September 23, 2020

Meeting of the Finance Committee held on Wednesday, September 23, 2020, beginning at 6:03 p.m. remotely.
Please be advised that by Order of the Governor – Order suspending certain provisions of the Open Meeting Law, G.L. c 30A. Sec. 20 which limits public access - This meeting will be conducted entirely over conference call and recorded for public access. The recorded meeting will be publicly available through LCTV.

Members present by rollcall: Maureen Downing, yes; Anthony Alves, yes; Susanne Boyea, yes; Joan Cavallo, yes; Richard Moskal, yes; Beverly Tokarz, yes and Eric Gregoire, yes.

Member absent: Nicole Parker

Kimberly Collins and Ellie Villano were also remotely present, as were Steve Santos from the Board of Public Works and Douglas Stefancik, Town Planner.

First Order of Business: The Pledge of Allegiance

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Ms. Villano informed the committee about a Reserve Fund Transfer that was needed for the Audit for the Westover Golf Course finances.
Moved by Ms. Downing, seconded by Ms. Cavallo to Suspend the Rules.
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

Ms. Villano explained the Reserve Fund Transfer to the committee. She said that the Town has been planning to do a financial audit of the Westover Golf Course for several years. Last year and this year they went into a deficit and the Town had to cover the cost of the golf course. They would like to engage the services of Melanson and Heath to take a look at the last five fiscal years to ensure that all of the financial documents are in place and that everything that was supposed to be completed has been. She sent out information to the Chairman of the Westover Golf Course that this was the plan. The audit is usually budgeted for the amount that it takes to do the yearly audit. There are insufficient funds in the line item to include the golf course audit. She would like the expense not to exceed $8,000 to do the project. Ms. Collins points out that there was an internal review that she did in 2016 when she started working for the Town. Throughout the past few years, she had done reviews of the revenue admissions. She can't seem to see a very clear trend that makes sense when she does the reviews. An outside firm would review the internal controls that they did in 2016 and review the contracts and revenue.
Ms. Downing asked if the transfer is approved, when will the audit happen and when will the final answers be anticipated. Ms. Collins said the firm would start working immediately and it would be done at the same time as the regular audit which would start in January. The reports would come through around March.

Moved by Ms. Downing, seconded by Mr. Alves to approve the $8,000 for the audit of the Westover Golf Course.

Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

Moved by Ms. Downing, seconded by Ms. Boyea to sign the appropriate paperwork for the committee. Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

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Mr. Moskal updated the committee on the Senior Center Project. He sent the committee a schedule and budget. The building will be completed at the end of December. Everything at this point appears to be under budget. They should be $500,000 under budget baring no problems. The only thing contingent is the furniture and moving expenses. He is working with the appropriate people to try to keep the amount at the $375,000 range. He would like to extend a tour to the Finance Committee with the COR, Ms. Zepke and Mr. Moskal at some time in the afternoon, in the near future. The committee members are interested.

Ms. Downing updated the committee on the Harris Brook Elementary School Project. They are on target. The pictures from the school and administration building show that they are half way through the entire project. They are on point for money. The change orders are just about 1% which normally they are 3,4,5,6%. Their being very careful with money. The building looks fabulous. They are on target for June/July of next year. She is very encouraged. They still have meetings on a monthly basis. Their next meeting will be the 22nd. If anyone would like to attend, she is sure that the committee would welcome their attendance.

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Mr. Gregoire informed the committee that the Articles for the Special Town Meeting will be discussed and voted on. Warrants and Background information were provided by the Selectmen's Office to the committee. Ms. Villano and Ms. Collins are available to explain the Articles if necessary. Steve Santos, the DPW Chairman and Douglas Stefancik, the Town Planner are also available to explain their department's Articles.

The DPW Articles, 20, 21 and 22 will be discussed at this time.

ARTICLE 20: To see if the Town will vote to amend the Town Bylaws, Chapter FOUR, Section 17 relative to safety walks in Town and snow removal by the Town on said walks as follows: By deleting a section of the Bylaws as stated in the Warrant. "The Board of Selectmen shall determine and establish safety walks in Town and authorize snow Removal by the Town on said walks." Pass any vote or take any action relative thereto.

Mr. Santos said they were having a difficult time with hired help. There are several sidewalks that the Selectmen designated as safety walks, which are a mile from the schools. Those walks have to be shoveled within a 24-hr. period. They try to do that job in house. With the skeleton crew that they have, they can't do it. They did have a reliable contractor for a number of years, but he retired. They have had other contractors that come in for one snow storm and they don't return. Mr. Santos

discouraged putting this Article on the Warrant, since the Town gives them a snow budget. They have raised the rate to shovel the sidewalks to get more vendors to do the job. At this time the Board will be tabling the Article for this Town Meeting.

ARTICLE 21: To see if the Town will vote to amend Chapter TWO of the Town Bylaws by removing in its entirety Section 27 as follows:

By deleting: The Board of Public Works shall annually in April APPOINT A Town Engineer who shall have authority over Town Engineering work under the supervision of the Board of Public Works. The Town Engineer shall have charge of all Town Engineering. The Town Engineer shall act as assistant clerk of the Planning Board. He shall have charge of and preserve, arrange and index, so as to be readily accessible to the public, all plans, surveys, field notes, records, documents and inventories connected with the Engineering Department of the Town. The Town Engineer shall act as "Clerk of the Works" on Town property; real and personal, when the cost of the alteration, repair, or original construction exceeds $500.00 excluding alteration, repair to school buildings, except when authorized by vote of the School Committee. He shall keep accurate records showing in detail the operation and cost of his department, and a fair and equal distribution of such cost among the several departments in proportion to the amount of work done for and/or by each. (Amended 4/13/92 ATM)

ARTICLE 22: To see if the Town will vote to amend Chapter TWO of the Town Bylaws, by removing in its entirety Section 34 as follows: By deleting: No person shall be employed as Superintendent of the Department of Public Works unless said person has attained a Bachelor's Degree in Civil Engineering from an accredited college or university, has demonstrated five years of successful experience in the field of engineering and holds a professional engineer registration from the Commonwealth of Massachusetts. (Added 2/11/91 ATM)
Mr., Santos said that Articles 21 and 22 work hand and hand. The last part of the Article was adopted in 1992. The Director is not involved in the Senior Center, School etc. The Board's intention with the two Articles was to have more of a Director who knows more about the budget and personnel than an Engineer. Most of the engineering comes through the Sewer Enterprise Fund or a third-party engineering firm. There wasn't a lot of engineering when reviewing the budget in the past three years. Their trying to find someone to manage the department and send the engineering out to a third-party review or retaining an engineering firm and pay them as is needed. If the Planning Board has plans that the department couldn't handle, they would call the engineering firm. In the past the engineers are dealing with a lot of professional people as they have 4 or 5 engineers under them and not so much the variety that they have in their department. Engineers don't look at the budget and cost of projects. They draw up the plans, and are not so concerned with the cost. Their expertise is not in the budget side of the program. They will give you costs of what projects are as far as to go out to bid, but they don't work with budgets cuts etc. That is what their looking for with the two Articles. They couldn't remove one without the other. Their trying to get rid of the minimum standard at hand. Ms. Collins said that the two Articles were pulled at one of the Town Meetings. The request was that you wanted to delete wording out of the bylaws. The concern that was brought up at the meeting was that there is nothing to replace some of the job descriptions. She asked if Mr. Santos has a job description and he did. He spoke with the Human Resources Director

about how to proceed. Mr. Santos said that he's trying to remove the education on the first part of the Article. He believes that there is a director's position and a town engineer's position. He didn't know if the Articles would get through in order to do the job description. He's trying to get rid of the licensing purposes of the education and the description would fit that. The BPW voted 5-0 last time to bring it forward, but the Chairman took it upon himself not to bring it forward and tabled it himself. Ms. Collins said it was brought to Town Meeting and didn't pass because the concern was that they were deleting the items and there was nothing to replace them with. One of the recommendations at that meeting was to move forward with creating a job description to have something to replace it with. Ms. Downing agrees with Ms. Collins. She thinks that both Articles should be changed, especially the first Article. A large percentage of the work is not in engineering and to hire an engineer from a financial perspective makes no sense. Her first thought was that they need new job descriptions. Mr. Santos should work with HR which doesn't have to go to Town Meeting. Mr. Gregoire said that should take place. Ms. Downing asked it the Articles pass, can they amend both Articles saying that they are working with HR and will get a job description done before the end of a specific timeframe. Would that be possible so the department wouldn't have to wait until spring. Mr. Gregoire is not certain about that. Mr. Santos has not discussed anything with HR. He would like the input with HR before making a job description. Mr. Gregoire said his concerns is not having some policy to replace what's being deleted. Ms. Downing feels that the Articles should be tabled and bring back in May with a job description.

Mr. Gregoire asked about the unpaid bill for Casella. He wanted to know what that bill would be addressing. Mr. Santos said the bill is for the furniture, mattresses and trash. It was a mixed disposal. Ms. Collins said that the DPW has submitted quite a few bills. The last meeting, some of the bills were already paid, some should have been incumbered. After the issues were fixed, it was determined that the DPW had more money available then they had expected. There was one bill that came through as an unpaid bill that was sent back to the DPW. That bill was incumbered and they paid it. She requested from the Director an actual listing of everything they had for prior year bills. When she receives the list, she will verify if the bills have been paid or not, to make sure that the only bills going to Town Meeting are truly bills from the prior year. She feels that it is possible that the trash or Casella bills will not have to go through Town Meeting, if she can get the information quickly and incumber those items. She doesn't have a good understanding of the DPW's yearend bills. Mr. Santos said that the $13,000 Casella bills was for mixed trash as stated before 6/30/20. The invoice was approved for payment by the BPW and incumbered under their open contract. The bill was returned unpaid by the accounting office stated that the invoice exceeded the amount of the PO. Ms. Collins said there was a lot of bills coming in from the DPW. They revised some of the PO's so that note could be prior to the corrections when all of those encumbrances were not correct. Ms. Collins will go through the listing in detail and there will be a very clean and clear list of the prior year bills. The committee will hold voting on Article 1 until Ms. Collins gives an actual total number.

ARTICLE 2: To see if the Town will vote to raise and appropriate and [or transfer from available funds a sum of money to meet the required 10% match of a Federal Assistance to Firefighters Grant needed to purchase three power-LOAD lift systems for the Ludlow Fire Department Ambulances.

Ms. Villano said that this Article is a FEMA Assistance to Firefighters Grant. The Town was awarded $114,000 to purchase the power-LOAD lift systems which are the stretchers on an automatic lift going onto the ambulance. As part of the Grant, the Town has to provide a 10% match. Based on the agreement and the company the matching Grant is about $10,372 that the Town has to provide. She asked the Fire Chief if the money could be covered under the Ambulance Subscription Fund since their paying for some of the ambulances now. The Chief will let Ms. Villano know within a few days. If not, the Town would have to raise and appropriate the matching funds.

Moved by Ms. Downing, seconded by Mr. Alves to approve Article 2 for the matching Grant, wherever it comes out of.
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 3: To see if the Town will vote to accept and report the Golf Enterprise Fund retained earnings deficit in part 3 of the Schedule A-2 and Part 11B, line 6, of the Tax Rate Recap, and raise it from the tax levy as a General Fund subsidy.
Mr. Gregoire said that in the background information, it states that the balance would be $78,356. Ms. Collins said this is correct pre-end of the year audit and pre reconciliation. That number is solidified after she does Free Cash and she sets up the tax recap. That number is approximately what it would be. Mr. Gregoire said there is a deficit and this is how it has to be addressed through a levy. Ms. Collins said that is correct because the money has to be raised on the recap for FY'21. This issue was handled the same way last year. The deficit is higher than expected because of COVID. Mr. Gregoire sent an email to the Golf Commission to get an update on their plan for the future to see how the deficit will be addressed. There is a draft report that will be reviewed by the Golf Commission at their next meeting and they will share the information in the future.

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Moved by Ms. Downing, seconded by Ms. Cavallo to accept a report of the Golf Enterprise Retained Earnings Deficit at the Town Meeting
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 4: To see if the Town will vote to authorize the Board of Selectmen to obtain a temporary construction easement from the WESTMASS AREA DEVELOPMENT CORPORATION, for the purposes of the "Riverside Drive Infrastructure" project where the easement area of 4.826 acres is shown on the set of plans entitled "Riverside Drive Ludlow, Massachusetts," available for inspection at the Clerk's Office, the easement boundary beginning at State Street, continuing along the Chicopee River and extending out to First Avenue including the sidewalk that constitutes the extension of the Riverwalk, all within the properties known as "Ludlow Mills" located at 100 State Street described and recorded in the Hampden Registry of Deeds in Book 19251, page 44

Ms. Villano informed the committee that they received Mass Works grant money and federal EDA money in order to construct Riverside Drive infrastructure. Part of the requirements of receiving the EDA money is that WestMass has to provide to the Town an easement to allow the Town to go on to their property to construct the roadway. This Article provides an easement from WestMass to the Town in order to build Riverside Drive.
Moved by Ms. Downing, seconded by Mr. Alves to approve Article 4, the easement.
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 5: To see if the Town will vote to place an article on the Annual Town Meeting warrant to be held in 2021 for the purposes of the Board of Selectmen to act as the Board of Public Works, the question to read as follows:
"Shall the Town vote to have its selectmen act as the board of public works?"

Ms. Villano asked the members to refer to the background that has been presented for this Article. There has been a lot of thought to eliminate the elected vote of the Board of Public Works. There are three steps that could be taken, as provided by Town Counsel, that the BPW could be eliminated and be taken over by the Board of Selectmen. The Town could seek special legislation. The Board of Selectmen could act as the Board of Public Works. She explains and reads the Act that would either by vote of Town Meeting or Citizens Petition to be placed in an Article, vote at a Special Town Meeting to put the question forward for the next Annual Town Meeting. The questions to be put forward would be. "Shall the Town vote to have the Selectmen act as the Board of Public Works". The third way would be to eliminate the Board of Public Works and the position that was eliminated by the BPW would be restored. If the Town voted to rescind Chapter 41, Sec. 69F on how it was established, then the BPW would be eliminated and then all the previous boards, committees and commissions that had been in place, before the BPW was established would be restored and at the next election, you'd have all the positions that were elected, sewer, park commissions etc. from 1992. The Board of Selectmen was in favor of #2 and voted to place the Article on the Warrant as the beginning process to eliminate the Board of Public Works. Mr. Gregoire confirmed with Ms. Villano that voting on this question would be related to members of the Annual Town Meeting. Town Meeting representatives would vote. Ms. Villano said that, that was her understanding. The vote would be to put an Article on the Annual Town Meeting. Ms. Downing had some reference to the background information regarding a ballot question. Ms. Villano said that it's a ballot question before the Annual Town Meeting. It's not a ballot question. The ballot question is what confuses people because everyone thinks a ballot question goes to the election. This is a ballot question to precinct members to Town Meeting. Ms. Downing asked if this allows the Board of Selectmen to take over severing the DPW or is the Board illuminated all together? Ms. Villano said to her understanding the DPW would be eliminated and that Board of Selectmen would act as the Board of Public Works. The Selectmen's vote was unanimous, 4-0. Ms. Downing asked if the Selectmen have the power to create a Board if approved, under their prevue to manage the DPW? She would think that the Selectmen would be able to have an ad hoc Board of Public Works like some of the other committees that they have. She's not sure if that would be needed, because the Selectmen would technically be acting as the Board of Public Works.

Mr. Santos doesn't think that they should be eliminated. They are going through issues and doing some changes and new members were voted in to proceed to go forward. The other issue is doing the Board of Selectmen know about the workings of the department in the absence of a director. If this passes at the October Town Meeting, it goes on to the Annual Town Meeting. This would take affect July, 2021. Mr. Alves wondered what the factors were behind putting the Article forward and how would it be administered by the Board of Selectmen going forward. His concerns are the same with other members re: what is the plan moving forward and what will that look like? Ms. Villano said that he should ask the Selectmen directly for their opinion and thought process. The issues and the finance committee have been the same issues that the Selectmen have with the BPW. There is a lot of disfunction going on, on behalf of herself, there are numerous phone calls that she receives with concerns and complaints and the functioning of the whole department. The Selectmen would have the jurisdiction to make changes, they could have a committee of construction companies and engineers that could help guide them. Mr. Alves will reach out to Mr. Silva. Ms. Boyea asked if this is setting a precedence when there is a department that is having a difficult time, over a span of time, the Selectmen will decide to take that department over as well? The Golf Course is having a problem, would the Selectmen take that over as well? Ms. Villano said the Golf Course is dictated under Chapter 600. That would be different than the BPW. Mr. Gregoire says it takes a lot to get to that step and to adjust officially, certain things can be moved forward. Accountability and structure have to be accounted for. Ms. Downing said when something is definitely going wrong or against the best principals of the Town, there was no recourse. The Selectmen had no oversight, this way they will have oversight to protect the Town to make sure that things are going properly. There was more discussion on the issue with Mr. Santos and the committee.

Moved by Ms. Downing, seconded by Ms. Cavallo to approve Article 5
Mr. Alves, abstained; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, abstained; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 5-2 in favor. Mr. Alves and Mr. Moskal abstained.

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ARTICLE 6: To see if the Town will vote to amend Chapter FOURTEEN of its General Bylaws to change the number of Class II Motor Vehicle Licenses allowed under subsection 4 entitled "Limitation of licenses" from "twenty (20)" to "twenty-five (25)" and by changing the annual fee for Class I and II licenses under subsection 5 entitled "Fees" from $100.00 to $200.00

Ms. Villano said that this would amend regulations of the Class I, II, III Motor Vehicle Licenses. Currently there can only be 20 Class II Licenses and the Selectmen expressed interest in expanding that slightly. Their looking to add an additional 5 licenses. The annual fee for the licenses is $100. The fees haven't increased in several years.

Moved by Ms. Downing, seconded by Ms. Boyea to approve Article 6
Mr. Alves, no; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, no; Mr. Moskal, no; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 4-3 in favor. Mr. Alves, Ms. Cavallo and Mr. Moskal opposed.

ARTICLE 7: To see if the Town will vote to amend the Town Bylaws by adding the following chapter: Chapter XX Single Use Plastic Bag Prohibition, as printed in the Warrant.

Ms. Villano said the Bylaw outlines the rules, regulations, definitions and violations of the Bylaw. Mr. Gregoire asked if the Selectmen had any conversation with any retail stores in Town that provide plastic bags at checkout. Ms. Villano believes that they have. One of the biggest retail establishments has stopped the plastic bags. This was an Article that was going to be put in the ATM. Because of COVID it was tabled. There has been discussion for a while. Mr. Alves did research on the topic. He's not sure if he's in favor of it. A lot of times, people are using the bags for different things. The studies have shown that charging a fee has been affective, etc. Ms. Downing said that the system that BIGY has in purchasing paper bags is very effective. The plastic bags are a problem for landfills, trash, oceans etc. If we move forward for our environment in a positive way, it's an important way to start. Mr. Gregoire said after the quarantine the first things that came back in the stores was the plastic bag. He feels that stores could make the decision to use them or not.

Moved by Ms. Downing, seconded by Ms. Boyea to approve Article 7.
Mr. Alves, no; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, no. Vote: 5-2 in favor. Mr. Alves and Mr. Gregoire opposed.

ARTICLE 8: To see if the Town will vote to change the Senior Citizen Property Abatement Program as initially approved in Article 15 of the October 2, 2000 Town Meeting (and last amended in 2012) as follows: by changing 75 to 50 in the first sentence of the first paragraph of Section B so that it reads: "The Town will set up no more than (50) slots as volunteer services in various Town departments for this program. "By deleting the word "seventy-five" that appears before the word "slots" in the last sentence of the first paragraph of Section B so that it reads: "The Advisory Board shall meet annually to re-determine the allocation of the slots."; and by changing "$500" to "$750" and "Federal" to "Massachusetts" in the first sentence of subsection 3 of Section B so that it reads: "Volunteers must complete the number of hours equivalent to $750.00 divided by the Massachusetts Minimum wage."

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Ms. Villano said this Article would lower the number of individuals who would be in the program and allow the dollar amount to increase from $500 to $750 per individual for an abatement. The Town has one of the highest number of volunteers in the surrounding communities. The majority of the communities pay minimum wage and the people have to interview for specific jobs. Ludlow has several volunteers at the Senior Center, Library and school system. There are a large range of department heads that come together to make a selection of individuals and decide where the people will be assigned, based on what their qualifications are, where they would like to work and any type of restrictions they have. She feels reducing the number of slots is good and so is the dollar figure. The minimum wage is $12.00 an hr. Ms. Downing said that she was a worker for several years and in the beginning, they were using the MA Federal wage. She understands that there are different qualifications, then the Town changed to make it the Federal wage and that added hours to make up the time. She felt that her work was worth more than $7.00 an hour. She feels that the change is positive. She feels that interviewing and having specific jobs is important and is very helpful, especially when the taxes are increasing. Ms. Villano said the Bylaws will be changed to use the minimum wage. Ms. Boyea asked if there are 75 people

interested in applying for the abatement. Ms. Villano said yes and more. There are usually 110 to 130 people who apply annually. The selection is done by lottery and put together a list of runner ups. If there are people that drop out among the 75 people chosen, they would use the next person in line. Ms. Boyea asked if there is a concern that less people would be getting the abatement and will there be more people applying because of the $750. Ms. Boyea said they already are saying no to people and by cutting the number to 50, there will be more people discouraged. Ms. Tokarz said that sometimes there aren't enough of jobs for the 75 people, in the different departments. Ms. Villano said that there is difficulty finding 75 spots. Sometimes work is being made up.

Moved by Ms. Downing, seconded by Ms. Cavallo to approve Article 8.
Mr. Alves, yes; Ms. Boyea, yes; Ms. Cavallo, yes; Mr. Moskal, no; Ms. Tokarz, yes; Mr. Gregoire, yes; Ms. Downing, yes. Vote: 6-1 in favor. Mr. Moskal opposed

ARTICLE 9: To see if the Town will vote to amend Chapter 2 of the Town Bylaws, by removing in its entirety Section 32 as follows, as printed in the Warrant.
Moved by Ms. Downing, seconded by Mr. Alves to approve Article 9
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 10: To see if the Town will vote to accept the provisions of M.G.L. chapter 90 section 17C which allows for the reduction of the statutory speed limit to 25 mph in a thickly settled or business district in the Town on any way that is not a state highway;
The Safety Committee voted to send this to the Board of Selectmen. They are looking to lower the speed limit in thickly settled areas. It's now posted as 30mph.

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Moved by Ms. Downing, seconded by Ms. Boyea to approve Article 10
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 11: To see if the Town will vote to correct scrivener's errors for certain salaries set at the June 22, 2020 Town meeting by revising them as follows, as printed in the Warrant.
Ms. Villano said that it changes the salaries of the elected officials. There were five positions that were incorrectly appropriated. The money is budgeted at the higher rate. This will correct the error.

Moved by Ms. Downing, seconded by Ms. Boyea to approve Article 11
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 12: To see if the Town will vote to amend Section 3 of its Zoning Bylaws, by removing the last sentence from subsection 3.0.4 entitled "Fences" as follows: By deleting: All fences four (4) feet and higher require a building permit. Submitted by the Planning Board.

Mr. Stefancik said that this was a request from the Building Commissioner. He met with the Selectmen last year to discuss this issue. They felt it wasn't necessary for residents to apply for a fence permit. There is still a bylaw in place that certain setbacks have to be met. That would be in place. There wouldn't be a fee for fence permits. The Building Commissioner relayed that this is not a building code item, where other items permitted are building codes. The Planning Board on September 10th voted 5-0 to recommend approval of this Article.

Moved by Ms. Downing, seconded by Mr. Alves to approve Article 12
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 13: To see if the Town will vote to amend Section 3 of its Zoning Bylaws, by adding the sentence, "All accessory buildings over 200 square feet require a permit from the Building Department." to subsection 303.1 (b)(l) so that it reads as follows, as printed in the Warrant.

Mr. Stefancik stated that this was a request from the Building Commissioner. He felt that buildings under 200 sq. ft. would not need a permit, but anything over will require a permit. Accessory structures, building sheds are not regulated by code and his intent would be to limit what people would have to apply for. A small 12x12 shed would not require a permit. The Planning Board, on September 10th voted 5-0 to recommend approval of the Article. Articles 12 to 15 were on the May Town Meeting but were removed because of the COVID crisis.

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Moved by Ms. Downing, seconded by Mr. Alves to approve Article 13
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 14: To see if the Town will vote to amend Section 3 of its Zoning Bylaws, by adding to subsection 3.3.1 (c) the words "and roosters" as follows: New Section to read: c. Accessory Livestock Agriculture On land used for agriculture and livestock agriculture with five (5) or less acres, and with the approval of the Board of Health, the following uses are allowed and may be considered as accessory uses if the use is for the occupants only: the keeping of a small flock of poultry of not more than 25 birds, the keeping of saddle or riding horses (as outlined in Section X, Definitions), and other farm animals, excluding pigs and roosters.

Mr. Stefancik stated that this was a request to the Planning Board from the Board of Health. They receive complaints from residents who live on smaller acreage; 15,000 or 30,000 sq. ft. because of people who have roosters that are allowed in Residence A and B districts. It becomes a noise complaint. They cannot enforce it because it's not in the Bylaw. Their looking to have this added into the Bylaw to exclude roosters. They already exclude pigs; this would be added as well. The Planning Board, at their meeting of September 10th voted 5-0 to recommend approval of this Article. People that have a farm or any property above 5 acres, would not have an issue. Mr.

Gregoire had several questions as did committee members. Mr. Gregoire goes on record opposed to the Article. There were only a handful of complaints re: roosters that could seemingly be worked out between neighbors. We are a Right to Farm community. The Bylaw calls out specifically to the Town's values consisting with the MA statutes around right to farming, farming activity and his own personal experience that there is a lot of positive benefits even on a small area that is not five acres. There are 4H members that live on small plots of land that have chickens and roosters. Mr. Alves agrees with Mr. Gregoire. He feels it's very drastic. Roosters serve many purposes based on what their being used for. Mr. Stefancik said that anyone with a small parcel of land could keep up to 25 chickens on their property and roosters as well. The Board of Health wouldn't be able to do anything about that. Ms. Downing asked if people need a permit. Mr. Stefancik said they would need a permit from the Board of Health. The definition of birds is a board range. Complaints come from people having small lot sizes. The Board of Health doesn't use their discretion because they feel that the Bylaw should spell it out.

Moved by Ms. Downing, seconded by Ms. Cavallo to approve this Article. Ms. Downing upon reading the Article further chose to withdraw the motion as did Ms. Cavallo who seconded it.

Moved by Ms. Downing, seconded by Mr. Alves to disapprove Article 14.
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, no; Mr. Moskal, yes; Ms. Tokarz, no; Mr. Gregoire, yes; Vote: 5-2 in favor. Ms. Cavallo and Ms. Tokarz opposed.

ARTICLE 15: To see if the Town will vote to amend Section 6 of its Zoning Bylaws, by removing subsection 6.6.3(j) in its entirety from the Accessory Apartment Bylaw as follows: By deleting: J·Dwellings must be in existence, and not substantially altered for a period of three (3) years prior to the filing of the conversion permit.

Mr. Stefancik said that currently their Accessory Apartment Bylaw, has a three- year limitation. The residential house has to be built three years prior. What their finding with residential and new construction, people building a new house can't add an accessory apartment. Today there are families of multi generations living together. Taking this part out of the Bylaw would be a help to people building new construction. The Planning Board voted 5-0 in favor to recommend approval of the Article, at their September 10th meeting.

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Moved by Ms. Downing, seconded by Ms. Boyea to approve Article 15
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 16: To see if the Town will vote to amend Section 3 of its Zoning Bylaws by removing and replacing subsection 3.3.1 (g) in its entirety as follows: By deleting: Clothing Donation Receptacles and replacing it with the new Bylaw, Clothing Donation Receptacles as printed in the Warrant.

Mr. Stefancik said that currently the Clothing Receptacle Bylaw is limited. They were approached by the First Church on Center about wanting to have a receptacle. The Bylaw states that the receptacle has to be medal boxes. They corrected the Bylaw to allow the churches in the agriculture areas to be able to place the collection box on their property with a site plan approval. At their meeting of September 10th, the Planning Board voted 5-0 to recommend approval.

Moved by Ms. Downing, seconded by Ms. Boyea to approve Article 16
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 17: To see if the Town will vote to amend Section 3.22 entitled TABLE 1 LUDLOW TABLE OF PRINCIPAL USES of its Zoning Bylaws , by removing and replacing CLOTHING DONATION RECEPTACLES, under LAND USE CLASSIFICATION/GENERAL USES, and allowing the use of these receptacles through Site Plan Approval from the Planning Board in the following districts; Business A, Business B, Agriculture, Agriculture Moderate Density, Industrial A, Industrial C, and the Mill Redevelopment District and to amend Table 1 to reflect this change, as printed in the Warrant

Mr. Stefancik said this is a follow-up to Article 16. This is the table of principal uses near the certain districts as mentioned in the Article by site plan approval. An applicant applied for a site plan approval to show the clothing donation receptacles on their property as long as they ad hear to the Bylaw. At their meeting of September 10th, the Planning Board voted to recommend approval of the Article.

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Moved by Ms. Downing, seconded by Ms. Cavallo to approve Article 17
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 18: To see if the Town will vote to amend its Zoning Bylaws by changing its district from Residence A to Residence B, a parcel of land owned by Sodi Inc. (Ralph Capua), located at 0 Chapin Street (Assessors Map # 1 ID, Parcel 1 15) and described as follows in the Warrant.

Mr. Stefancik said this was a Zone Change on Chapin Street, almost directly across Harris Lane, down the street from Chapin Street School. The property was for sale and the owner applied for a zone change to put up condo units on the property. The Planning Board at their meeting of September 10th voted 4-1 to recommend disapproval of the Article. There was neighborhood opposition. The Board heard the neighbors and turned down the Article.

Moved by Ms. Downing, seconded by Ms. Boyea to disapprove Article 18
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 19: To see if the Town will vote to amend its Zoning Bylaws by changing its district from Residence B to Business B, a parcel of land owned by Jamie & Richard Jacobs, located at

193 Center Street (Assessors Map # 12D, Parcel 53) and described as follows as printed in the Warrant.

Mr. Stefancik said this parcel is zoned Residence B. The new owner would like to switch to Business B and turn the property into a small hair salon. At their meeting of September 10th, the Planning Board voted 5-0 to recommend disapproval of this Article. The Town attorney had information that the owners of the property did not own the property until after the public hearing. The Town attorney said the zone change would be invalid, because they weren't physically the owners. They had issues with the closing and it was delayed several weeks. It became a problem technicality for the owners. Ms. Villano said through counsel that the only action is to take no action. That's what the motion will have to be.

Moved by Ms. Downing, seconded by Ms. Boyea to concur with no action taken on Article 19 Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 20: To see if the Town will vote to amend the Town Bylaws, Chapter FOUR, Section 17 relative to safety walks in Town and snow removal by the Town on said walks as follows: By deleting: "The Board of Selectmen shall determine and establish safety walks in Town and authorize snow removal by the Town on said walks."

Mr. Santos said that the Article will be postponed.

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Moved by Ms. Downing, seconded by Ms. Boyea to concur with the BPW to postpone action on Article 20
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

ARTICLE 21: To see if the Town will vote to amend Chapter TWO of the Town Bylaws by removing in its entirety Section 27 as follows: By deleting the section in the Warrant as printed.

Mr. Gregoire said this Article refers to appointing a Town Engineer and the responsibilities of the Town Engineer.

Mr. Santos said that he found a job description dated January, 2006. The position is titled Director of Public Works. There are two areas that have to be addressed. Statement of Duties (Mr. Santos read the part that would need to be deleted and replaced with Civil Engineer Services) The other area would be under Recommendations and Minimum Qualifications under Education and Experience. (Mr. Santos read the description which should be deleted, because it does not apply). Mr. Santos said those are the only two areas that would be deleted because it does not apply. Everything would stay the same. The job description would have to be cleared with HR. He will

get the approval from the BPW at their next meeting and would like to meet again prior to Town Meeting for the Finance Committee's approval.

Mr. Gregoire said that his concern is that he believed that there wasn't a job description available. Now there is one. He wants assurance that this is an appropriate job description that would be on record with the Town and that the Board would be accountable for and responsible for the items listed.

Mr. Santos said there are two or three job descriptions that their working with HR to fix. He will work with HR and try to move forward if the committee feels that it's in the best interest of the Town.

Mr. Gregoire said that Articles 21,22 and Article 1 will be held for review and voted on prior to Town Meeting.

Schedule a meeting prior to the STM in Conference Rooms 1 & 2 at the Town Hall, at 6:30 p.m.

Moved by Ms. Downing, seconded by Ms. Boyea to approve and sign the Finance Committee Minutes of June 3, 2020
Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, abstained; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 6-0-1 in favor. Ms. Downing abstained

Moved by Ms. Downing, seconded by Ms. Boyea to approve and sign the Finance Committee Minutes of June 22, 2020

Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

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Moved by Ms. Downing, seconded by Ms. Boyea, to approve and sign the Finance Committee Minutes of July 1, 2020

Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

Moved by Ms. Downing, seconded by Ms. Boyea to approve and sign the Finance Committee Minutes of July 20, 2020

Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

Moved by Ms. Downing, seconded by Ms. Boyea to adjourn the Finance Committee Meeting at 8:52 p.m.

Mr. Alves, yes; Ms. Boyea, yes; Ms. Downing, yes; Ms. Cavallo, yes; Mr. Moskal, yes; Ms. Tokarz, yes; Mr. Gregoire, yes. Vote: 7-0 in favor

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