



MINUTES

Board of Selectmen Meeting
Tuesday, June 21, 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

The Chairman of the Board of Selectmen 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. It was announced that this was the last meeting of the Board of Selectmen.

APPOINTMENTS

6:00 P.M. – Jeff Dalessio, Police Chief
Motor Vehicle Policy

The Chief would like the Board to look at the Policy and would like there approval to add to the Policies and Procedures. The Department currently does not have one and are one of the area departments that do not have a policy when an inventory is done on a motor vehicle. The Board viewed the policy. The Chief explained the Policy and said that it has been reviewed with the DA's Office and their legal counsel. The Board members were in favor of approving.

Motion:

P. Federici proposed a motion to approve the East Longmeadow Police Department regarding Motor Vehicle Inventory as stated. W. Gorman seconded. Motion passed 3-0.

Provisional Sergeant

Present for the discussion was Police Officer Michael Ingalls

The Chief said that he had come before the Board a short while ago to talk about the lacking of the command staff because of promotions, retirements etc. If this was acted on tonight it would bring the command staff up to full staffing, but will leave a little shortage in the patrol staff but will be hiring other officers to bring it up to full staff. There was further discussion. Until a list from Civil Service is received this is the solution.

Motion:

P. Federici proposed a motion to approve Michael Ingalls as a Provisional Sergeant effective July 10, 2016. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Officers Rate of Pay

This item will be discussed in executive session.

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continued

6:10 P.M. – Thomas Florence, Town Clerk/Treasurer/Collector

Bond Signing

The Clerk explained the Bonds that were to be signed. The Town Clerk mentioned that the Clerk of the Board had to read into the record of the vote of the Board to accept the long term borrowing of the Bonds. The Board signed the Bonds.

Motion:

P. Federici proposed a motion to approve the sale of the general obligation municipal purpose loan of the 2016 Bonds of the Town. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Reserve Fund Transfers (2)

The Town Clerk explained that the reserve fund transfer was for printing booklets for the Charter Commission.

Motion:

P. Federici proposed a motion to approve the reserve fund transfer in the amount of \$4,918 dollars to reimburse the Town Clerk's Office for the Home Rule Charter booklets that were sent out to the townspeople.. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

The Town Clerk explained the reserve fund transfer for the overage of the cost to cover the overages, and 65 Avery Street which the Town now officially owns.

Motion:

P. Federici proposed a motion to approve the reserve fund transfer of \$11,200 dollars for the purposes previously stated. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

APPROVAL OF MINUTES

Open Session Minutes: April 13 & 19, 2016 (Selectman Federici and Gorman only)

Motion:

P. Federici proposed a motion to approve the open session minutes of April 13, 2016. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Motion:

P. Federici proposed a motion to approve the open session minutes of April 19, 2016. So moved by W. Gorman. P. Federici seconded out of necessity. Motion passed 2-0.

Open Session Minutes : May 10, 16 & 25, 2016

Motion:

P. Federici proposed a motion to approve the open session minutes of May 10, 16 & 25, 2016. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Open Session Minutes: June 8 & 15, 2016

Motion:

P. Federici proposed a motion to approve the open session minutes of June 8 & 15, 2016. So

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Approval of minutes continued

moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Executive Session Minutes: April 13, May 10 & 25, 2016

Motion:

P. Federici proposed a motion to approve the executive session minutes of April 13, 2016. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Motion:

P. Federici proposed a motion to approve the executive session minutes of May 10 & 25, 2016. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Motion:

P. Federici proposed a motion to approve the executive session minutes of June 8, 2016. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

BOARD OF SELECTMEN

OLD BUSINESS

Old Fire Station, Jaycees Carnival

Selectman Federici stated that he thought this was all settled and that it was to be leased out to the Jaycees. The question was to allow the Jaycees to use the building for the purposes of the Carnival from June 30-July 3, 2016.

Motion:

P. Federici proposed a motion to use the Old Fire Station by the Jaycees during the timeframe of the Carnival. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

NEW BUSINESS

2016 Lions Club Distinguished Citizen Award for Michael Boucher

The Board signed the Citation for the Lions Club 2016 Distinguished Citizen Award for Michael Boucher.

Request from St Mark's Episcopal Church

Motion:

P. Federici proposed a motion to approve the One Day Liquor License (beer & wine) for St. Mark's Episcopal Church on Friday, July 8, 2016 from 5:00pm-7:30pm at St. Mark's Episcopal Church, 1 Porter Road in conjunction with their spaghetti dinner benefit. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

BOARD OF HEALTH

OLD BUSINESS

Jaycees Carnival Temporary Food Service Permits

Motion:

W. Gorman made a motion to approve the Temporary Food Service Permits for the Jaycees Carnival vendors. So moved by P. Federici. K. Manley seconded. Motion passed 3-0.

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continued

MEETINGS/INVITATIONS/REMINDERS

Police Department National Night Out, Tues., August 2, 2016 from 5:30pm-8:00pm in the High School Parking Lot.

The new Town Council will meet on Friday, July 1, 2016 date and time to be determined.

Motion:

P. Federici proposed a motion for a two minute recess. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

6:30 P.M. – Members of the New Town Council

Council Members present, Eric Madison, Michael Kane, Kathleen Hill, Don Anderson, Selectmen Federici and Manley are also members. Joseph Ford was not present.

Each member introduced themselves and gave a little background about themselves. Eric Madison gave an overview that the Council will be having its first meeting on July 1st . The members will be sworn in at that meeting and the Board of Selectmen will cease to exist at that time. During the first meeting discussion will be about the duties that will have to be carried out as outlined in the Charter. A council president and vice president will have to be elected and will have to name either acting or interim Town Administrator. Meetings are currently set however not a Council yet so only discussions can be had. Mr. Madison had further discussion Selectman Federici said that the most important thing is a Town Manager and also spoke about losing the Building Commissioner and the Assistant Executive Secretary. Eric Madison mentioned that under the Charter until the Board of Health is established under the Town Manager the existing Board of Health will stay the Board of Health until such time as they are replaced by the Town Manager Eric Madison hoped that the Board that exists today would be willing to do that and asked that they think about it.

TOWN COUNSEL

NEW BUSINESS

Discussion, Approval of Board of Selectmen Minutes 6-21-16

Town Counsel said to have the Assistant Executive Secretary prepare the minutes then notify the Board members individually that they are there to be signed. No vote is necessary.

Town Counsel wanted to add an item to the Agenda in executive session. The matter will be dealing with an existing litigation settlement for discussion with the Board.

Selectmen's Office, re-imburement

Selectman Federici had discussion that a former Selectman went to an MMA Conference in January and stayed two nights. It was mentioned that an individual cannot stay two nights because of the way it is scheduled. The individual was looking for reimbursement for the second night, hotel and meals. Selectman Manley said that it was his understanding after talking with the Town Accountant that it is not written that you can stay the following night. If more economical and convenient to go down the day prior to register at 8am then go the day before stay that evening register and go to the conference then go home when it's over. This individual stayed the seconded day then submitted for reimbursement and for meals. The travel policy wasn't followed either. Selectman Federici said that there are still some outstanding items that the town is looking for, could an offset be done. Town Counsel said the first thing to look at is if

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New business Town Counsel continued

there is any reimbursement under the existing policy. There was further discussion that the policy wasn't followed. If it was not standard policy then give direction to Sara that it is not covered under the expense policy.

HEARING

7:00 P.M. – Application for Retail Package Store Liquor License, Wine & Malt (gas station/convenience store) 227 Shaker Road. Manager, Paul Morrissey, Substitute Manager, Nathan V. Deyo, Hours of operation 7 days a week 24 hours a day. Hours for the sale of alcohol.

The Chairman of the Board opened the Hearing at 7:00 P.M. The Clerk of the Board read the legal notice into the record. Present for the Hearing was Attorney James Sheils representing Leonard E. Belcher LLC, Ed Hough, President, Dave Ryan, Chief Operating Officer, DJ Hough, Vice President, Paul Morrissey, Proposed Manager, Nathan Deyo, Proposed Substitute Manager

Attorney Sheils briefed the Board that they are seeking a Beer & Malt License for the gasoline station and convenience store that will be constructed at the corner of Chestnut and Shaker Road. All the necessary approvals have been received, Site Plan and Special Permit from Planning Board and Conservation Commission. Expecting construction to begin either early or mid-September. Mr. Morrissey and Mr. Deyo are both tips certified. There will be no Dunkin Donuts in the facility because of the proximity of the other location in East Longmeadow and one in Longmeadow; corporate did not approve. The Chairman asked if anyone in the audience wanted to speak. Mary Ellen Fish of Chestnut Street was concerned about the employees being conscientious about checking ID's. Attorney Sheils said that Belcher has other facilities and are very familiar with the laws and the enforcement of them. Selectman Federici asked if they have a schedule of alcohol sales hours. They discussed Monday – Saturday 8am-10pm and 10am-8pm on Sunday.

Motion:

P. Federici proposed a motion to approve the Retail Package Store Liquor License Wine & Malt Beverages for a gas station/convenience store 227 Shaker Road. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Motion:

P. Federici proposed a motion to approve Paul Morrissey Jr., as the Manager. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Motion:

P. Federici proposed a motion to approve Nathan V. Deyo as Substitute Manager. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Motion:

P. Federici proposed a motion to approve the hours of operation seven (7) days a week twenty-four (24) hours a day for the facility. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

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Hearing continued

Motion:

P. Federici proposed a motion to approve the hours of operation, sale of alcohol, that are set forth by the State requirements. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

TOWN COUNSEL

OLD BUSINESS CONTINUED

Selectmen's Office Staff

Selectman Manley said that Marge Larocca was interested in the Assistant Executive Secretaries position and that he has already spoke with the Town Clerk and it was ok with him that Marge Larocca cross train in the Selectmen's Office a few hours a day. The position is a non-union position and will be filling in until it is determined on how to fill that position on a temporary basis. The TEU President was also contacted.

Motion:

P. Federici proposed a motion to approve Marge Larocca to come and temporarily help out with the Selectmen's Office in the Assistant Executive Secretaries position and training her (Marge Larocca) and her carrying forward there until the position is filled permanently. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Waterman Avenue (Mr. Geraci)

Town Counsel explained the issue from the beginning. Town Counsel said that there is no authority statutorily or in the powers of the Board of Selectmen to grant any type of abatement or reduction of real estate tax based on real estate it all fits in within the Assessors authority. There There was further discussion from Town Counsel.

Motion:

7:15 P.M. – Sara Menard, Town Accountant

Between May 1 and July 15 permission is granted under Massachusetts General Law Chapter 44 Section 33 B to do inter departmental transfers. The Town Accountant was before the Board to ask for permission to use monies that might be over in other departments to cover the list of departments presented. The Accountant is scheduled to meet with Appropriations to get their approval after the Board of Selectmen's. The Accountant said that she may have to do a reserve fund transfer for the snow and ice account.

Motion:

P. Federici proposed a motion to allow the Town Accountant to make the necessary inter departmental transfers to cover the short falls with the overages for the accounts that were noted. So moved by W. Gorman. K. Manley seconded. Motion passed 3 -0.

Motion:

P. Federici proposed a motion to allow the Town Accountant to request a reserve fund transfer if needed for the accounts that may have shortages. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0.

Motion:

P. Federici proposed a motion to adjourn to executive session to discuss matters relating to

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Appointment Town Accountant continued

contract negotiations, existing litigation to return to open session only to adjourn.. So moved by W. Gorman. K. Manley seconded. Motion passed 3-0 by roll call vote. Selectman Manley, yes. Selectman Gorman, yes. Selectman Federici, yes.

Motion:

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

Meeting adjourned at 7:55 P.M.

Minutes respectfully submitted by Lorraine Banspach, Assistant Executive Secretary.

MINUTES APPROVED BY THE BOARD OF SELECTMEN

Kevin M. Manley, Clerk of the Board