actually sits and does public health work, such as screenings and education. Ms. Petrosky added that all the positions are subject to the Council's appropriation.

Councilor O'Connor told Ms. Petrosky, through no fault of hers, in the Council Rules it states that you have to provide a list of pros and cons of any proposal that comes before the Council. Since those pros and cons are not in the supporting documents, he would suggest that she put something together telling the Council how this partnership would benefit East Longmeadow, and what the potential negatives are. Ms. Petrosky said they did address some of the pros the last time they presented to the Council. She did not do a con, but can prepare that for the next time they address this with the Council. Ms. Petrosky added she was unaware of that requirement.

Councilor Henry said he had the same question as Councilor O'Connor, and you usually have to give up something to get something. He asked Ms. Petrosky if there was anything she can think of along those lines. Ms. Petrosky replied no, and said what is really great about this arrangement is that there is a partnership that serves both towns, and addresses the priorities for both towns. Therefore, there are shared services that are already being done, but staffing will now be consolidated, and then there are services that each town is getting that stays completely separate.

Dr. Perez-McAdoo referred back to the original document, which does have pros and cons for each model they looked at and why they chose this particular one. She said it was part of the initial conversation to understand any unintended consequences, and they can share that with the Council again.

Councilor Page referred to the proposed organizational chart, and asked what East Longmeadow has for employees. Ms. Petrosky confirmed that there is herself, as Health Director, and one health inspector. Longmeadow has a director/inspector since they have a lot less demand on the Health Department. Also, East Longmeadow currently does not have a full time public health nurse; there is

a stipend public health nurse who gets paid \$30 an hour to do the Maven report. Ms. Petrosky said it would be a major gain for East Longmeadow to get a full time shared public health nurse.

Councilor Page said he thought with the change to the Council form of government it was mandated to have a public health nurse, since East Longmeadow was now a city. Ms. Petrosky was unaware of that. After further discussion, it was confirmed that, for the proposed partnership, East Longmeadow would have five full time employees, including Ms. Petrosky as Health Director. Councilor Page asked if there was any idea of what Longmeadow would be contributing. Ms. Petrosky said all those projected assessments were in the original document with the three different models that they looked at. She will supply the Council with that original document, especially for the benefit of the two new councilors.

Regarding Councilor O'Connor's motion to table this item until the August 6, 2019 Council meeting to allow further time to review, five voted aye, and two voted nay, and the motion was approved.

It was agreed that the Councilors would receive one packet with all updated information regarding the partnership in time to review for the August 6, 2019 meeting.

Assignments to Town Council Committees

President Hill referred to Pages 9 and 10 of the East Longmeadow Town Council Rules regarding Rule 11 – Committee Parameters and Guidelines. At the current time there are two standing committees, which are the Financial Oversight Committee and the Planning Matters Committee. There are four ad hoc committees, and those are Licensing Matters, General Bylaws, Town Manager Performance Evaluation and Communications.

Given they are a seven member Council, and there are six committees, it is evident to President Hill that each Council member needs to be serving on a minimum of two subcommittees. She asked the Council to please give that some thought and contact her if any of them had a particular interest in any of the subcommittees. She will then get subcommittee assignments out over the summer.

Councilor Anderson said they can put the Communications Committee in abeyance, and then can resurrect it again, if needed.

Summary: Action Items for Next Meeting

President Hill said the Council should review information that will be coming to them regarding the Health Department's Partnership Agreement.

President Hill announced that the Council will go into Executive Session to discuss strategy sessions in preparation for a successor agreement for the Town Manager. She added that the Council is compelled to take a stand on this no later than August 15, 2019, per the conditions of the current contract.

Motion: President Hill made a motion to enter Executive Session to discuss strategy sessions in preparation for a successor agreement for the Town Manager, and return to Open Session to conduct any necessary business as a result of the Executive Session. A roll call vote was taken: Councilor Ford – aye; Councilor Page – aye; Councilor Anderson – aye; President Hill – aye; Vice President Kane – aye; Councilor O'Connor – aye; Councilor Henry – aye. The motion passed.

Motion: After reconvening from Executive Session, Councilor Page made a motion to adjourn at 8:12 p.m. Councilor Henry seconded and all were in favor.

Respectfully submitted,

Jeanne R. Quaglietti
Assistant Town Clerk