



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

TOWN COUNCIL

(413) 525-5400 ext. 1001

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

MINUTES

Approved 9/22/2020

Town Council Meeting
September 8, 2020 at 6:00 p.m.
East Longmeadow, Massachusetts 01028

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

Council President Kane opened the meeting at 6:00 p.m. followed by a Moment of Silence. The meeting was conducted remotely consistent with Governor Baker's 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 Kane noted that all votes that are taken will be roll call votes.

Public Comments: None

Council Comments: Councilor Page stated that typically in July we do appointments to all of our Committees and the President either reappoints us or asks who wants to be on what Board. Councilor Page understands that with COVID everything has been up in the air but he just wanted to bring it to the forefront. Maybe at a future meeting we can go over the appointments.

President Kane stated that he has had conversations with Jeanne over the last few weeks about this and was provided with a list that they will be working on.

President Kane stated that he was provided with a list and they will be working on this.

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

Ms. McNally stated that Bethany Yeo has put a survey on the Town's website that she would like the public to take regarding the Master Plan.

Ms. McNally also reported that Steve Lonergan is present tonight and has a preliminary report. The main achievement is, due to the cost cutting measures that all the Town Departments implemented this past spring with the onset of Covid, the turn backs to the General Fund amount to over a million and a half dollars for FY20. This is a real testament to the sacrifice that all of us made in order to save money.

Ms. McNally stated that she is very proud of the efforts the Department Heads and the employees of the Town offered to get us to this point.

Councilor Page asked about the engineer work at Heritage Park that the Council approved through CPC about a year ago. Has it gone out to bid yet? Ms. McNally stated to her knowledge it has not gone out to bid yet and believes that project is on hold. Ms. McNally will check into it. Councilor Richards stated she attended the CPC meeting last week and this discussion came up and the response was that the project is on hold.

Councilor Anderson commented about the Broadband service. He believes it is a great idea to explore this and depending on the time of day of the Committee meets he would be happy to serve on the Committee.

Councilor Henry stated that the Master Plan survey was very well done and encourages everyone to fill it out.

President Kane asked without the OPEB analysis being completed, would that prevent us from our audit being completed for FY19? Steve Lonergan stated that because the OPEB study wasn't completed they did not complete part of our audit for FY19 so they were not able to bond in FY20 for the projects they had. Mr. Lonergan stated they are already pulling together the questions they have so that will be done before the audit even starts and there should be no delay in the audit for FY20 and going forward this will be part of a timeline that he is creating.

Approval of Minutes:

- A. Approval of July 21, 2020, Open Session Minutes – *Councilor Page made a motion to approve the July 21, 2020 Open Session Minutes. Councilor Anderson seconded the motion. **Roll Call Vote- Councilor Hill- Yes, Councilor Page- Yes, Councilor Anderson – Yes, Councilor Henry – Yes, Councilor O’Connor -Yes, Councilor Richards – Yes, President Kane- Yes.***

Communications, Correspondence and Announcements:

- A. Report of September 1, State Primary Election- Town Clerk Jeanne Quaglietti informed the Council that this election started off with the state mailing every registered voter a vote by mail postcard and those postcards came pouring in late July and early August. Early in person voting started August 22, 2020 and ran through August 28, 2020. The turnout for early in person voting was 380. We used the same Covid requirements as we did for the June election. We received over 3,000 ballots between early in person voting, early mail in voting and absentee voting. The voter turnout was 35.8%. We are preparing for the November election and expect a large turnout for that election stated Ms. Quaglietti. The early in person voting for the Presidential election starts October 17, 2020 and runs through October 30, 2020.
- B. Resolution in Support of the Soldiers’ Home in Holyoke – Town Manager Mary McNally/Ann Haskell – Mary McNally received an email from Ann Haskell asking her to have East Longmeadow support this resolution, urging the Governor to spend some money to rehabilitate and improve the setting at the Holyoke Soldiers Home. Ms. Haskell was referred by John Comeford the Veteran Services Officer.

Ann Haskell stated that when she joined this coalition for the Holyoke Soldiers Home she wondered why East Longmeadow, which is where she resides, was not part of it so that is why she is asking if the Council would be willing to support this. The reason herself and her husband joined the coalition was because her Uncle Tony King was one of the unfortunate veterans that died from Covid19. They wanted to try and improve the Soldiers Home so this never happens again. Ms. Haskell stated that the Soldiers Home is too small of a facility, and there are three and four people in a room that have to share a bathroom and shower. These resident veterans deserve to be cared for with honor and dignity. Ms. Haskell explained the terrible experience that herself and others went through who had family members at the Soldiers Home who contracted Covid19. There are many people that support what they are trying to do and they are asking that the Town of East Longmeadow support this resolution. They need to make changes so this never happens again stated Ms. Haskell. The Councilors were all in support of the resolution.

President Kane stated that there was no formal motion required and called for a roll call vote for the approval of the resolution. ***Roll Call Vote- Councilor Hill- Yes, Councilor Page- Yes, Councilor Anderson – Yes, Councilor Henry – Yes, Councilor O’Connor -Yes, Councilor Richards – Yes, President Kane- Yes.***

Public Hearings:

- A. **6:15 p.m.-** Continued from August 11, 2020, for a Transfer of License, Pledge of License, and Change of Location, from The Beer Shop, 33 Harkness Avenue, to CPM Liquors, Inc., dba Heritage Plaza Liquors, 406-436 North Main Street.

President Kane opened the Public Hearing. Town Clerk/ Clerk of the Council read the legal notice into the record. Monil Patel, Roma Patel and Attorney Matthew Porter were all present.

Attorney Matthew Porter gave some background on the transaction. The applicants are looking to move the location to the Heritage Plaza where Olympia Sports is now. Mr. Patel owns two other liquor stores, one in Phillipston MA and one in Barre MA. They have not had a single violation. The store is staying in the same geographical location and it doubles the space which means more inventory and greater selection for the customers.

Public Comments – None

The public section of the meeting was closed.

Council Comments- Councilor Page stated that his main concern at the last meeting was that they did not notify the abutters but he learned today that was not accurate and the abutters had been notified.

Councilor Richards was concerned at the August 11th meeting regarding the perception of a transfer versus a new application. Councilor Richards stated that she researched the ABCC laws and there are laws or regulations that govern a transfer versus a new application. The new application requires abutter notices and you did abutters notices however the abutter notices were not included in the original application. Councilor Richards asked if there was a reason these were not included and also asked why did he use the transfer check list. Attorney Porter explained

that when they submit the application to the town the town puts together an ad for the local newspaper, once that ad is generated the ad is then given to them to submit to the abutters. They would normally bring that to the hearing but because of zoom meetings they are in a little bit of different circumstances now and probably should have mailed that in. As far as the check list is concerned we are only given the forms that the State provides to us. Technically speaking this is a transfer of an existing license if they were to use a new liquor license application, the Town of East Longmeadow does not have any new licenses available so it would not be a correct transfer of application license.

Councilor O'Connor asked about the timeframe of the move and the build out. Attorney Porter stated the timeline with the ABCC is about 4 to 6 weeks and as far as the build out with the new location Olympia Sports lease is up at the beginning of the year.

Councilor Hill made a motion to approve the proposed transfer of License, Pledge of License, and Change of Location, from The Beer Shop, 33 Harkness Avenue, to CPM Liquors, Inc., dba Heritage Plaza Liquors, 406-436 North Main Street. Councilor O'Connor seconded the motion. Roll Call Vote- Councilor Hill- Yes, Councilor Page- Yes, Councilor Anderson – Yes, Councilor Henry – Yes, Councilor O'Connor -Yes, Councilor Richards – Yes, President Kane- Yes.

Orders of the Day:

Licensing Matters

1. Approval of dba Name Change from Bentley's Bistro to Craft 32 Bistro & Events-

Councilor Henry made a motion to approve the name change from Bentleys Bistro to Craft 32 Bistro & Events contingent upon approval of the special permit amendment. Councilor Richards seconded the motion. Jeanne Quaglietti informed the Council that this is strictly just a dba name change. Ms. Quaglietti spoke with the Building Commissioner and the Planning Director upon reviewing the Business Certificate forms. It was the advice of the Building Commissioner and the Planning Director that they both felt a special permit was not necessary because it is just a name change so the motion would not have to include to be contingent upon approval.

Councilor Page has some concern with the new name and was concerned about the "events" part of the name. As a restaurant what types of events are they looking to do and why would they advertise events at a restaurant. Without talking to the applicant to find out why they chose this name Councilor Page stated he would be inclined not to approve this because of the "and events" part of the name.

Councilor Anderson agrees with Councilor Page and thinks they should table this until they have an opportunity to have the petitioner before them.

Councilor Henry asked if this name change have any impact on what the business can do or are they not restricted by the terms of their license to being a restaurant with an all alcohol license. If they were to have an event wouldn't they have to apply for an entertainment license? Councilor Hill stated that yes they would have to apply for an entertainment license. Jeanne Quaglietti informed the Council that they do currently hold a one year entertainment license so they would not need another.

Councilor O'Connor stated he is also concerned about the word event in the name change.

Councilor Hill feels that we should have the owners come in so they can articulate their plans.

Councilor Richards stated the events portion of the name raises a concern with her as well. Councilor Richards is looking at the potential change in the use at that location and is disappointed that the Planning Board did not bring them in to determine whether a modification of a special permit is required. Councilor Richards would like to take no action until the applicant can come in and talk to us.

Councilor O'Connor agrees that this should be tabled until we have the applicant in front of us.

*Councilor Richards made a motion to continue this until September 22, 2020. Councilor Page Ralph seconded the motion **Roll Call Vote- Councilor Hill- Yes, Councilor Page- Yes, Councilor Anderson – Yes, Councilor Henry – No, Councilor O'Connor -Yes, Councilor Richards – Yes, President Kane- Yes.***

Financial Matters:

1. Acceptance of a gift of a desk for the Recreation Department, valued at approximately \$400.00, from Monson Savings Bank, in accordance with Massachusetts General Law, Chapter 44, Section 53A 1/2 -

*Councilor Page made a motion to accept the gift of a desk for the Recreation Department, valued at approximately \$400, from Monson Savings Bank, in accordance with Massachusetts General Law, Chapter 44, Section 53A 1/2. Councilor Anderson seconded the motion. **Roll Call Vote- Councilor Hill- Yes, Councilor Page- Yes, Councilor Anderson – Yes, Councilor Henry – Yes, Councilor O'Connor -Yes, Councilor Richards – Yes, President Kane- Yes.***

2. Approval of FY20 Year End Interdepartmental Transfers – Finance Director Steve Lonergan
*Councilor Hill made a motion to approve the FY20 Year End Interdepartmental transfers as presented for the total amount of \$255,171.39. Councilor O'Connor seconded the motion. **Roll Call Vote- Councilor Hill- Yes, Councilor Page- Yes, Councilor Anderson – Yes, Councilor Henry – Yes, Councilor O'Connor -Yes, Councilor Richards – Yes, President Kane- Yes.***
3. Preliminary FY20 Year End Report – Finance Director Steve Lonergan –
Steve Lonergan reported that the numbers they have right now are preliminary. They have not closed the books on Munis yet because they were waiting on the transfer that was just approved. They are looking now, based on the approval, to be closing Munis tomorrow night after close of business. Mr. Lonergan stated that everyone in the Finance Department has been incredibly helpful. The outside audit will begin mid-September. He is hoping to have the audit completed within a couple of weeks and their main work done no later than Columbus day. Schedule A should be submitted to the DOR by the end of October. The turnbacks are roughly \$1.5 million and represents about 2 1/2 % of the budget this will help going forward. Another project he has set up for the year end is analyzing, creating and updating Fiscal Policy and Procedures.

New Business:

1. Designation of Early In Person Voting Location for November 3, 2020 State Election –
Councilor Henry made a motion to Designate the Location for Early In Person Voting for the November 3, 2020 State Election, from October 17, 2020, to October 30, 2020, to be

*Birchland Park Middle School. Councilor Richards seconded the motion. **Roll Call Vote- Councilor Hill- Yes, Councilor Page- Yes, Councilor Anderson – Yes, Councilor Henry – Yes, Councilor O’Connor -Yes, Councilor Richards – Yes, President Kane- Yes.***

2. Status/Discussion of Reopening Plans for the Town Hall –Mary McNally reported to the Council that the Governor’s most recent occupancy guidance was August 7, 2020 and municipal legislative bodies are exempted from those requirements. Keeping mindful of all the other town departments that have to have a role in your meetings and the general opening of Town Hall Ms. McNally is not inclined to consider it yet. Ms. McNally does not think they will be close to reopening the building until the first of the year. We cannot become too complacent about the power of this virus. Ms. McNally feels a distinct obligation to protect the well-being of our town employees and to guard our resources.

Councilor Henry stated that back in March when Governor Baker shut down the state he wrote him a letter in which he warned him that closing the state would be easy but reopening it would be very difficult. Councilor Henry stated that Covid is a serious issue but no one cares much about our being safe from the other dire consequences of shut down. We will never be totally safe from Covid and we have to determine the level of safety that we can accept. When will we be comfortable with opening and is staying closed really having almost no impact on our ability to provide resident services.

Councilor Richards stated she is not in a rush to push things and asked if we were meeting the needs of our residents within the normal day to day business. Ms. McNally has no reason to believe we are not meeting those needs.

Councilor Page stated that he hears from the residents in town that they are aggravated that they cannot go to Town Hall and pay their taxes and are upset that there is a fee to pay them online. Councilor Page also stated that we need to set up a plan for when we can reopen.

Ms. McNally stated that she is trying to set up a plan and thinks about it every day, she has also not received one phone call since March 16th in her office directed to her from any residents complaining that they can’t get in to Town Hall. It is not a matter that they are ignorant of or neglectful of. We continue to be at 50% capacity of our work staff. Ms. McNally stated that she takes her responsibilities to protect the health and safety of the town employees very seriously and if she thought that the townspeople were not being served she would do something about it. Ms. McNally has seen many employees in the parking lot helping people.

Councilor Anderson echoed Ms. McNally’s thoughts and applauds the hard work that the departments are doing. The risk of opening up too soon is far greater than the path that we are on right now.

Councilor Henry stated that no one can take away the heroic actions of our staff but feels it is not as efficient as it would be if the building was open. It is positive what they are doing within the confines the confines are restrictive stated Councilor Henry.

3. Summary: Action Items for Next Meeting – First reading of the 330 Chestnut St. project and name change for the Bentley’s Bistro restaurant.

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

The meeting was adjourned at 8:11 pm. The next Open Session meeting will be September 22, 2020 at 6:00 pm.

Respectfully submitted,

Jackie Sullivan

Assistant Town Clerk

Documents: Agenda, State Primary Election report, Soldiers Home Resolution, July 21, 2020 Open Session Draft minutes, ABCC Beer Shop transfer advice, Town Manager Report, Mixed use bylaw memo, FY20 Year End Interdepartmental transfers, FY20 Turnbacks, Bentleys change of dba name e-mail, Beer Shop Transfer, and the Abutters notification for the Beer Shop transfer.



TOWN OF EAST LONGMEADOW

Town Manager's Report

September 8, 2020

Attachment A

Good Evening:

We received notice last week that the Town of East Longmeadow was again voted "Best Town to Live In" by Reader Raves polling. To mark the achievement, all staff and Council members were invited to a photo session with the photographer for the Republican which took place on Wednesday, August 27, 2020 at the entrance to Town Hall. We are happy that the community appreciates the hard work and dedication of the Town's employees and the amenities offered to residents.

Community involvement and participation is needed to fill a number of vacancies on Town Boards and Commissions. The CPC currently has 3 open seats, Conservation and Library Trustees are also in need of volunteers. I also strongly encourage residents to complete our Master Plan Community Survey. I implore everyone to please take a few minutes to complete the survey which is available on the Town's website news flash page. There are a number of questions pertaining to preferences for economic development opportunities, open space, housing needs, recreation, transportation options and many other issues which are facing the community now and in the future. Your input would be very important to our ultimate planning.

The Finance Department has begun the closing procedures for FY 20 and a preliminary report will be offered tonight later in the meeting. The cost cutting measures instituted in March and April at the onset of the Covid virus have resulted in significant savings in many Departments, adding to the Town's free cash balance. Those cuts, although painful, will help alleviate anticipated revenue shortfalls in the remaining months of this fiscal year and next. Once again, I am grateful for the cooperation of the Town Department Heads and all Town employees for the sacrifices they made in the last six months while working through the maze of issues facing them daily.

The audit for FY 20 has been scheduled for mid-September. Once again, Covid impacts normal business operations. Typically, the audit firm sends in a team which takes up residence in the Town Hall for 7 to 14 days to conduct the examination. This year, the analysis will be performed by allowing limited, remote access to our financial information.

Our review of the outstanding approved, but unfunded, capital projects as well as existing bonds is underway, all in the context preparing a realistic five year capital project plan. Issues regarding manageable debt service levels will be key to the amount of bonding that will be pursued and the timing of the bonding.

The Finance Department's unfilled vacancy continues to hamper the ability to bring various outstanding matters to current status. A pending grievance makes it unlikely that this situation will improve in the near future. I expect projects to languish and progress on resolution of many other issues to be further delayed.

The Human Resources Department continues to post job openings, interview candidates for those positions and update personnel files. Organization is the primary goal. We have used time this summer to clear out old files and work on our Town policy handbook.

Recreation, ELCAT and COA collaborated on a special event on Friday, 8/28/20 at 2 p.m. This event was an Intergenerational Program, and brought many different age groups together to talk and socialize with senior citizens. The content was a general discussion of what it was like to grow up during the depression, war years, and there was much casual conversation about how the world, and life, has changed for everyone. It was an enjoyable event for everyone who participated and future events will be planned if possible.

Don Maki, Ryan Quimby and I had an initial conversation with Spectrum's representative regarding the renewal of its cable license, due to expire in May 2021. A revised contract template was forwarded to us and is under review. The issue of affordable internet access in the community was also discussed (in light of remote learning situation) and available options will be followed by our IT personnel.

Several departments, (COA, Planning, DPW and TM) conferred with John Leary of Pioneer Valley Planning Commission regarding the Town's 2018 Community Development Block Grant which expires in December of this year. The \$800,000 grant was used to successfully aid low to moderate income families in Town (12) on housing rehabilitation projects, (\$360,000). Funds were also used to re-roof the Inward Commons Housing area (\$180,000), a project which was completed in November 2019. The grant also funded the Mobile Food Pantry by providing funds to purchase a

vehicle and hire the coordinator for 19 hours per week. The van has been “wrapped” in graphics to identify it and has provided a much needed service to the community. Lastly, grant funds of \$50,000 were used toward the costs of improving Town Hall accessibility, in particular, design and planning for installation of an elevator.

The COA is conducting a food drive for the pantry on Tuesdays during September, notices will be forthcoming.

Legal update: there are three cases pending against the Town which are being defended by our insurance carrier. Two of those cases are awaiting determination by the MCAD, one case involves a claim for discrimination based on a lack of accommodation, the other is a claim for age discrimination based on failure to be selected for a position. There has been no activity by MCAD since last November on either matter. The third case is pending in Federal District Court and involves a claim for discrimination based on an alleged denial of FMLA benefits. The case is in the discovery period.

Two other matters are being defended by private counsel for the Town and involve decisions arising from PB decisions. The appeal of the Pease Rd. solar farm matter (PLH, LLC) has been remanded to the PB by the Land Court for a public hearing which has been scheduled for 9/29/20. This appeal by the Plaintiff is the result of the PB’s denial of the Plaintiff’s application for site plan approval last March. The denial was by a 2-2 vote, with one member absent and the decision did not articulate specific reasons for the denial, hence, the Plaintiff’s appeal. The public hearing will allow an opportunity for the Board to hear any new information about the project, take a new vote on the application and act on the application in any way it sees fit, including denial, approval or approval with conditions.

The Town’s Motion for Reconsideration of the adverse Summary Judgment decision from August of 2019 is still under advisement with the Land Court Judge who issued that decision.

The other matter in litigation involves Pride Convenience Inc.’s claims against the Town regarding the PB’s denial of its requested amendment of its special permit regarding closing times, one decision in 2018, another in 2019 and a third in 2020, which was a reaffirmed denial of the 2019 request. There were two parallel cases pending between Pride and the Town, one in Land Court, one in Superior Court. The parties have stipulated that only one case will go forward, thus saving time and money. The Stipulation will not be prejudicial to either party.

DPW continues work on a number of infrastructure projects and has submitted a grant application through MassWorks (\$550,000) and also a Shared Streets application through DOT, (\$133,000). The MassWorks grant would be used to meter the six sewer connections to SWSC, installation of 110 linear feet of sewer pipe, manholes, electrical conduit and the associated pavement repair and surface restoration costs. This project would ensure that the Town residents are being properly charged for sewage flow. The Shared Streets application would fund a paved connection for biking and walking between the rail trail and Leahy Field. An area of the parking lot would be repaved and provide an outdoor seating venue.

Planning expects the award announcement of a grant from PVPC to pursue the development of an updated Master Plan in the very near future. The application sought \$84,833.36 for use in developing various aspects of the Master Plan in FY21. In the meanwhile, the survey of needs previously mentioned will assist greatly in the development of the overall Master Plan and it has garnered almost 3,000 “looks” to date.

A request by the Recreation Commission to CPC to fund a playground construction at Pine Knoll (\$180,000) was the subject of the CPC agenda on Sept. 2, 2020. I asked the CPC to pause their review of this project for several reasons, the first of which was to allow sufficient time to see how the project integrated with the Town’s overall plans for use of Pine Knoll and potential Town planning decisions regarding the use of the Town’s open space in general. We are on the cusp of a comprehensive Master Plan and I think it is wise to determine how various projects fit together in the larger scheme of Town planning

The Police and Fire Departments applied for and were awarded funds from the Coronavirus Emergency Supplemental Funding Program sponsored by the Executive Office of Public Safety and Security, (\$4,084 and \$23,879 respectively). These funds are to be used for overtime spending and additional PPE needed by the Public Safety Departments.

The Clerk’s office did an outstanding job accommodating early voting ballot requests and conducting the August 22-28, 2020 early voting as well as the Sept. 1, 2020 election day. Jeanne may elaborate on election day procedures.

As I reported recently, our schedule of meetings for Council, Boards and Commissions has caused overload on our IT Department in its role as host for these meetings. The Town has purchased a second Zoom license. Don Maki has created a Master calendar of meetings through June of next year in an effort to identify and avoid conflicts in advance.

A meeting of the Westcomm Board of Directors was held on Sept. 2, 2020. The main topic was review of the purchase and sale agreement for the purchase of the premises at Salter College in Chicopee by the district as the future home of the dispatch district operations. Financing of the purchase was also discussed. At some future point, each member municipality will be asked to approve of the district's financing decisions.

I have made several appointments to Boards and Commissions. Of note to the Council are the appointments of Dr. Sarah Perez-McAdoo to the Board of Health for a three year term and appointments of Philip Abair and William Gelinis to the Board of Public Works for terms of three years. Other appointments were as follows:

Zoning Board of Appeals: Mark Beglane and Charles Gray
Recreation Commission: Nancy Roberts and Carolanne Elmendorf
Cultural Council: Ann Paquette, Patricia Duperre and Jonathan Torcia

Respectfully submitted,

Mary E. McNally
Town Manager