



TOWN OF EAST LONGMEADOW  
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EAST LONGMEADOW, MA 01028

**TOWN COUNCIL**

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**BYLAW COMMITTEE MEETING**  
October 7, 2020, 4:00 p.m.  
Via Zoom Webinar

Present: Councilor Pat Henry, Councilor Ralph Page, School Committee Member Bill Fonseca, Deputy DPW Superintendent Tom Christensen and Town Clerk/Clerk of the Council Jeanne Quaglietti

Absent: Town Council Vice President Tom O'Connor

Committee Chair Henry called the meeting to order at 4:08 p.m.

**Motion:** Mr. Fonseca made a motion to approve the Bylaw Committee Meeting minutes of September 30, 2020. Mr. Christensen seconded and all were in favor, via a roll call vote, with Councilor Page abstaining.

Chair Henry noted that Town Council Vice President Tom O'Connor had to remove himself from the Committee. Chair Henry has asked someone else to join, but hasn't heard back from them yet. Vice President O'Connor forwarded to Chair Henry his review of pages 11 through 20 of the List of Changes, and Chair Henry will review those with the Committee at some point in the future.

Councilor Page commented that he missed the last meeting and wanted to discuss two votes that had taken place to get clarification. The first was the placement of the Town Manager in Part I: Administrative Legislation. The Committee then discussed its rationale for its decision to move Town Manager out of the Part II: Departments section, and all agreed that topic didn't need to be revisited.

The second item from the September 20 meeting that Councilor Page noted was the Building Department being in its own section. Chair Henry said he checked with Town Manager Mary McNally and it was her feeling that the Building Department be listed separately. After much discussion the following motion was made.

**Motion:** Councilor Page moved that under Chapter 115, should be: Article I Planning and Community Development, Article II Building Department, Article III Planning Department. Mr. Christensen seconded and all were in favor, via a roll call vote.

The Committee then discussed the two Chapters 359 and 360 regarding marijuana appearing next to each other in the Final Draft. Mr. Christensen had researched this, and had sent the Committee an email with his findings, and then discussed this with Councilor Page. Councilor Page said that when the Town Council approved the marijuana general bylaw they were advised by the (then) Town Attorney that the Council should also approve a zoning by law with the same language. The Council agreed that the two marijuana chapters should remain as they appear in the Final Draft.

Mr. Christensen said he and Mr. Fonseca had looked at the General Law Acceptances and Special Acts, comparing those listed in the Final Draft to those in the current bylaws. They found that the one for the 5-18-2015 date, for the local options meals tax, was listed in the current bylaws as Chapter 64L, Section S2, and is in the Final Draft as Chapter 64L, Section 52. Ms. Quaglietti will check on this to confirm what is the correct chapter and section for that acceptance.

Also, the acceptance dated 11-27-2018, Chapter 40, Section 8J, is listed as “Disability Commission” in the Final Draft, but listed as “Establish a Commission on Disabilities” in the current bylaws. The Committee agreed that they would prefer “Establish a Commission on Disabilities” to be in the final Code.

Regarding the review of #4 Draft Question, Chapter 376, Property Maintenance, Chair Henry reported that he has referred this back to Health Director Aimee Petrosky. After discussing the Committee’s submissions that were in the Final Workbook regarding these sections, and comparing those with the Final Code, the Committee agreed that the following would be in the Final Draft’s Chapter 376-2:

If the agent of the Board of Health notifies the owner of the existence of a nuisance and said owner fails to correct the situation within ~~the set time frame~~ **ten days**, the owner ~~will be~~ **is** subject to fines listed ~~under~~ **as specified in** MGL c. 111, § 122. Unpaid fines shall be assessed against the property and shall be a municipal charges lien under Chapter **330**, Article **I**, of these bylaws and enforced as set forth therein. The Town may also correct the nuisance through its employees or an independent contractor.

That would then mean that the Committee has addressed all the Draft Questions presented by General Code with the Final Draft.

Chair Henry commented that much of the verbiage from the current bylaws is now removed from the Final Draft, and he suspects that is a result from the department heads’ comments in the Google Document. The Committee discussed whether or not to reach out to the department heads, some of which weren’t here at the time, again to relook at this, and if so, how that would be done. The Committee will revisit this at a later time.

The next meeting will be Wednesday, October 14, 2020, at 4:30 p.m.

**Motion:** Mr. Fonseca made a motion to adjourn at 5:15 p.m. Mr. Christensen seconded and all were in favor, via a roll call vote.

Respectfully submitted,

Jeanne R. Quaglietti

September 12, 2017

Town Council Meeting Minutes

Town Clerk/Clerk of the Council