

**TOWN OF EAST LONGMEADOW**  
**SPECIAL TOWN MEETING**  
**October 21, 2013**

In accordance with the Warrant of the Selectmen, a Special Town Meeting was held in the Auditorium of the East Longmeadow High School on Monday evening, October 21, 2013. Town Moderator Mr. James Sheils, called the meeting to order at 7:05PM; there being 348 registered voters present. Mr. Sheils offered the opening prayer and led the assembly in the Pledge of Allegiance.

Mr. Sheils then proceeded with some housekeeping issues; location of fire exits and color of tags for voter and non-voters.

The Town Moderator is now allowed to determine, without a count, based on the by-law change adopted in May 2006, whether a 2/3<sup>rd</sup>'s quorum Town vote has been obtained, subject to the right of challenge by seven (7) voters as authorized by the Town By-Law, Section 2.030 Chapter 13. If seven (7) or more voters challenge the vote, a teller count shall be required. Mr. Sheils communicated this to all in attendance.

Mr. Sheils stated that an article on the warrant could be moved, but only with a 2/3rds majority vote.

The Town Moderator reiterated that all motions must be in writing and unless there is a unanimous vote on any 9/10's vote, then there needs to be a teller count. He reminded participants about the conditions of our Town Meeting by-laws when speaking at the microphone.

Mr. Sheils reminded those in attendance that the Resolution which follows Article 12 is a non-binding resolution.

**Article 1**

**Board of Selectmen – Reduction of Tax Rate**

Motioned that the Town move Article 1 to the end of the Warrant.

A 2/3<sup>rd</sup>'s Vote is required for this Article to pass.

Motion passed as Declared by Town Moderator.

**Article 2**

**Board of Selectmen – Transfer of Funds for purchase/lease of Building**

Motioned that the Town borrow an amount not to exceed \$1.2 million dollars to be financed from bonding to lease or purchase a building for use as municipal space.

A 2/3<sup>rd</sup>'s Vote is required for this Article to pass.

Appropriations Committee Recommendation: Recommended

Capital Planning Committee Recommendation: No Recommendation

Motion Passes by 2/3<sup>rd</sup>'s Vote as Declared by Town Moderator.

**Article 3**

**Board of Selectmen – Transfer of Funds – Renovate Historic Fire Station**

No Motion Made

No Action Taken

**Article 4**

**Board of Selectmen – Transfer of Funds – Funding of Town Employees Union Contract**

Motioned that the Town transfer \$60,000 from Free Cash account number 01-3590 to the Fiscal Year 2014 Personal Services budget accounts of the appropriate departments for the purpose of funding the Town Employees Union Contract.

Appropriations Committee Recommendation: Recommended  
Motion Passed Unanimously as Declared by Town Moderator.

**Article 5**

**Board of Selectmen – Transfer of Funds – Funding of Police Union Contract**

Motioned that the Town transfer \$40,000 from Free Cash account number 01-3590 to the Fiscal Year 2014 Police Department Personal Services budget account number 01-210-5100 for the purpose of funding the Police Department Union contract.

Appropriations Committee Recommendation: Recommended  
Motion Passed Unanimously as Declared by Town Moderator.

**Article 6**

**Board of Selectmen – Transfer of Funds – Funding of Fire Union Contract**

Motioned that the Town transfer \$21,000 from Free Cash account number 01-3590 to the Fiscal Year 2014 Fire Department Personal Services budget account number 01-220-5100 for the purpose of funding the Fire Department Union contract.

Appropriations Committee Recommendation: Recommended  
Motion Passed Unanimously as Declared by Town Moderator.

**Article 7**

**Board of Selectmen – Inter-departmental Transfer of Funds**

Motioned that the Town transfer \$4,000 from the Fiscal Year 2014 Trash Collection budget account number 01-430 to the Animal Control budget account number 01-292 to fund the operating expenses of the department.

Appropriations Committee Recommendation: Recommended  
Motion Passed Unanimously as Declared by Town Moderator.

**Article 8**

**Board of Selectmen – Transfer of Funds – Legal Services**

Motioned that the Town transfer \$10,000 from Free Cash account number 01-3590 to offset the FY13 Legal Services budget deficit.

A 9/10<sup>th</sup>s Vote is required for this Article to pass.

Teller count: Yes – 271 – 94.76%, Opposed – 15 – 5.24% (90% needed)

Appropriations Committee Recommendation: Recommended

Motion Passed as Declared by Town Moderator.

**Article 9**

**Community Preservation Committee – Transfer of Funds – Pine Knoll Pool**

Motioned that the Town transfer \$350,000 from the Community Preservation Undesignated Fund balance account number 2615-3590 to the Community Preservation Open Space Reserve account number 2615 for the purpose of funding the Pine Knoll pool renovation.

Board of Selectmen Recommendation: No Position Taken

Appropriations Committee Recommendation: Recommended

Capital Planning Committee Recommendation: Recommended

Community Preservation Committee Recommendation: Recommended

Motion Passed by Majority as Declared by Town Moderator.

**Article 10**

**Board of Selectmen – Amend General By-Laws – Nuisance Properties**

Motioned that the Town amend section 8.030 of the General By-laws by adding a new section as follows:

(B) No owner or foreclosing mortgagee (hereinafter “owner”) shall allow grass, trees, bushes, shrubs or any other vegetation to constitute a nuisance, as determined by the Health Agent, to the health, safety or appearance of the neighborhood where the property is located. If the Health Agent notifies the owner of the existence of a nuisance and said owner fails to correct the situation identified in said notice within ten (10) days of the date of the notice, the Town may correct the nuisance through an independent contractor or its employees.

The cost of correction plus administrative fee of \$200.00 shall be assessed against the property and shall be a municipal charges lien under section 8.140 and enforced as set forth therein.

Motion Passed by Majority Standing Vote as Declared by Town Moderator.

**Article 11**

**Citizen Petition – Transfer of Funds – Reconstruction of High School Tennis Courts**

Motioned that the Town raise and appropriate and/or transfer the sum of \$325,000.00 from available funds for the removal and the complete reconstruction of the six East Longmeadow High School tennis courts, including fence, lighting and other appropriate tangentially related items.

The motion was amended as follows:

Motioned that the Town transfer an amount not to exceed \$325,000 from Free Cash, account #01-3590 to an account number to be determined.

Sponsored by: Petition of Salvatore Pizzanelli and others.  
Appropriations Committee Recommendation: Not Recommended  
Capital Planning Committee: Not Recommended  
Motion Passed Majority as Declared by Town Moderator.

**Article 12**

**Board of Selectmen – Transfer of Funds – Legal Services**

Motioned that the Town transfer an amount not to exceed \$30,000 from Free Cash account number 01-3590 to the Legal Services operating budget account number 01-151 to pay for contracts, fees and expenses related to the negotiation of surrounding impacted community agreements with casino developers in Western Massachusetts.

Appropriations Committee Recommendation: Not Recommended due to insufficient information.  
Motion Passed by Majority Standing Vote as Declared by Town Moderator.

**Article 1**

**Board of Selectmen – Transfer of Funds – Reduce Tax Rate**

No Motion Made  
No Action Taken

**Resolution**

**Board of Selectmen – Resolution – Casino Gambling**

Be it resolved that the citizens of East Longmeadow do not approve of casino gambling in Western Massachusetts.

Resolution fails by Majority as Declared by Town Moderator.

**Motion to Adjourn**

The Special Town Meeting was adjourned at 9:31 p.m., the business of the Warrant having been completed.

**••✿ Certificate of Quorum ✿••**

This is to certify that more than 100 Registered Voters were present at the Special Town Meeting held on October 21, 2013. Voter attendance was recorded as follows:

Precinct 1	65
Precinct 2	79
Precinct 3	104
Precinct 4	100
<b>Total</b>	<b>348</b>

True Record: Attest:

Thomas P. Florence  
Town Clerk