

September 7, 2023

To Members of the Town Council,

The Bylaw Review Committee met on Friday August 11, 2023, to discuss the amendment reorganizing the Board of Public Works. After a good discussion, which also included Bruce Fenney, the Committee voted unanimously to recommend the amendment as presented.

Sincerely Yours,

William Fonseca  
Chair, Bylaw Review Committee

# **Proposed Bylaw Amendment Reorganizing the Board of Public Works**

## Chapter 119 **Public Works Department**

**[HISTORY: Adopted by the Town Council of the Town of East Longmeadow 4-12-2022. Amendments noted where applicable.]**

### **§ 119-1 Department head.**

The Town Manager, with Town Council approval, shall appoint a Superintendent of Public Works. The Superintendent of Public Works shall be responsible for the supervision and coordination of all public works operations of the Town that are placed under the Superintendent's control by Charter, bylaw, the Town Manager, rules and regulations or by other Town vote.

### **§ 119-2 Composition.**

The Department of Public Works shall be under the direction of a Superintendent of Public Works and include additional employees as required for the efficient operation of the Department.

### **§ 119-3 Duties and responsibilities.**

The purpose of the Public Works Department is to coordinate all public works activities, including but not limited to the following operations: snow removal, municipal building maintenance, grounds, parks, public shade trees, water supply and distribution, sanitary sewer systems, streets, roads, sidewalks, stormwater systems and engineering.

### **§ 119-4**

The Town Council shall set water, sewer and stormwater rates based upon the recommendations of the Superintendent of Public Works and the decision of the Town Manager.

### **§ 119-4.5 Annual report.**

The Superintendent of Public Works shall annually prepare and submit to the Town Manager a report that shall contain all matters pertaining to the Department as required by the Town Manager.

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## Chapter 150 **Multiple-Member Bodies: General Provisions**

**[HISTORY: Adopted by the Town Council of the Town of East Longmeadow as Ch. 3, § 3.030, and Ch. 4, § 4.010, of the 1982 General Bylaws. Amendments noted where applicable.]**

### **§ 150-1 Filming of meetings.**

**[Amended 4-12-2022]**

All open session portions of regularly scheduled meetings of the Town Council, School Committee, ~~Board of Public Works~~, Planning Board, Board of Assessors, Board of Library Trustees and East Longmeadow Housing Authority shall be filmed by the East Longmeadow Community Access Television Department and shall be broadcast regularly on community access television. This bylaw is not intended to expand the requirements of the Open Meeting Law and the failure to film a meeting shall not affect the legality of such a meeting.

§ 150-2 **Conduct of meetings; reports.**

- A. All meetings of any governmental body within the Town shall conform to the requirements of the Open Meeting Law of the Massachusetts General Laws, as amended.
- B. The minutes of every meeting shall be delivered to the Town Clerk in final typed or electronic form within 30 days of the date of said meeting, but shall be available for public inspection within 10 days of said meeting.
- C. Each multiple-member body, as described in Division 1, Part III, of the Town Code, shall elect a Chair and a Clerk. **[Amended 4-12-2022]**
- D. The Annual Town Report shall be issued in hard copy under the direction of the Town Manager. It shall include reports from all departments, including the School Department and the Town Council.
- E. No multiple-member body of the Town shall receive compensation for its services, except as recommended by the Town Manager and approved by the Town Council.
- F. No Town Councilor shall hold any other Town-appointed position except as a member of an advisory committee created by the Council, or as an ex-officio member of a committee created by the Town Manager, or as permitted by the Charter.

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**Chapter 175  
Board of Public Works**

~~**[HISTORY: Adopted by the Town Council of the Town of East Longmeadow as Ch. 4, § 4.080(A), of the 1982 General Bylaws; amended in its entirety 4-12-2022. Subsequent amendments noted where applicable.]**~~

~~**§ 175-1 Membership; terms; appointment.**~~

~~The Board of Public Works shall consist three members appointed by the Town Manager, each serving staggered three-year terms.~~

~~**§ 175-2 Purpose.**~~

~~The Board of Public Works shall be an advisory and recommending body to the Town Manager in matters of public works. The Town Council shall set water, sewer and stormwater rates based upon the recommendations of the Board of Public Works and the Town Manager.~~

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**Chapter 185  
Community Preservation Committee**

~~**[HISTORY: Adopted by the Town Council of the Town of East Longmeadow as Ch. 10, § 10.080, of the 1982 General Bylaws; amended in its entirety 4-12-2022. Subsequent amendments noted where applicable.]**~~

~~**§ 185-1 Membership; term; appointment.**~~

- A. The Community Preservation Committee shall consist of nine members serving three-year terms. The following boards will each designate a member to sit on this Committee:

- (1) Conservation Commission.
- (2) Historical Commission.
- (3) Housing Authority.
- (4) Planning Board.

~~(5) Board of Public Works.~~

- (5) Recreation Commission.

B. The Town Manager shall appoint an additional ~~three~~ four at-large members.

**§ 185-2 Purpose.**

Pursuant to MGL c. 44B, § 5, the Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation, including the consideration of regional projects for community preservation. The Committee shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Recreation Commission, the Planning Board, ~~the Board of Public Works~~ and the Housing Authority, in conducting such studies. As part of the study, the Committee shall hold one or more public information hearings on the needs, possibilities and resources of the Town regarding community preservation possibilities and resources.

**§ 185-3 Recommendations.**

- A. The Community Preservation Committee shall make recommendations to the Town Council for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created as provided in MGL c. 44B; provided, however, that funds expended pursuant to MGL c. 44B shall not be used for maintenance.
- B. The Community Preservation Committee may include in its recommendation to the Town Council a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose. All recommendations to the Town Council shall include their anticipated costs.
- C. The Community Preservation Committee shall submit to the Town Council at a public hearing the Committee's recommendations for the appropriation from the Community Preservation Fund and such additional non-Community Preservation Fund appropriations as it deems appropriate to carry out the recommendations of the Community Preservation Committee. The Town Council shall vote to approve or veto the appropriation request by a majority vote.