

#### **MINUTES**

Board of Selectmen Meeting Wednesday, April 13, 2016 at 6:00 P.M. Council on Aging Media Room, 328 North Main Street East Longmeadow, Massachusetts 01028

Present: Paul L. Federici, Chairman, Board of Selectmen, William R. Gorman, Chairman, Board of Health, Kevin M. Manley Clerk of the Board, Greg Neffinger, Interim Town Administrator

The Chairman of the Board opened the meeting at 6:00 P.M. with the Pledge of Allegiance. Moment of Silence. Announcements were made in accordance with M.G.L. 30A, §20 (e), and noted that the meeting was being recorded by the Board of Selectmen, East Longmeadow Community Access Television, Chris Goudreau, The Reminder, Sean Teehan, The Republican, Pioneer Valley Radio Brad Shepard was covering the meeting but will get the audio from ELCAT Director

The Board welcomed Kevin Manley the newest member of the Board of Selectmen.

### RE-ORGANIZATION OF THE BOARD

Motion:

K. Manley made a motion to have Paul Federici as Chairman. So moved by P. Federici. W. Gorman seconded. Motion passed 3-0.

## ASSIGNMENTS OF BOARD OF SELECTMEN

Motion:

P. Federici made a motion to approve the Liaison assignments as presented. So moved by K. Manley. W. Gorman seconded. Motion passed 3-0.

APPROVAL OF MINUTES – only for the vote of Selectman Federici and Selectman Gorman Open Session Minutes June 3,9 & 25, 2015; July 7 & 28, 2015; August 4 &18, 2015; September 8 & 22, 2015.

#### Motion:

P. Federici made a motion to approve the open session minutes of June 3, 9 & 25, 2015 with any changes noted. So moved by W. Gorman. P. Federici seconded out of necessity. Motion passed 2-0.

Open Session Minutes: July 7 & 28, 2015

P. Federici made a motion to approve the open session minutes of July 7 & 28, 2015. So moved by W. Gorman. P. Federici seconded out of necessity. Motion passed 2-0.

Open Session Minutes: August 4 & 18, 2015

P. Federici made a motion to approve the open session minutes of August 4 & 18, 2015. So

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Minutes continued

moved by W. Gorman. P. Federici seconded out of necessity. Motion passed 2-0.

Open Session Minutes: September 8 & 22, 2015

P. Federici made a motion to approve the open session minutes of September 8 & 22, 2015. So moved by W. Gorman. P. Federici seconded out of necessity. Motion passed 2-0.

Executive Session Minutes: June 3, 9 & 25, 2015

Motion:

P. Federici made a motion to approve the executive session minutes of June 3, 9 & 25, 2015. So moved by W. Gorman. P. Federici seconded out of necessity. Motion passed 2-0.

Executive Session Minutes: July 7 & 28, 2015

Motion:

P. Federici made a motion to approve the executive session minutes of July 7 & 28, 2015. So moved by W. Gorman. P Federici seconded out of necessity. Motion passed 2-0.

Executive Session Minutes: August 4 & 18, 2015

Motion:

P. Federici made a motion to approve the executive session minutes of August 4 & 18, 2015. So moved by W. Gorman. P. Federici seconded out of necessity. Motion passed 2-0.

Exevutive Session Minutes: September 8 & 22, 2015

Motion:

P. Federici made a motion to approve the executve session minutes of September 8 & 22 2015. So moved by W. Gorman. P. Federici seconded out of necessity. Motion passed 2-0.

### **BOARD OF SELECTMEN**

**OLD BUSINESS** 

Town Administrator updates

There were no updates from the Interim Administrator

Warrants

Article 4

Motion:

P. Federici proposed a motion to accept Article 4. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Article 5

Motion:

P. Federici proposed a motion to accept Article 5. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Article 6

Motion:

P. Federici proposed a motion to accept Article 6. So moved by W. Gorman. K. Manley

# Board of Selectmen Meeting 4-13-16 Old business Board of Selectmen

seconded. Motion passed 3-0.

#### Article 11

Motion:

P. Federici proposed a motion to accept Article 11. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

#### Article 13

Motion:

P. Federici proposed a motion to accept Article 13. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

### Article 14

Motion:

P. Federici proposed a motion to accept Article 14. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

The Interim Town Administrator spoke about Article 17 transferring property. Town Counsel said that needed approval from Town Meeting first.

#### Motion:

P. Federici proposed a motion to close the Warrant for the Town Meeting of May 16, 2016. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

## Report, Veterans' Services

Selectman Gorman reported that at a meeting held on March 24, 2016 Veteran's Agent John Comerford was reappointed. It was also reported that the budget was decreased by \$150 dollars. It went from \$59,833 to \$59,683.

#### Board of Selectmen Meeting Schedule

Two of the Board members will not be available for the meeting of April 26, 2016. The next schedule meeting will be May 10, 2016.

#### Town Reports

A draft report was presented by the Interim Town Administrator. The Board will review and get back to the Administrator.

### Cable Renewal License

The Interim briefed the Board. The Board signed the Cable Renewal License.

#### Motion:

P. Federici proposed a motion to accept the Cable Renewal License. So moved by W. Gorman P. Federici seconded out of necessity because this was pre Selectman Manley. Motion passed 2-0.

Board of Selectmen Meeting 4-13-16 continued

#### **NEW BUSINESS**

Retirement notifications

The Board noted the retirements of the Dan Hellyer, Building Commissioner effective July 5, 2016 and Lorraine Banspach, Assistant Executive Secretary effective June 18, 2016.

For consideration – Re-appointment by Governor Baker to the Housing Authority Motion:

P. Federici proposed a motion to allow Joseph D'Ascoli to be re-appointed by Governor Baker. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Request from Retiree, re: Health Insurance

Selectman Federici gave a brief summary of the request and that all the qualifications were met according to the Benefits Administration Manager.

### Motion:

P. Federici proposed a motion to accept the individual to the Town's sponsored group health insurance. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Request from St. Michael's Knights of Columbus Motion:

P. Federici proposed a motion to approve the One Day Liquor License (all alcohol) for St. Michael's Knights of Columbus on Sunday, May 1, 2016 from 4:30pm-7:30pm at St. Michael's Community Center, 53 Somers Road in conjunction with their Annual Scholarship Golf Tournament Dinner and Awards. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

## Request from EL UNICO

Motion:

P. Federici proposed a motion to approve the One day Liquor Licnese (beer & wine) on Friday, May 6, 2016 from 6:00pm-10:00pm at St. Luke's Church, 400 Propsect Street in conjunction with their Porchetta Dinner. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

#### **BOARD OF HEALTH**

**OLD BUSINESS** 

Mosquito Spraying

The Chairman of the Board of Health read into the record the news release for the mosquito spraying.

### MEETINGS/INVITATIONS/REMINDERS

The Chairman of the Board read into the record the meetings/invitations/reminders

Town Offices closed Mon., April 18, 2016 in observance of Patriots' Day

Drug Take Back Day, Sat., April 30, 2016 from 10am-2pm at the East Longmeadow Police Station, 160 Somers Rd.

Board of Selectmen Meeting 4-13-16 Meetings/invitations/reminders continued

Board of Selectmen Meeting, Mon. May 16, 2016 at 6pm (before the Annual Town Meeting) East Longmeadow High School, Conference Room C-3, 180 Maple St.

Annual Town Meeting, Mon. May 16, 2016 at 7pm East Longmeadow High School Auditorium, 180 Maple St.

The Board discussed Town Counsel items that would not be in executive session.

TOWN COUNSEL

**OLD BUSINESS** 

Chestnut Street acceptance of property

The Town was interested in accepting the property but there were restrictions that were put upon it. Town Counsel met with the owners and they were willing to remove the restrictions. Town Counsel prepared a deed and the parties signed it.

### Motion:

P. Federici proposed a motion to accept the Chestnut Street Land being donated by the residents in question. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

### **NEW BUSINESS**

T-Mobil Lease, Fire Station & Request for cell tower at Pine Knoll

Town Counsel briefed the Board that the T-Mobile Lease at the Fire Station will expire in June. Town Counsel stated that the expired lease and the request for a cell tower at Pine Knoll would have to follow procedure. If the Board is interested it would have to go out to bid.

## Motion:

P. Federici made a motion to move into executive session to discuss matters of union negotiations and other litigation items because to discuss in open session would be detrimental to the Town, discussion with Town Counsel, Attorney client privilege to explain the Board's options that may be available with respect to some of the items and return to open session. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0 by roll call vote. Selectman Gorman, yes. Selectmen Manley, yes. Selectman Federici, yes. 3-0.

The Board of Selectmen returned from Executive Session

Selectman Federici explained to the audience that one of the items discussed in executive session was that a townsperson filed an open meeting law complaint of the March 16, 2016 meeting and the votes that were taken within that meeting. The Board reviewed each vote. Selectman Federici turned it over to Town Counsel to further explain to the audience the discussion and his recommendation.

#### Motion:

P. Federici proposed a motion to void the original vote to making the Interim Town Administrator a Permanent Town Administrator. So moved by K. Manley. W. Gorman seconded for discussion. Selectman Gorman said the Mr. Neffinger said that was on the Agenda for that night and asked if Town Counsel had a copy of that Agenda and what did it say. It said Interim Town Administrator contract. Motion passed 2-1. Selectman Gorman opposed.

Board of Selectmen Meeting 4-13-16 Town Counsel new business continued

Selectman Federici said that this would also serve to nullify the contract that was signed last night for the permanent Town Administrator. Selectman Federici said that it has been a long road and a struggle and said that he was going to throw this out there and may be by himself.

#### Motion:

P. Federici proposed a motion to give the Interim Town Administrator his ten (10) day notice and terminate his employment. So moved by K. Manley. There was no second. P. Federici seconded out of necessity. Motion passed 2-0. Selectman Gorman abstained.

## Motion:

P. Federici proposed a motion to adjourn. So moved by K. Manley. W. Gorman seconded. Motion passed 3-0.

Meeting adjourned at 7:40 P.M.

Minutes respectfully submitted by Lorraine Banspach, Assistant Executive Secretary.

MINUTES APPROVED AT THE BOARD OF SELECTMEN MEETING ON TUESDAY, JUNE 21, 2016

W ' M M 1 Cl 1 Cd D 1

Kevin M. Manley, Clerk of the Board