



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

Approved 5/11/2021

MINUTES

Town Council Meeting
April 27, 2021 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

Public Comments: None

Council Comments: None

Town Managers Report:

Town Manager Mary McNally gave her report as shown in Attachment A.

Ms. McNally also reported the following:

Chief Williams was in Washington recently, and was invited to teach at an FBI academy. He was very appreciative of the opportunity. Ms. McNally believes Chief Williams is an excellent representative for the town.

Geordie Emmanuel from the Recreation Department authored a grant application for a Kubota grant. The grant is for \$100,000.00 for a landscaping project improvement on public playgrounds.

Regarding the litigation pertaining to Pease Road, Land Court Judge Piper denied the town's motion for reconsideration of the summary judgment that was issued in PLH's favor in August of 2019.

The Governor issued new guidance with some significant changes to the phased in reopening. Ms. McNally has had some conversations with the Health Director and the Emergency Management Director about how and when to reopen town offices. The guidelines that came out today were as of August 1, 2021 all restrictions would be lifted, as of May 10, 2021, outdoor activities will be able to resume at 50% capacity and on May 29, 2021, the limitation will be increased to 200 people indoors and 250 outdoors at both public and private venues. Parades are authorized and safety plans have to be filed with the Department of Public Health.

Councilor Page stated that under the American Rescue Plan Act, water and sewer infrastructure is some of the things that can be done, and on Capital there was a big water plan that we had for Cooley Ave. Is this something that can be covered under this? Ms. McNally stated that the first installment of the funds

are supposed to be distributed on May 10, 2021 and the guidance from Treasury is supposed to accompany that. Water and sewer infrastructure were a main component of this legislation but Ms. McNally is not sure what restrictions were placed on it. It is quite possible that we could fund those major projects with this money. Ms. McNally will follow up on Councilor Page's question.

Approval of Minutes: Approval of April 13, 2021 Open Session Minutes.

Councilor Henry made a motion to approve the April 13, 2021 Open Session minutes. Councilor Page seconded the motion. Roll Call Vote- Councilor Page- Yes, President Kane- Yes, Councilor Hill – Yes, Councilor Anderson – Yes, Councilor Henry – Yes, Councilor O'Connor – Yes and Councilor Richards – Yes.

Communications, Correspondence and Announcements:

Orders of the Day:

- A. Licensing Matters: None
- B. Financial Matters

1. Approval of Community Preservation Funding of \$1,400 from the Open Space and Recreation Account for pickleball nets for the East Longmeadow High School tennis courts– CPC Chair Jonathan Torcia-

President Kane did some research on this and stated that if the courts were to be built from scratch it would cost the town about \$25,000.00 each. The DPW has agreed to add lines and the High School did add lines to one of the courts a couple of years ago. That court is always booked. This sport is played year round and there is a high demand for courts.

Councilor O'Connor made a motion to approve Community Preservation Act funding of \$1,400 from the Open Space and Recreation Account for pickleball nets for the East Longmeadow High School tennis courts. Councilor Richards seconded the motion.

Councilor Page asked if this were year round would someone be clearing the courts during the winter. Councilor Page also wanted to know if there was any attempt to do fund raising for this. Jonathan Torcia stated that he is unaware if there was any fundraising done. Mr. Torcia stated that the East Longmeadow Tennis Association supports the project and the High School is on board with the project as well.

Resident Cathy Hood was present for discussion. Applicants David Mackin and Matt Flanagan were also present.

Cathy Hood informed the Council that they did use the court throughout the winter, and she cleared snow off the court herself. Ms. Hood and her group play daily; Ms. Hood stated there is a large amount of people who play in this town.

Councilor Henry asked how many courts would be striped for pickleball. Ms. Hood believes there would be three.

Mr. Flanagan stated that the pickleball nets are portable and explained how the pickleball courts would be set up. The tennis courts will not be removed the tennis nets will stay up.

Mr. Flanagan also stated that there had not been any fundraising and that people are good about observing the one-hour time limit.

Mr. Mackin stated to build these courts it would be thousands of dollars and they want to build up momentum in town. They have worked with the Recreation Department to come up with plans to hold clinics to give people more exposure to this sport. They understand that raising \$1,400.00 through fundraising is not that difficult but they also know they will be asking people for money in the not too distant future and would like this to be the first step.

After further questions from the Council and answers from the applicants, the following roll call vote was taken:

Roll Call Vote- Councilor Page- Yes, President Kane- Yes, Councilor Hill – Yes, Councilor Anderson – Yes, Councilor Henry – Yes, Councilor O’Connor – Yes and Councilor Richards – Yes.

2. Final vote (for the Massachusetts School Building Authority) to appropriate \$1,260,000 for the purpose of paying estimated costs for feasibility study for construction and/or rehabilitation of the East Longmeadow High School.

Councilor Richards made a motion that the Town of East Longmeadow appropriate the amount of \$1,260,000.00 dollars for the purpose of paying estimated costs for feasibility study for construction and/or rehabilitation of the East Longmeadow High School, a school serving grades 9 ' 12, at 180 Maple Street, East Longmeadow, MA, including the payment of all costs incidental or related thereto, and for which the Town may be eligible for a grant from the Massachusetts School Building Authority;MSBAJ, said amount to be expended under the direction of the East Longmeadow High School Building Committee. To meet this appropriation the Town Treasurer, with the approval of the Town Council is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The Town of East Longmeadow acknowledges that the MSBAs grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town of East Longmeadow incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of East Longmeadow, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the Town and the MSBA. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. Councilor Anderson seconded the motion.

Councilor Page stated that they recently voted on something that was very similar to this. Councilor Page is assuming the language was off so they have to take another vote. Will this supersede any previous votes? President Kane stated that is his understanding.

Councilor O’Connor stated that it sounds like the state is not committing to any amount of money to give us if we approve the full amount. Councilor O’Connor asked if the state has given any idea what that money reimbursement might be.

Superintendent Gordon Smith stated that currently the reimbursement rate, although it is not official what they have discussed with the MSBA using their criteria, they are right around 56%. Superintendent Smith wanted to make sure, with Finance Director Steve Lonergan’s help and Bond Counsel’s help and then getting the approval from the MSBA legal department, that they had the exact motion made so that it can be forwarded to the MSBA as their final step. The MSBA then takes it to their Board of Directors who will vote to send a funding agreement.

Councilor Henry understands the 56% for the project itself and also understands that the \$1.2Million that is about to be voted on is also not guaranteed. Councilor Henry asked what the history has been of this investment being returned even if we do not end up being accepted by the MSBA.

Superintendent Smith stated that historically if we look to other projects we have done with the MSBA, as long as we are following their process. Right now, it is the eligibility period and there are eight requirements that we have to complete within the 270 days. This vote would be the completion of those eight requirements and then they would send a funding agreement. As long as we are completing those requirements and meeting all the specific steps, they have always come through with a funding agreement to the town. After we get the feasibility study, the second part is to look and break down that feasibility study and decide what the right project would be. Now that we have information for the High School and are into the actual project itself and working toward informing the town and figuring out how we are going to raise and appropriate that money, we then enter in to another funding agreement for the full project.

Roll Call Vote- Councilor Page- Yes, President Kane- Yes, Councilor Hill – Yes, Councilor Anderson – Yes, Councilor Henry – Yes, Councilor O’Connor – Yes and Councilor Richards – Yes.

3. Amend the vote (for the Massachusetts School Building Authority) to appropriate \$3,188,859 for paying costs of replacing the roof at Meadow Brook Elementary School

Finance Director, Steve Lonergan explained the reason for the amendment.

Councilor Hill made a motion to rescind the vote that was taken on March 24, 2021. Councilor Page seconded the motion. Roll Call Vote- Councilor Page- Yes, President Kane- Yes, Councilor Hill – Yes, Councilor Anderson – Yes, Councilor Henry – Yes, Councilor O’Connor – Yes and Councilor Richards – Yes.

Ms. McNally noticed that this motion says to meet this appropriation, the Treasurer with the approval of the Town Manager. The last motion on the school feasibility said with the approval of the Town Council. Ms. McNally believes that this motion should also read Town Council.

Councilor Anderson believes the wording came from Bond Counsel and that maybe the previous motion would need to be revised. Councilor Richards stated that perhaps the previous motion should be looked at. The supporting documents for that motion indicated that MSBA’s legal counsel and Bond Counsel created the motion language.

President Kane asked where the language came from for the motion. Mr. Lonergan stated that it was Locke Lord the Bond Counsel.

Ms. McNally stated this may be a moot point but the fact that it is different puzzles her. You could go ahead and vote it the way it is written tonight but just be advised that you may be reconsidering it at the next meeting, Ms. McNally does not think the Town Manager has the authority to borrow and believes it is the Town Council under the Charter.

President Kane believes that they should read the motion as is and if there is an issue they will have to amend it at a future meeting.

Councilor Hill made a motion that the Loan Order adopted by this Council on April 23, 2019 which appropriated \$3,188,859 for the purpose of paying costs of replacing the roof

at Meadow Brook Elementary School is hereby amended to read as follows:

“That the Town of East Longmeadow appropriate the amount of \$1,706,115 dollars for the purpose of paying costs of replacing the roof at Meadow Brook Elementary School at 607 Parker Street, East Longmeadow, MA, including the payment of all costs incidental or related thereto, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the Town of East Longmeadow may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of East Longmeadow School Committee. To meet this appropriation the Treasurer, with the approval of the Town Manager, is authorized to borrow \$1,706,115 under M.G.L. Chapter 44, or pursuant to any other enabling authority. The Town of East Longmeadow acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town of East Longmeadow incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of East Longmeadow; provided further that any grant that the Town of East Longmeadow may receive from the MSBA for the Project shall not exceed the lesser of (1) 55% (percent) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of East Longmeadow and the MSBA. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.” Councilor O’Connor seconded the motion. **Roll Call Vote- Councilor Page- Yes, President Kane- Yes, Councilor Hill – Yes, Councilor Anderson – Yes, Councilor Henry – Yes, Councilor O’Connor – Yes and Councilor Richards – Yes.**

4. Town Manager’s presentation of a proposed operating budget for FY22, per Article 6, Section of the Charter

President Kane spoke with Ms. McNally about the budget and it is the same budget that was previously submitted. The Governor’s income has not changed, which is a large part of the budget. We have our meals tax estimates, which are done on the low side. If more meals tax comes in that will make the budget more favorable. All the Department Heads were running about .009 which is less than 1% of an increase

Town Manager Mary McNally pointed out a couple of changes in the budget message that the Council has tonight. The first paragraph has been revised to indicate that the only change in the budget from March 30, 2021 was the failure of the core network project for \$200,000.00 that was being recommended on our fiscal 22 capital. This has been removed based on the emergency purchase of the replacement equipment. This results in a reduction in the capital projects listing. The capital budget instead of being 1.4% is now 1%.

Ms. McNally also made some changes to the organizational charts by departments to reflect some departure of staff and some new hires that occurred since the March 30 date.

We continue to estimate conservatively and are still using the cherry sheet amounts that were issued to us because of the Governor’s budget in January.

In terms of local meals taxes Ms. McNally stated that despite the Governor lifting some restrictions there would still be occupancy limitations going through at least August on restaurants.

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The operating budget as a whole is less than 1%. Ms. McNally is very gratified by the effort made by all the department heads to cut everything they could possibly cut within reason. Some are still working with vacant positions we can work with a thinned workforce for a period but eventually the consequences of that will show.

The Financial Oversight Committee has not taken any votes on any of the line items as of yet. Ms. McNally believes they will do this at one of their meetings in May and does not anticipate them finding much to cut.

Old Business: None

New Business: None

*Councilor Page made a motion to move into Executive Session at 7:26 pm to discuss litigation strategy in the matter of Sara Menard versus the Town of East Longmeadow only to return to Open Session for the purpose of adjournment. Councilor Henry seconded the motion. **Roll Call Vote- Councilor Page- Yes, President Kane- Yes, Councilor Hill – Yes, Councilor Anderson – Yes, Councilor Henry – Yes, Councilor O’Connor – Yes and Councilor Richards – Yes.***

Returned to Open Session at 7:42 pm.

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

The Open Session Meeting was adjourned at 7:43 pm. The next Open Session Town Council Meeting will be May 11, 2021 at 6:00 pm.

Respectfully submitted,

Jackie Sullivan
Assistant Town Clerk

Documents: Agenda, MSBA Meadow Brook Roof amended loan order, MSBA Feasibility Study motion, FY2022 Proposed Budget, CPC Pickleball nets application and the April 13, 2021 Open Session Draft Minutes.

**TOWN OF EAST LONGMEADOW****Town Manager's Report****April 27, 2021**

Good evening:

The final budget is submitted tonight in compliance with the Charter. It is essentially the same budget as was submitted on March 30, 2021 as there are no changes in the projected revenues as of this date. As I indicated at the last meeting, the core network failure earlier this month caused an emergency purchase of necessary hardware and the removal of a \$200,000 capital expense from our FY 22 requests. Funding for this hardware will be from Department turnbacks in the FY 21 budget or from free cash. This reduction is reflected in the Sources and Uses pages of the budget. Weekly meetings of the Financial Oversight Committee to review the budget including Capital projects recommended by the Capital Advisory Committee for FY 22 are ongoing.

A Department Heads meeting was held on Wednesday, April 21, 2021. Enthusiastic reports were delivered by all about their plans for upcoming and ongoing projects. Planning Director Bethany Yeo is coordinating efforts with the East of the River Chamber for a restaurant week in mid to late May and she is also working with the PVPC on a Local Rapid Recovery grant program to assist businesses which expect to have projects ready for funding in the near future. Attention has focused on the northwest quadrant of Town with discussion primarily involving thoughts on improvements to building facades, sidewalks, crosswalks and traffic flow. This is a program which is a work in progress as far as when funds will be available.

I accepted the resignation of Mary Beth Dowd, COA Director on April 15, 2021. She has accepted a position with a private entity with which she has maintained a professional association for over twenty years. We wish her well and thank her for the contributions she made to the Town services, especially during the vaccination clinics.

Requests for Proposals were advertised this week regarding a property valuation services contract and trash hauling services.

There have been a number of webinars sponsored by the Massachusetts Municipal Association regarding the American Rescue Plan Act. This legislation will provide approximately 4.7 million dollars to the Town of East Longmeadow for a variety of uses, the details of which are pending. The funds can be used to replace lost or reduced revenue as a result of the pandemic, to invest in economic recovery and renewal and to fund water and sewer infrastructure among other things.

Police Chief Williams is working diligently on the policies and procedures project which will memorialize required departmental conduct. I have begun the review of those policy drafts which are quite comprehensive.

The Recreation Department is planning a Farmer's Market event for May 14 and has begun registrations for all spring sports. The DPW, Police and Recreation Departments also worked with Ms. Chrusciel to facilitate the Earth Day clean up event which took place last Saturday, April 24, 2021. The Department has applied for a grant sponsored by the Kubota Co. in the amount of \$100,000 for landscaping improvements at Pine Knoll. This is a beautiful community resource which could use a facelift in many areas.

I have suggested the reappointment of Marilyn Ghedini to the Board of Assessors for another term. Her current term expired on April 19, 2021 and she is currently serving as a holdover. The Director of Assessing, Diane Bishop, has recommended this reappointment.

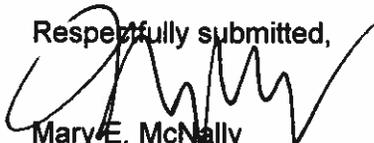
Several other Boards will soon have vacancies due to term expirations, so the appeal for new participants will continue.

The Town continues working through some issues with the Eastern Hampden County Veterans Service District regarding level of service, budget and personnel qualifications. Monson recently voted to withdraw from

the District and budget planning for FY 22 has become more complicated as a result.

Discussions continue with Union representatives from Town Unions regarding terms of new contracts and other matters. The specifics of those discussions will be matters for future Executive sessions.

Respectfully submitted,



Mary E. McNally
Town Manager