

The Meeting of the Board of Selectmen held on Tuesday, February 6, 2024, began at 5:30 p.m. in the Board of Selectmen's Conference Room.

Members Present: James Gennette, Derek DeBarge, Antonio Goncalves, Manuel Silva, and William Rosenblum

Members Absent: None

First Order of Business: The Pledge of Allegiance

CORRESPONDENCE

192. Courtney Afonso, Resident – Requesting the Board to approve a refund for her building permit in the amount of \$500 due to the permit expiring because of delays beyond their control.

Mr. Costa: My name is Tony Costa. I live at 86 Southwood Drive. Courtney Afonso is my daughter. I'm here representing them tonight. I followed this project through from the beginning to completion. This is at the Hundred Acre parcel of land. When we first pulled the permit, there was numerous delays, a country wide delays of getting transformers. There was no transformers in the country. Armand, the developer, was on Eversource for months because it slowed him down. He couldn't get the utilities in. Courtney was the first one to pull a permit. They started to build and then they were on standstill. He eventually got one transformer 3-6 months after they received their permit. That was a delay from Eversource. They couldn't get the utilities in from Eversource. They roughed it and couldn't get the house with the meter till the transformers were in. There was another delay with Eversource hooking up the gas lines. That delayed them for weeks because they didn't have the house heated so they couldn't proceed with putting in the flooring and so forth. Those few delays compounded with getting people and resources back, the contractors back. When they had to postpone the contractors coming to their house naturally they went to other people's houses and started work. They eventually came back and got everything done. There is a shortage of maintenance people out there, plumbers, electricians and so forth. They got all their inspections; the house was completed and last week or the week before Leslie came to give them the CO. At the time she came she notified them that in order to get the CO you're going to have to pay another \$500 to get your permit renewed because it's been over 12 months. I said that's kind of weird because I know that it's there but with these circumstances and so forth. She understood, because my son-in-law told her about all of these things and she told him that she couldn't waive the fee. You'd have to go in front of the board. So, I said OK, we'll explain things to them. She said you'd have to pay \$500, so my son-in-law paid the \$500 and she came, there was one thing he had to do before she could give him the CO. She came back the following week gave her all the paperwork and \$500. So I came into the Selectmen's office and asked them what to do. She said write a letter and we'll put you on the agenda. That's where we're at. Also, I understand there's a one-year period to be able to get things done. I know you've done subdivisions before. Subdivisions you have 2 ½ years to develop the subdivision. Then, if you're not done you have the opportunity as a developer to go into the Planning Board and ask for an extension. I'm not sure why that's not here because it's the same concept.

Mr. Gennette: We're not in charge of the Planning Board.

Mr. Costa: I understand that but you have a Building Department tacking on fees for somebody that's over a year, then you have a Planning Department in the same town giving extensions to developers for 2 years, like Santini Lane was just awarded a 2-year extension. What does that mean? That saves them money. They don't have to go and reapply and do all the permits. The same thing with the developer where my daughter is living, Armand. He came into the last planning meeting and asked for an extension. I don't know the outcome of the extension, how many years or months he was given, but I know the Selectmen have given an extension for the same reasons I'm here, the utilities. That's why I'm here, to answer questions. I didn't know if you got the letter.

Mr. Silva: I don't have any questions, but through experience, and Mr. Goncalves will probably say the same thing, it used to be a day in age when 12 months was OK to do because there was far and few between houses, but now trying to get a contractor in for a little thing takes months.

Certainly, we should look at the scope of this and probably extend the time period. We'll have to check with Building, but we do need to extend that time to 2 years or year and a half. Homes aren't built like in the old days, 3 months and a house is up.

Mr. Costa: That was another point I was going to make. That was probably put in a couple years ago. I still think it should be looked at also unless you extend it to 2 years. If you kept it a year I think people should be able to come in and ask for an extension for other reasons. To keep it like subdivisions.

Mr. Goncalves: Is she her own GC?

Mr. Costa: Yes they were.

Mr. Goncalves: That's a problem. The artisans that you were talking about, electricians, plumbers, they're so far and few between that the individual has no shot at getting a contractor at the same speed that a contractor is going to use them. They're probably doing 5 houses a year and you're looking for the same plumber I'm using.

Mr. Costa: That's what's happening up there. What they're doing is they're asking who did you use for an electrician or plumber and they're using a lot of the same contractors.

Mr. Goncalves: I don't have a problem with moving to refund that \$500. This is an individual that's at the bottom of the food chain in the contractor's eyes and they're going to be taken advantage of. It's a good point and something we need to look at.

Mr. Costa: The other key thing is they paid their initial \$4,500 for the permit.

Mr. Goncalves: People don't realize that that's what it takes today to building a house. \$4,000-\$5,000 in permits.

Mr. Costa: To tack on another \$500 at the end, I could see if there was something the town needed to do. If they needed to do more paperwork or inspections then I could see charging a fee but the fee is already included in that \$4,500, it's just the permit was over that.

Mr. Goncalves: **I've got a motion on the floor.**

Mr. Rosenblum second. All in favor. Motion passed 5-0.

Mr. Goncalves: I'm not sure how you're going to get that. Is there an abatement form?

Mr. Strange: You already paid for it?

Mr. Costa: Yes, they already paid the Building Department.

Mr. Goncalves: Follow up with the Selectmen's office.

VISITATIONS

5:35 p.m. - Verizon Pole Petition – Public Hearing

Motion made by Mr. Rosenblum to open the Verizon Pole Petition Public Hearing at 5:41 p.m.
Mr. Goncalves second. All in favor. Motion passed 5-0.

Mr. Bonner: Don Bonner representing Verizon for the Fuller Street pole. I went out to the site this afternoon. The measurements are off in your map by about 6' in one direction. 6' shorter on one side and 6' longer on the south side. I don't know if that's of consequence to you but that's the way it is. The stake is still in place. From what I can tell it looks like it's next to some curb cut stakes that are going in. The purpose of this pole is to service a new development that seems to be going in at 188 Fuller. It looks like it's going to keep the span above where the driveway is so

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everything can get in and out safely. It's going the same distance off the street as the other poles in line. There's nothing fancy about it. It's going in so you can run some wiring into whatever this new development is going to be. I don't know what it's going to be.

Mr. Goncalves: We had a situation on Miller Street, and I'm not sure if it was you who came in. There was a whole lot of extra equipment added on to a pole and it was ugly for the homeowner. Will this pole be different than others that if we have to add that type of equipment there in the future maybe this would be the target pole?

Mr. Bonner: I don't know. All I can say is its intention is to support. Right now, there's no home right there and it looks like there's going to be a development. The purpose is to support that, whatever that's going to be. There might be some new material being put on the pole to supplement that. There might be some more but I can't speak to what it's going to look like.

Mr. Goncalves: I hope that anything that's going to be added on to that area because of the new construction would be that one pole and not in any of the neighbor's yards.

Mr. Bonner: I don't think anything is going to happen to the other poles. They were stringing today while I was there. I don't know who's there doing it.

Mr. Rosenblum: If I remember correctly, those boxes are the cutoff area. The box they put down on the pole is about eye level, those are the boxes so that if the power shut down in one area it's a connecting area to where they can shut it off so they don't have power going the other area. Would that be something that would be there? The one on Miller Street, the pole was right here and the box was right here next to the mailbox. That's wayfinders?

Mr. Silva: Did you happen to look at the site plan of Wayfinders? They have a couple driveways in and out so I don't know if you're putting a pole where their driveways are going to be, then you're going to have to move them.

Mr. Bonner: I did not look at the site plan so I don't know for sure but when I was out there I saw the stakes that said curb cut on them so the pole is going off to the side, and I'm sure they're working with them.

Mr. Silva: Hopefully so we don't have to come back in here again and you're going to have to move your pole 3-4 more times.

Mr. Cox: Roger Cox, 738 Chapin Street. When we got this certified mail, I guess there was 17 others that got it as well. I don't know why unless it's going to be something where I'm going to have now not only utility poles on the street side but in my backyard, but I'm going to have power lines and utility poles strung up on my backyard. With Eversource, I had a sparking transformer across my street. It took 10 months for them to believe me. I had to hire an electrician to prove that my house wasn't the problem. My house was dimming out. I do not want a sparking transformer in my woods burning my woods and my house down. I do not want to see poles lined up for our neighbors so we have an obstruction in our backyard, like 5-6 lines of utilities strung up in our backyard. That's not right. In fact, when you put in a new development like that it should be all power underground, utilities underground. And if you've got to do some poles, let it be on Wayfinders property, not ours. We also pay high taxes here. They go up every year. I've got poles in my street where I can trip. Not good. Sidewalks down there are all crumbled and crushed on Chapin Street. I think that this should be something that's not obtrusive for the homeowners. It should not be something we have to look at in our backyard with power lines and transformers strung up on our backside. Plus, they're going to put in dumpsters next to our property. We shouldn't be seeing that. It should all be on Wayfinders. I shouldn't even see that. One neighbor, God rest his soul, said put up the Mass Pike barrier, a big 30' wall. I don't want to see it. That's not right to put on this notice one pole, when you say you're looking for permission. It's not single pole, we're talking about poles, wires, cables, fixtures, all in our backyard. Where is my reduction in my real estate tax? I'm forever paying more tax. Pay more get less. Our property values are fixed so the value went up but the amount you pay per thousand went down. On that pole, is that going to be larger than the utility poles that we already have. What's going to happen with that pole?

Mr. Gennette: I think you raise a good question so I guess my question would be is this going to allow for all of the pass through electric and Verizon poles into the new development and are they going to be notified of other things that are going on?

Mr. Bonner: You keep saying Wayfinders, is that the developer?

Mr. Silva: It's a 42-unit going in there.

Mr. Bonner: I assume that's going to be underground, like he mentioned.

Mr. Gennette: I don't know. I'm not the developer, I'm not Verizon.

Mr. Bonner: I can't speak to it. I don't know. This is literally for this one pole. Whatever happens inside 188 I can't speak to. I'm assuming because it's a big development it's going underground because most new ones are these days, but this is for this one pole on Fuller. 738 I don't see them as an abutter.

Mr. Cox: I'm an abutter 4 houses down.

Mr. Bonner: I can't speak to what's going on. My purpose here is for this single pole. That's all I'm here to petition for. I don't know what these people are going to do on their own private property.

Mr. Gennette: Do you have any specific questions you'd like to ask him at this point?

Mr. Cox: Again, it's for one pole but I think it's leading to poles that are going to line up on the backside of our property and it shouldn't be that way. You don't seem to know anything other than that single pole going in.

Mr. Gennette: This is a single pole hearing for that so my assumption is that there's got to be other conversations.

Ms. Cox: I find it ironic that 17 people were notified of this meeting for 1 pole that's down the street from us. We took a walk today and we can see there's a temporary electric thing. Is that where you're talking about where the pole is going to be?

Mr. Bonner: There's a stake in between those 2 poles you see on the plan. There's a stake in place.

Ms. Cox: I find it weird that 17 people were notified for this one pole you say that you know about. Why would we be notified of this.

Mr. DeBarge: It's normal process for abutters. Anytime a pole gets put in, no matter where it is in town, the abutters get notified so they can come in and do exactly what you're doing. Asking questions. It's very normal.

Ms. Cox: You understand where we're coming from. We've been here for a lot of years, relative to what's going to be going on behind our home.

Mr. DeBarge: I want to make one thing perfectly clear; this is a single pole hearing. This has nothing to do with what Wayfinders is putting in, what kind of apparatus, the units, the trash. We fought that years ago and we lost. This is one pole. That's all this hearing is for. If there's another pole or more you'll be notified each and every one.

Motion made by Mr. Rosenblum to approve the addition of one pole on Fuller Street. Pole # T.33 ½ 4-E.82-29.5 for approval. **Mr. Goncalves second. All in favor. Motion passed 5-0.**

Mr. Rosenblum: To get ahead of it we're probably going to see a site plan from Wayfinders to figure out if they're going underground, which I would imagine they are. This is probably just an entrance point for it. I do get seeing this stuff coming through people's backyards.

Motion made by Mr. Rosenblum to close the pole hearing at 5:55 p.m. **Mr. Silva second. All in favor. Motion passed 5-0.**

5:50 p.m. – Radio Communications Committee—Project Closeout Discussion

Chief Pease: This has been a long process. To sum it up, it started before either one of us was Chief, probably 2015-2016. Chief Paul Madera started with a needs assessment to assess the Town of Ludlow's system. What could be done, what would be done, what our capabilities were, topography, and from that they contracted with a company that ended up being our owner's project manager to release an IFB, invitation for bid, after the 2019 town meeting that the 4.8 million dollars was awarded at. A bid was released in 2020 during the heart of Covid. The bids were accepted and we awarded a bidder in the summer of 2020. Then contract negotiations began. You signed the contract in May 2021. Since then, we've built 2 brand new towers, one on town property on Nick Silva field and one on MWRA property on Nash Hill, upgrades to our fire tower, the existing equipment, the shelter on Minechoag Mountain, and the hub of the wheel is at the PD and fire department with our tower there where we made some upgrades to the system that gives us 100% coverage across town. Going back to the start of this project, Chief Valadas can give you the story for another day, but not having any coverage for their portable radios in a specific area in town, he was stuck by himself with a potentially dangerous character and couldn't speak out because our current system wouldn't allow it. At that time police were on a UHF system; fire was on a VHF system but we were still having problems on both sides of our emergency communications. Areas by 460 West Street, our assisted living facility where we barely had any communications there. There were places on the pike that the fire department couldn't communicate unless you were in a truck on mobile radio because the portable radios didn't work. Obviously that was extending some big liability to our emergency responders and citizens at the time. Throughout this project there was an idea that we could bring the whole town together; police, fire, schools, DPW, senior center, and use it under one system where we could all have that operability with our own central dispatch. Finally, we had our last meeting on January 5, 2024, to close out this project. I can say we have coverage in all those areas now. The system works tremendous. It was a long process, partly to do with Covid and a supply chain issue, which we're all aware of like getting generators for facilities and all that other stuff. Secondly, working with the MWRA and DCR and getting agreements together with the Town of Ludlow. The testing for this project was every quarter square mile in town had to be physically stepped in and tested. Chief Valadas was saying earlier and Deputy Chief Lavoie and Lt. Brennan from the police department accompanied a representative from our own project manager and the radio's contractor and they stepped in every quarter square mile grid of this town, which was quite a process. We do have some very remote areas in town and they got to them, which is a pretty amazing feat.

Chief Valadas: The project ended up coming to fruition as Chief Pease talked about the expenditure of the funds that will be returned back to the Town. I think that's fantastic. The contractor was excellent. Chief Pease I want to personally thank. I felt that he being the chair, he was the point of the sphere, and all of the committee members, Jodi Zepke, Director Assaf, Deputy Fire Chief Jeff Lavoie, Lt. Mike Brennan, they all attended these meetings and deserve a special thank you. There was a lot of logistical stuff that had to be done. One day I asked the owner of the company, Marcus Communications, who installed the system, I said what are we looking at as far as when we're done and the town spends over 4 million dollars how good is the system that we have. He said we have 4 channels in a digital system that only about 30% of the entire country has. Wow. I want to thank the town. Tremendous foresight. Also, Chief Madera, my predecessor saw the need, and Chief Lavoie did a fantastic job.

Chief Pease: I echo the same remarks. I'd like to thank the town and all the committee members. I listed everyone here that is or was a current committee member. It was a lot of work but I think we can all say that puts our public safety responders in a much safer place as well as the citizens of the Town of Ludlow. One of the most critical points of our emergency services is communication and we need reliable communication to get the job done. We do have that now. When we look at the cost breakdown that I provided for you, the project itself was a little bit under budget but the price of our OPM was only overbudget because of the length of this project because he had to keep working. He did do a lot of work. Our vendor was responsible for everything they had to do. There was some warranties that were taken out of the project, and that was done by the previous administration because of the length of term on that. The remaining funds are left there. Again, everybody worked pretty hard here. We're all happy with the outcome of this and the town made this possible for us. This system is state of the art, like Chief Valadas said. It's a P25 public safety system. We have 4 public safety frequencies on a trunk network now, which means we don't just get 4 channels, the amount of channels we can get out of this system is very expandable to all

the towns' needs into the future, which is a great thing. It's not just a system that's going to serve our needs today but into the future as the Town of Ludlow grows. We were thinking about that when they designed this project.

Mr. Silva: Great news. Great job. I was here when we first started talking about this. Marc, now that we have these funds extra, are we able to take these funds and put them into non recurring local receipts so we can get a little closer to our levy limit?

Mr. Strange: We've checked with bond and counsel. The funds can be reallocated but it has to be to a project with at least the same expected useful life. We're proposing to use those funds for Millside Drive because we got a 3-million-dollar Mass Works grant and it looks like the cost of that is going to be more than 3 million. We're still trying to figure out costs with Eversource but I think it would be smart to allocate those funds for Millside Drive. We had a meeting with them last week. The problem is WestMass needs to provide them with the district loads they're anticipating for the new developments. They don't really have them so it's kind of a chicken and egg thing right now but we met with Eversource last week and they're going to get us a ballpark estimate of what we're looking at. The question is are the utilities going to be underground or aboveground. They're going to get us quotes for each.

Mr. Goncalves: If this money wasn't available, how would we finish Millside Drive.

Mr. Strange: The next thing is free cash. We might still have to come to Capital Committee for free cash. You can also negotiate with Eversource. It's not fully defined by black letter law what the process is but that's where we are with that. To answer your question Manny, you can reallocate them but it has to be for specific uses. You can't just collect the money and put it aside for free cash.

Mr. Silva: We're a million dollars over the levy and we've got to find money somewhere.

Mr. Goncalves: This has to be spent.

Mr. Strange: We did that for the Town Hall. There was \$600,000 in unspent bond funds for a couple of roofs that were approved a few years back. We reallocated those. Town Meeting approved it for this project. For the Town Hall roof and HVAC.

Mr. Silva: Millside is a great thing that's happening now and they got some funds from the State. We have a portion that we have to pay. That's not part of the road itself, it's other costs?

Mr. Strange: The estimated cost of the road was 3 million, which is why the application was for 3-million-dollar grant, which we got but costs have increased. I think the estimated cost right now is 2.7-2.8 million and that's without the cost for electric poles, which is why we're trying to get an idea from Eversource. Are we going to be a couple hundred thousand over, \$900,000 over? I have no idea. It could come in at 3-million dollars.

Mr. Silva: Why isn't the Mills paying for the extra cost? Why is the town, community paying? Any developer, whether it be a road, pays for all of their costs. I know that this is a very beneficial project. I'm worried what if it comes in a million dollars over. Is the town going to have to flip that bill?

Mr. Strange: No, it's a negotiation. You have the town, Eversource and WestMass. Three interested parties so we'd have to negotiate it. We've had the preliminary discussions. Without knowing the overage we're looking at it's hard to speculate what that negotiation would look like. This came up because Ryan did such a good job managing the project. I figured if we at least reallocated the funds to Millside Drive and we don't need it we at least can reallocate it for something else. Other infrastructure, buildings, or roads.

Mr. DeBarge: For the record, I'm very well aware of the dead spots in our town from when I was on patrol. This was sorely needed. Great job on all of it. I'm glad it's done.

Mr. Gennette: We're not seeing too many projects come in under budget lately so this is quite nice to see.

Chief Pease: We can close out the committee or leave it to deal with some issues in the future. If you make a motion to close out the committee and if there are any issues we can certainly deal with them.

Mr. Silva: Until these funds are moved I'd say keep the committee until then. Once the funds are dispersed in case there's an issue with it and the committee has to approve it. It doesn't hurt to keep it for a little bit. Do we need to accept the funds?

Mr. Strange: You'd have to approve the warrant article; it would go to Town Meeting.

Motion made by Mr. DeBarge to file. Mr. Rosenblum second. All in favor. Motion passed 5-0.

6:00 p.m. – Thomas Irwin – Massachusetts Paint Stewardship Advocate – to Discuss the Paint Stewardship Bill.

Mr. Irwin: Good evening. Thank you for this opportunity to speak. My name is Tom Irwin. I live in Dalton, MA. When I was a member of the Dalton Waste Management Recycling Committee I became aware of the paint stewardship program. The concept seemed perfect and after visiting CT, VT, and NY to confirm that the retailers and residents found the program to be functioning well I became an advocate for this legislation within MA. I was previously before the committee in November 2023 and shared a presentation regarding paint stewardship that a fair number of you have already seen. Tonight, I'm here to request Ludlow's Board of Selectmen consider passing a resolution supporting the paint stewardship bill presently before the State Legislature. I want to review why the product stewardship is needed in this state and it's the result of there being 5.9 million tons of trash generated within the state each year and there are only 3.8 million tons of incineration capacity. That leaves us with 2.7 million tons of trash that has to be landfilled. There are only 5 municipal landfills in the state that are currently active. No more are planned so you can imagine the vast majority of that 2.7 million tons, and growing by 2% per year, has to be hauled out of state to places as far away as Ohio and South Carolina. The hauling costs as well as the greenhouse gas emissions from that are enormous. Product stewardship in general and paint stewardship in particular are important tools that provide us hope that we can decrease this expense and burden. Paint stewardship is a program which will allow residents, any and all, to take their unwanted paint and return it to a participating paint retailer any day that retailer is open at no cost. Simply drop it off and they're done. The returned paint is collected in totes by the retailer, it is hauled to a reprocessing plant, re-blended to like new condition and sold for less than 50% of the original cost. This program has been working well in 11 states and the District of Columbia, and that includes 5 of our neighboring states of CT, RI, ME, VT & NY. The consumer's part is paying a fee of up to \$1/gallon at the time of purchase or about \$1.75/5 gallons. If you do the math you'd expect it to be \$3.75. They're not charging that. They're trying to break even. Not trying to make any money. The other concern I'm sure you have is what benefits are we going to see in Ludlow. The first benefit is it's going to be a service that your Ludlow residents will value highly. This is made clear by 60% of the latex that's returned to the Enfield, CT Sherwin Williams store on a weekly basis is from Massachusetts residents. In fact, if you are a retail store in any of our adjoining states within 10-15 miles of the border of MA, you get MA residents bringing their paint to you. The program does not care when you got your paint, where, what your state of residence is. They accept any and all. The other fact is that 92% of 735 MA residents attending household hazardous waste days signed petitions asking their legislators to become co-sponsors to the bill. This suggests that 92% of Ludlow residents that have paint in their basement or garage would be in support of this bill. The 2nd benefit is there are no costs to municipalities. There are savings on household hazardous waste days so you can take your RDP money and use it for other waste issues. The 3rd benefit is it will decrease significantly a toxic waste too often created when oil-based paint is discarded inappropriately. 4th, it's going to be a model for future product stewardship legislation which will address items like mattresses, solar panels, lithium car batteries and packaging. All things that are potentially a problem or currently banging on our door as problems. If this thing is so great, why hasn't it passed in any of the 6 previous sessions? Each session has 6-7,000 bills brought before it and there's only capacity to process 4%. Doing the math, you can see that it's going to take quite a while. Further complicating that is the fact that paint care is only going to save 2 million dollars annually, which is great for you and I but small change for the state. The final thing is public demand has been small because relatively nobody knew about the bill. In the course of my work on this thing that's changed markedly. Next steps. To begin with, to update you on the present status of the bill, it was viewed favorably by the environment natural resources

committee and passed to the house ways and means committee on January 18, which is well before the February 7 deadline, which is reason for optimism. However, there is more work to be done to pass this bill. This will require having as many municipal resolutions as possible to encourage the ways and means committees chairs to view the bill favorably and send it to the floor for a vote. Since residents of Ludlow will appreciate this bill and since saving our environment demands bills like this and since more municipal resolutions are needed to get this bill passed, please strongly consider adding Ludlow's valuable support of resolution to the over 90 municipalities who currently support this bill. Thank you for your attention and I'd be glad to entertain any questions.

Mr. Goncalves: Do you know where our representative and senator are on this?

Mr. Irwin: Representative Saunders was an early co-sponsor of the bill and Senator Oliveira is also a co-sponsor of the bill. I'm delighted to say that 75% of the representatives in MA are in favor of this bill and 80% of the senators and those numbers would be even higher if I had more time before the bill got moved out of the environment of natural resources committee.

Mr. Goncalves: This is very popular in Western MA it appears. What's the hold up?

Mr. Irwin: There isn't another Tom Irwin running around the eastern part of the state. I've done presentations to over 30 municipalities and not one of them said no. It's not because I've done a razzle dazzle presentation it's simply because this thing speaks for itself. To me, that's got volume. It's got legs and if we had more time I think it would without a doubt 90% of the communities in this Commonwealth would be having resolutions in favor of this.

Mr. Rosenblum: Do you see a hang up on the eastern end of the state with this? I think if you have State Rep Saunders and Senator Oliveira in there helping co-sponsor it I would think they would be able to get the word out to their fellow representatives and senators that this is a good thing to do.

Mr. Irwin: There are 29 representatives who are co-sponsoring this bill and only 10 of them are from the western part of the state. The other 19 are from the other part of the state. There are 12 senators in support of this and 4 are from our end and 8 are from the other. There is participation it's just disproportionate on our end because I've been running around making sure everybody is aware of it.

Mr. DeBarge: I can't think of any reason not to be supportive of this.

Mr. Strange: Mr. Irwin, do you have a sample resolution that you've been providing communities?

Mr. Irwin: Absolutely. I have a hard copy I can give you tonight and I can also send it to you electronically.

Mr. Gennette: We've talked about this before. Are we prepared to adopt this?

Mr. DeBarge: Yes, we are.

Mr. Irwin: I got a call from one of the people on the ways and means committee. They said I'd like to understand the program and they said the thing that bothers me is how are you going to show priority? And I said I'm working on getting resolutions from communities. I've already gotten 10. He said if you send me 40 resolutions from the communities in your end of the state and I'll make sure this gets considered by the house ways and means committee. We're knocking on the door of 20 right now and I've got myself scheduled to 45 so we're a little over in case somebody says no. It's very exciting and I think we have a decent shot of getting this thing through this time, which is important for the other things that fall behind, like mattresses that are causing everybody headaches.

Mr. Strange: There's a sample resolution if you want to accept this tonight.

Mr. Gennette: This is the 2nd time Mr. Irwin has been here and I think we're all on board so I don't know what waiting to approve the resolution is going to do other than waste Mr. Irwin's time because he's trying to chase other communities.

Mr. Gennette: My recommendation would be to support the resolution.

Mr. Silva: Mr. Rosenblum brought up a point. The last paragraph that was handed to us by Mr. Irwin spells out what it is we're doing so if he reads that and puts that in a motion maybe we can move forward.

Motion made by Mr. Rosenblum Now therefore be it resolved that the Town of Ludlow urges the Massachusetts General Court and the leadership of both chambers to view the pending Paint Stewardship legislation favorable and take whatever actions necessary to pass the Paint Stewardship bills into law, including voting favorably out of any and all committees. A Paint Stewardship law will begin relieving municipalities and consumers of ever-rising solid waste management costs, significantly reduce a toxic waste going to landfills and decrease greenhouse gases generated by the paint industry by 4%. Pending Paint Stewardship legislation in the 2023-2024 legislative session includes Bills: H.823 "An Act Relative to Paint Recycling" S.542 "An Act to Establish Safe Paint Stewardship" and S.551 "An Act Relative to Paint Recycling". **Mr. Silva second. All in favor. Motion passed 5-0.**

CORRESPONDENCE

182. Linda Collette – Chair, 250th Celebration Committee – Requesting permission from the Board to put up banners at the bridge and the Town Hall lawn for the First Night Celebration being held on Saturday, February 24, 2024 as well as the Golf Tournament being held Saturday, May 18, 2024, the Block Party Picnic and Parade being held on Saturday, June 15, 2024, the Super Car Show being held on Sunday, August 11, 2024 and "Fallin' Into Fun in Ludlow" event being held on Saturday and Sunday, October 5-6, 2024.

Motion made by Mr. DeBarge to approve as said by the Chairman.

Mr. Silva: I think we should put in there as long as it follows the timeframes that are allowed.

Mr. Silva second. All in favor. Motion passed 5-0.

183. Manny Lopes, Chair Zoning Board of Appeals – Informing the Board of the request for extension of the lapse date of the Comprehensive Permit from March 21, 2024, to September 21, 2024.

Mr. Lopes: I saw that I was on the agenda so I figured I'd come in. We did meet last Thursday and voted to allow the extension.

Mr. Silva: You allowed the extension, that's in your purview for the Board of Appeals to allow the extension. There's nothing we need to do; this is a notice that this is happening?

Mr. Lopes: The letter came in for Zoning Board to approve an extension for the comprehensive permit for the building. There's no changes to anything. As you know it was approved by the HAC, our decision was overturned and approved as a comprehensive permit that they wanted. When they ran out of time they wanted to start construction by the end of March and they needed an extension and we spoke with Attorney Hafferty and he said it's just procedure to grant them an extension so they can start. If we voted against it and they likely would go back to the housing allowance committee to have it overturned. They came in and met with us and we voted on it and it passed 4-1 to approve the extension. They'll probably start building in the summer.

Mr. Gennette: Manny, can you come up and explain what a comprehensive permit is for?

Mr. Lopes: It's a building permit that incorporates all the permits they need.

Mr. Silva: Let's just mention this is at 188 Fuller Street for Wayfinders for 42 units.

Mr. Goncalves: When this came in, Marc and I spoke quick about it and we went out to our attorneys for assistance to get the ball rolling. It's pretty clear, and it was told to us by our attorneys unless there's a material substantial change to the project it can't be reasonably withheld. It was going to happen whether we did it or 2 weeks from now in Boston. While I'm sure it pained everybody to extend it our hands were tied and we're going to possibly put ourselves in a position

where our attorney was going to bill some more hours and have to come to a meeting of some kind on it.

Mr. Rosenblum: To elaborate on that because it goes back even further, when I was Chairman we discussed the fact that we lost the appeal to Wayfinders and we were talking with the attorney who was based out of Suffolk County basically saying that you don't win appeals. We had the option for a 2nd appeal. I think we all decided at that time the amount of money it could have cost us 50 to a couple hundred thousand dollars in attorney's fees. We didn't know what it was going to cost and it's very difficult to beat that appeal. That led to where we are now.

Motion made by Mr. Goncalves to file. Mr. DeBarge second. All in favor. Motion passed 5-0.

184. Sandra E. Sheehan, Administrator, PVTA – informing the Board the Community Assessment for Ludlow for Fiscal Year 2023 has been completed.

Mr. Silva: Before we file, maybe we want to disclose the amount so people realize we do pay for Pioneer Valley Transit to come through our town.

Mr. Goncalves: I sat on this committee for 12 years before I became a Selectman. The assessment and the ride share where the busses are coming in and out of Ludlow on their regular route isn't the problem or the reason for the increase. The assessment last year was \$109,000. It's up to \$127,000. It's the para transit stuff, dial a ride, where more and more people are starting to use that. Those numbers are going through the roof. People can go anywhere to an appointment of any kind for \$4 each way. It's a great service but it is expensive. Whether we use it or not, everybody shares equally in the assessment and it does go up based on that. The rest of it is a regional transit authority, level funded by the state and a lot of the stuff they need to do that they normally can't is done through by whatever they collect at the fair box.

Motion made by Mr. Silva to file. Mr. Rosenblum second. All in favor. Motion passed 5-0.

185. Melissa Rickson, Interim Director Hubbard Memorial Library – Requesting from the Board to use the lawn at the library on Thursday, June 20, 2024, from 4-8:30 p.m. for an all-ages Summer Kick Off party with performance from 5-8 p.m. with a local band "Fever".

Motion made by Mr. Rosenblum to approve Hubbard Memorial Library's request to use the lawn at the library on Thursday, June 20, 2024, from 4-8:30 p.m. for an all-ages Summer Kick Off party with performance from 5-8 p.m. with a local band "Fever". Mr. DeBarge second. All in favor. Motion passed 5-0.

Mr. Strange: There's a 2nd request on that.

Mr. Goncalves: To use the lawn on Tuesdays weather permitting April 23 – October 22 from 10:30-11:30 for the weekly sing-along.

Motion made by Mr. Goncalves to also approve use of the lawn on Tuesdays weather permitting April 23 – October 22 from 10:30-11:30 for the weekly sing with me program. Mr. DeBarge second. All in favor. Motion passed 5-0.

186. Linda Collette, Chair – 250th Celebration Committee requesting a one-day alcohol permit for Saturday, February 24, 2024, with a rain date for Sunday February 25, 2024, to be held on the front lawn of Town Hall. Vanished Valley will be selling the alcohol and will donate all of the proceeds to the 250th Committee.

Motion made by Mr. Rosenblum to approve the one-day alcohol permit for Saturday, February 24, 2024, with a rain date for Sunday February 25, 2024, to be held on the front lawn of Town Hall. The event is in the high school and it can't be at the high school and to waive the fee. Mr. DeBarge second.

Mr. Silva: On the front?

Mr. Rosenblum: It's on the patch of grass over here.

Mr. Silva: Maybe we want to take out the front lawn.

Mr. Goncalves: The permit says 488 Chapin.

Mr. DeBarge withdrew his second. Mr. Rosenblum withdrew his motion.

Motion made by Mr. Rosenblum to approve the one-day alcohol permit for the 250th Celebration Committee for Saturday February 24, 2024, with a rain date of Sunday February 25, 2024 to be held at 488 Chapin Street and to waive the fee. **Mr. Goncalves second. All in favor. Motion passed 5-0.**

187. Chief Pease – Request to charge off medical expenses and lost wages to Chapter 41, Section 111F for an injury sustained by a Firefighter/Paramedic as a result of an incident that occurred on January 20, 2024.

Motion made by Mr. Rosenblum to approve charging off medical expenses and lost wages to Chapter 41, Section 111F for an injury sustained by a Firefighter/Paramedic as a result of an incident that occurred on January 20, 2024. **Mr. DeBarge second. All in favor. Motion passed 5-0.**

188. John Manganaro, Akehurst Homes, LLC – Urging the Board to get more help for the Building Commissioner.

Mr. Silva: We have discussed it over and over and we're trying to do what we can to get that department up and running as efficiently as possible and we'll take his request under advisement.

Motion made by Mr. Goncalves to file. Mr. Rosenblum second. All in favor. Motion passed 5-0.

189. Timothy Fontaine, Health Inspector – Informing the Board of his resignation as of February 9, 2024.

Mr. Goncalves: I'll read the letter. Please accept this letter as formal notification that I am resigning from my position as Health Inspector for the Town of Ludlow. My last day will be February 9, 2024. Thank you so much for the opportunity to work in many different positions within the department for the past 5 years. I've greatly enjoyed and appreciated the opportunities and knowledge I have gained. During my last two weeks I will do everything possible to wrap up my duties. I would be willing to cover Title 5 issues for the town until a suitable replacement is found. I wish the department continued success and I hope to stay in touch in the future. Tim has been with the town 25 years and he's been a big part of that Board of Health and it's going to be a shame. It's bigger and better things for him and I'm happy for him. Congratulations and thank you Tim.

Mr. DeBarge: Well said.

Mr. Silva: Thank you Tim and good luck in your new endeavor.

Motion made by Mr. Goncalves to accept the resignation. Mr. Silva second. All in favor. Motion passed 5-0.

190. Barry Linton, Linton Holdings, LLC – Petition for Zone Change for 0 West Street from Residence B to Industrial A to conform to the zone of adjacent properties, which are zoned Industrial A.

Mr. Gennette: Doesn't this go through Planning first?

Mr. Goncalves: No, all zone changes come before us first then sent to the Planning Board.

Mr. Gennette: They have to go through Town Meeting to get on the warrant?

Mr. Goncalves: Yes.

Motion made by Mr. Rosenblum to send this to the Planning Board. **Mr. DeBarge second. All in favor. Motion passed 5-0.**

191. Deborah A. Baglio, ABCC Commissioner – Informing the Board of the decision regarding Andre & Andre, Inc. dba Four Seasons Wine & Liquors sale of an alcoholic beverage to a person under twenty-one years of age.

Mr. Rosenblum: The finding was a warning.

Motion made by Mr. Rosenblum to file. **Mr. DeBarge second. All in favor. Motion passed 5-0.**

Mr. Silva: Even though it was a warning, through notifying them to look out for this and to not be before us for a 2nd offense, which could be costly.

Mr. Gennette: We already took care of 192 so we're going to move on to unfinished business.

UNFINISHED BUSINESS

Board to open the Special Town Meeting to be held within the Annual Town Meeting.

Motion made by Mr. Goncalves to open the Special Town Meeting to be held within the Annual Town Meeting. **Mr. DeBarge second. All in favor. Motion passed 5-0.**

Board to sign the One-Day All Alcohol Permit for the 250th "First Night" Celebration to be held at Town Hall on Saturday, February 24, 2024, with a rain date of Sunday, February 25, 2024, if approved and also to waive the fee.

Motion made by Mr. Goncalves to sign the one-day permit for the First Night celebration. **Mr. DeBarge second. All in favor. Motion passed 5-0.**

Board to approve and sign the Selectmen Meeting Minutes of January 9, 2024.

Motion made by Mr. Goncalves to approve and sign the Selectmen Meeting Minutes of January 9, 2024, with all members present except Mr. DeBarge. **Mr. Silva second. All in favor. Motion passed 5-0.**

Board to approve and sign the Memorandum of Agreement between the Town and the Ludlow Police Supervisor's Union, Mass COP Local 508 and the Ludlow Police Patrolmen's Union, Mass COP Local 507.

Motion made by Mr. Goncalves to sign the Memorandum Leave of Absence Agreement between the Town and the Ludlow Police Supervisor's Union, Mass COP Local 508 and the Ludlow Police Patrolmen's Union, Mass COP Local 507. **Mr. Rosenblum second. All in favor. Motion passed 5-0.**

NEW BUSINESS

Board to approve and sign contracts for DPW's annual bids.

Motion made by Mr. Goncalves to approve and sign contracts for DPW's annual bids. **Mr. DeBarge second. All in favor. Motion passed 5-0.**

Board to approve and sign the contract between the Town of Ludlow Fire Department and Air Cleaning Specialists for a Plymovent UniFilter air filtration system to reduce diesel exhaust in the amount of \$98,620.

Motion made by Mr. Goncalves to approve and sign the contract between the Town of Ludlow Fire Department and Air Cleaning Specialists for a Plymovent UniFilter air filtration system to reduce diesel exhaust in the amount of \$98,620. **Mr. Silva second. All in favor. Motion passed 5-0.**

Board to discuss and possibly vote to adopt a town-wide flag raising policy.

Mr. Strange: The Town Clerk and many Town Clerks across the state received a request from an organization to fly a certain flag in the Town of Ludlow and the subject matter is a politically sensitive, politically charged issue. The question was how do we go about addressing it or approving or denying that request. We currently don't have a flag policy. The thought was in lieu of me or Chairman Gennette responding to this request that you all consider a policy we can follow.

Mr. Gennette: The policy we have was derived from our Town counsel, correct?

Mr. Strange: Yes.

Mr. DeBarge: This agency that Marc is talking about, if the municipality doesn't have a policy in place and they simply say no then a lawsuit will be filed. This is protecting the town's flagpole. When we fly the American flag or anything else under it, whether it be a purple heart flag or POW flag this policy protects us legally from anything other than what we want.

Mr. Gennette: It's legalese to make sure we're covering ourself from lawsuit.

Motion made by Mr. DeBarge to accept this flag raising policy unless somebody has any questions about it in front of you. **Mr. Silva second. Mr. Rosenblum abstain. Motion passed 4-0-1.**

Board to approve extended hours for liquor establishments on Super Bowl Sunday.

Mr. Silva: Marc, there wasn't any major issues last year? So, I don't see any reason not to follow last year's hours.

Motion made by Mr. Silva to do that. **Mr. DeBarge second. All in favor. Motion passed 5-0.**

Board to approve and possibly sign the agreement between the Town and Sodi, Inc. for a permanent easement on Santina Drive for all purposes for which a public way may be used. As well as permanent easement to drain stormwater from Santina Drive.

Mr. Silva: I'm a little confused. Santina is not accepted yet, right? Can we even accept this agreement between the developer and Sodi? As far as the drain water, obviously we need to. It seems like it's confusing to me when it's not accepted yet. Usually, until we accept roads I don't think we can have an easement until the Town actually owns?

Mr. Strange: I don't think town counsel saw this.

Mr. Gennette: Let's table this.

Board to appoint Melissa Stokowski as a Special Police Officer.

Motion made by Mr. DeBarge to appoint Melissa Stokowski as a Special Police Officer. **Mr. Goncalves second. All in favor. Motion passed 5-0.**

Board to discuss FY25 Level 2 budget.

Mr. Strange: A quick background as to how we got to this point. The department heads submitted their requests for each individual departments and we received all those and that becomes the Level 1 budget. At the end of the level 1 budget, we were about 2.4 million dollars over our capacity for the year so we had to go back and make some changes. Part of the level 1 budget was any new position requests that departments put forward for the board to consider and those salaries were included in the level 1. At a recent meeting, the Board chose to table action on those requests so we backed out all of those salaries which allowed us to reduce level 2. We also lowered the non-union COLAs from 3% to 2%, which wasn't necessarily a game changer but it certainly helped. We also got the Governor's Cherry Sheet proposal which was a slight increase over what we estimated. One of the bigger items that changed was health insurance premium increase came in at 6.8% and we budgeted 10%. With a 10 million dollar outlay for health insurance increases that

was about \$300,000 savings. Our retirement contributions to the Hampden County Retirement Board also came in a little bit lower than expected and we also went back through and level funded as many departmental line items and their general expense categories that we could. After all that, we're still about \$990,000 over our capacity. I'm happy to go through all the line items here for you if that's the board's pleasure. I'll hit the highlights. For the Board of Selectmen, the budget went down by about \$5,000 mostly because of the proposed salary for the Town Administrator went down slightly and the COLA's decrease from 3-2%. That's the same thing for the Accounting Department, Assessor, Treasurer, Collector. Town Counsel was level funded. HR went down slightly between level 1 and 2 because of the COLA's. IT I'm happy to say was level funded.

Mr. Gennette: What was the percentage decrease from IT from when we first started? We're down overall, right?

Mr. Strange: Fiscal 23 was 560, Fiscal 24 was 516,900 and it's the same for Fiscal 25. Town Clerk not much of a change. Elections, COLA's. FinCom nothing changed with those budgets. Planning Department went down slightly again with the non-union COLA. Same thing with public buildings. Property and liability insurance and we got those increases. Professional and public official insurance, automobiles, property and casualty, some of those went up as expected, some of those went up a little bit less, which accounts for the \$10,000 difference. I have the spreadsheet so if you want to dig into the details I'm happy to go and take a look at those with you. The Police Department went down about \$400,000 because of the Detective Sergeant that was originally included in level 1 then taken out. There was a \$50,000 increase in police overtime that we backed out, and then Chief requested some software that inflated one of his line items by \$100,000, which I'm sure could be useful but as a necessity we backed out that request as well. Dispatch same thing. Dispatch supervisor was requested and we backed out that salary. Fire denial of part time firefighter/paramedic and also the Chief requested funding for a website in addition to the town website there's certain departments that have their own separate site. Police Department, Veterans and the Chief was looking at doing a website for the Fire Department and he backed out that request as well as some software upgrades for his department. The Building Inspector went down because she requested a full-time building inspector. Right now, there is a part-time building inspector and she requested an additional full-time building inspector which was tabled by the Board. Animal Control went up from Fiscal 24 went up quite a bit from level 1 went up \$5,000. That was a renegotiation. I think you all considered the ACO's increase last time and that's the reason for the increase in her budget. DPW from level 1 to level 2 went down because of the 2 full time laborers requested that we backed out of their budget. One thing of note, I know the 2nd full time nurse has been a source of discussion over the past year or 2. Out of necessity we pulled out that 2nd nurse salary because it's been in the budget for 2 years and it hasn't been filled and we were looking for any possible ways to get to a balance budget. Council on Aging also had a full-time position request that was denied. The Vet Center lease went down which helped us lower their budget both compared to Fiscal 24 with level 1 Fiscal 25. Recreation requested an additional 10-15 counselors for the summer camp and we backed those out. We had a conversation with Sean and Debbie about increasing the cost of the summer camp. Right now, it's \$50/week and we suggested that if they could or wanted to increase the cost we could offset the cost of additional camp counselors with increasing the fees but I don't think that happened. The subtotal for the Town is \$23,000,085. Debt service is what it is and that didn't change between level 1 and level 2. Here is the health insurance increase at 6.8% instead of 10%. Again, the retirement contributions came in lower than expected. The school budget of 3% stayed the same. Total general fund is \$80,845,888 of which \$45,000,000 is the town portion of that. That's a very quick summary of the level 2 budget and I'm happy to answer any questions you have.

Mr. Gennette: The interest rate on the bonds went up this year, didn't it?

Mr. Strange: I'd have to check.

Mr. Goncalves: I don't think the big ones were up yet. In the Board of Health, what are carrying for positions there?

Mr. Strange: The Board of Health has the board members, additional help if we need people to cover for inspections, the Health Inspector which is Tim, the Public Health Coordinator which used to be Paulina but it's now vacant and is not funded, the Health Director is Paulina, Angela is the one nurse, they now have an Admin Assistant. In every tab we went through and you'll see what their request was, what Fiscal 24 was and the level 2 Fiscal 25. We tried to highlight the

differences for you. Here's our capacity right now. We were at 2.5 million, now we're at \$990,000. The question becomes how do we bridge that gap. Here's our Cherry Sheet number. This is the increase in the Governor's proposal. We went up about \$215,000 but there was also an offset that went up about \$100,000.

Mr. Goncalves: We're scheduled for \$175 from the casino?

Mr. Strange: Yes, it's a look back year so I think it's every 5th year we get \$175,000. There's \$25,000 for the 250th celebration, this is all free cash stuff and doesn't have an impact on the tax rate. For the local receipts, I had Meg, our accounting consultant take a look. Our local receipts we level funded it. We were about a million dollars over what our estimate was last year so we could increase that estimate by about \$300,000 and still be within a safe estimate, which I would have done tonight but I wanted to run this by your first, which would get us down to \$700,000. Then the question becomes what happens with the legislature and our state aid. They're probably not going to change it too much if history is prolog on that. Then the question is do we want to look at raising fees, make additional cuts to departments. Obviously if cuts to departments we'd be looking at police, fire, DPW and schools. Those are really the only budgets that are big enough that could really make an impact.

Mr. Gennette: Have you gotten the numbers from Waste Management on the new contract for automation?

Mr. Strange: Not yet. The thought was it would be an extension of our existing, another year, and then adding on another 5 years.

Mr. Gennette: I thought they were just going to cut that contract now and start the new contract.

Mr. Strange: They might. That's a possibility.

Mr. Goncalves: Can we use the radio communication money to buy barrels?

Mr. Strange: I'd have to ask bond counsel. When we met with Waste Management they basically said if you can stretch the contract from 3-5 years it absorbs the cost of the barrels.

Mr. Gennette: They'll maintain, distribute them, everything. Plus, automated. We're hoping the contract comes in lower. If we can't save money with the barrels maybe we look at free cash or some other alternatives to buy the barrels. If we get a 35-gallon trash barrel it looks like we can apply for a \$350,000 grant that further knocks it down.

Mr. DeBarge: Knocks what down, the cost of the barrels?

Mr. Gennette: Yes.

Mr. DeBarge: How does that help us with a \$900,000 deficit?

Mr. Gennette: How much the contract comes down. If he can save a couple hundred thousand we can knock a couple hundred thousand down on the trash contract we can try to find a couple hundred thousand.

Mr. DeBarge: Realistically we have to consider whether we start raising the trash fee to make up money. Something has got to give. That's a big number. I don't remember that number being his high at any other budget time.

Mr. Goncalves: That's because 2% keeps getting more every year.

Mr. DeBarge: I understand and obviously I'll back the moves we made in the last couple years because we've been making a lot of progress with positioning and all of that, but that still remains a very large number we have to whittle down.

Mr. Gennette: That's part of the reason I hate this \$100 bill because it's a lever. If you need extra money you just turn it up. The trash is going to go up. I hate that bill altogether. I would rather say \$75 on the tax fee and everybody pays it then have this lever that's just going to keep cranking up.

Mr. Goncalves: You don't have the capacity to raise it. I don't think there's a mechanism for it.

Mr. Gennette: I don't like the instruments where you can just keep gauging the community. I understand what you're saying and we have to get the money from somewhere.

Mr. DeBarge: I'm not interested in cutting services anywhere, public safety, teachers or anywhere like that. We can talk about how great it will be for trash but the fact of the matter is that number has to be made up.

Mr. Rosenblum: Right now, the trash fee is \$100. If we went to \$125 at about 7,000 households it's \$175,000. To make a dent your talking \$200.

Mr. Goncalves: And that's still not enough. What's the total trash cost?

Mr. Strange: Two million.

Mr. Gennette: We're not going to solve the world's problems tonight. It's something to think about.

Mr. Silva: Marc, we're actually over on our local receipts, which is not advisable. You should be conservative on your local receipts in case you don't make it.

Mr. Strange: We're a million under. Actual local receipts in fiscal 23 was 9 something million.

Mr. Silva: Are you looking at something different than what you sent out?

Mr. Goncalves: Yes, we have some room on that.

Mr. Strange: This is every local receipt. Last year was 9.3 million.

Mr. Rosenblum: Like you said, if you went up \$300,000...

Mr. Strange: The last 2 years we've been about a million over but 3 years ago it was even.

Mr. Silva: Page 3 of the recap.

Mr. Strange: Page 5. This is our motor vehicle excise tax, building permit fees.

Mr. Silva: They were 9.3 and we're estimating what?

Mr. Strange: 8.1. I checked with her today and it looks like...

Mr. Silva: Certainly, we can get there a few hundred thousand. The other place we can get money is OPEB. OPEB is still an out there thing. We can certainly put in 50.

Mr. Strange: In the operating budget we have \$100,000 and there's an additional \$200,000 in Capital through free cash. We could back out \$100,000 and still be putting in \$200,000 of free cash.

Mr. Silva: Here, under OPEB we have we're putting in \$200,000.

Mr. Strange: That's out of free cash.

Mr. Silva: We can back that out and put in \$50,000 for this year.

Mr. Strange: That wouldn't impact our bottom line in the operating budget. There's an additional \$100,000 in one of Elsa's line items out of the operating budget. There's \$100,000 then \$200,000 out of free cash. Every year we put in money in stabilization and \$200,000 of that would be going into OPEB.

Mr. Goncalves: That \$200 can't be touched.

Mr. Strange: It can be touched; it's not going to make a difference here. \$100,000 would.

Mr. Silva: I still don't understand. You're adding all this up. You've got \$200,000 in a line item here. We're adding it all up.

Mr. Gennette: It's a one-time disbursement. You're not affecting the operating budget long term. If we pay \$200,000 this year we're going to have the same problem.

Mr. Silva: OPEB is an animal in itself.

Mr. Strange: At the MMA Conference I went to a learning lab on OPEB and Elsa and I had a follow up call with the guy who did the presentation. It's a myth. Why would we fund this? His point was it's good for bonding and bonding rating. Our actual payments for other post-employment benefits, essentially retiree health insurance, and those payments are contemplated in these lines here. This is called pay as you go. Retirees that are on health insurance, it's coming out of these line items here.

Mr. Silva: On the local receipts, \$500,000 get closer is not crucial, and I used to discuss it with people before, we were \$200,000 difference. It is a good thing to be underestimating but it's \$600,000 right, because you're 1 point lower, 9.3 to 8.1.

Mr. Goncalves: It's 1.2 actual to estimate this year.

Mr. Silva: There we could pick up \$500,000 and estimate \$600,000 less than last year and I think that's ok.

Mr. Strange: That assumes our local receipts are going to be 9 million dollars.

Mr. Silva: We don't have any reason that they're not going to be.

Mr. Strange: It's been trending upward.

Mr. Silva: Every year there is actually an increase. It is a good practice to be under but I think we can pick \$500,000 off of there and then pick a couple others. If worst comes to worst and I know people have this thing with free cash that you shouldn't use free cash to lower the tax rate. That's not what we use free cash for. I just let people say that. You take free cash not to lower the tax rate, you take it to pay some of the bills and expenses we have. People got hung up on just lower the rate. No. Right now is to meet budget.

Mr. Strange: I agree with you. I know it's been characterized differently in the past, but I agree with you. We could use free cash to do that but it's not best practice.

Mr. Silva: We do have significant money in free cash now so it's not that crucial either.

Mr. Strange: From my perspective, the only reason I might recommend we consider that is because we're in an in between year. Mill 8 should be coming on, at least in part for Fiscal 26 and there's another development there. We're in this in between year. Last year we cut out a lot of fat on the town side. That's why last year's budget process was a breeze because we had other money to work with.

Mr. Silva: I agree. That's the other thing I was looking at. The growth. We're looking at the amount from not last year because that was crazy. We're using money from 2 years ago. From experience and looking, I think we might be up a little.

Mr. Strange: I think Joe has been doing a 3-5-year average. We've been at \$550-\$575 in new growth and last year we were close to a million.

Mr. Silva: For 25, when do they have to have work done on that building?

Mr. Strange: January 1, 2024.

Mr. Silva: You can pick stuff up as they progress. You could upgrade those buildings because some work has been done.

Mr. Strange: They're supposed to have their CO sometime in the summer for building A. They're supposed to be done with the renovations so hopefully we'll have the full value for Fiscal 26.

Mr. Silva: We accepted the road on Riverside. What happened to the value of that property because now they have a road on there.

Mr. Strange: That might have been part of the new growth calculation.

Mr. Silva: Subdivisions are big growth. Those are my thoughts.

Mr. Rosenblum: I know we're talking Fiscal 25 but if we do end up taking free cash to pay something down now, before when it happened it kept us level the expenses go like this and then you hold it even then it goes sharper up and down the road we have to look at the insurance. It's going to take 6 months to a year. We have to look at that now. At 78/22 I don't think there's anyone in the area that's doing that. Most places are 70/30. I think if we can negotiate it over 2-3 years it brings money back in to help with the budget. What is the percentage point you don't pay?

Mr. Goncalves: \$700,000. Over 2 years you go 78/22, you get yourself to 70/30 over 2-3 years. We have to think about it now because we have to negotiate it. In 4 months, you're going to be looking at the next budget. That doesn't help us now but if we're taking a little here in essence we have to make that up somehow.

Mr. Strange: We'll take a look at increasing the estimates for local receipts, pulling out that OPEB \$100,000 and we'll go back to the drawing board to see if there's anywhere...

Mr. Silva: Consider free cash. I know it's not advisable but I'd rather do that than start cutting these departments and laying off people. I don't think we want to do that.

Mr. Goncalves: If something doesn't happen, it's going to happen next year or the year after.

Mr. Silva: Maybe Riverside will boom. I was at a Planning Board meeting and I know there's one that's considerable. It's 80 million, and I was surprised. It's a little controversial but it is 80 million dollars. It's the battery storage facility. From what they proposed and did at the Planning Board at first I said no way but I don't see any reason not to.

Mr. Strange: There's been multiple meetings with the Fire Department and Planning and ConCom. That would be a nice boost.

Mr. Rosenblum: That's lithium batteries.

Mr. Silva: They have answers for every crisis that could come aboard. Let's hope it's not like it was a couple years ago when they came back and cut your money.

BOARD UPDATES

Mr. Rosenblum: Every other week, this Thursday we had the Charter Committee meeting to which the committee unanimously voted on moving forward with a town manager/city town council form of government. That's what we've earmarked right now and the build out of it. Getting some informational things going probably after March election trying to get a meeting with Town Meeting Representatives and inform them of everything and have a Q&A. We're hoping to have a frequently asked questions page. There are people out there who are like charter change, we're changing our cable provider? That's what some people have said. It's the government. Some simple questions but having a forum with Town Meeting members hearing their concerns and suggestions. These are the people who are going to be voting on it to put it on the ballot down the road. That's where we're at right now. It's going in the right direction. We're maybe a week or 2 behind where we should be but we're moving along pretty good. The committee is working well together. We had the mayors in so we were able to see what they were doing. Even the mayors say we're going in the right direction if we go manager/city council. Another meeting 1st and 3rd Thursday 6:00 p.m. in this room. We do have a section for open forum public comment that we

have at the beginning of the meeting if anyone wants to come in. We want to make sure everyone is informed so when we get to the point that it needs to be voted on everybody has the information.

Mr. Gennette: Have you decided how many city council members?

Mr. Rosenblum: No, if I had to say a preference is 7. Most of the mayor forms have been 11 or 9 and they're saying those are too big. That discussion will probably be one of the first things. Once it gets approved the first thing that has to happen is you're going to have city council members interviewing and hiring the town manager.

Mr. Gennette: How about moving the election date to super Tuesday?

Mr. Rosenblum: That's another aspect of it. In Agawam I think they're all at once. I say we need to stagger because I think it would disturb local government if you dropped 7 people at once. It's not that we've made those decisions, that's my personal opinion.

Mr. DeBarge: The most important thing about what you're hearing about the Charter, this governmental change will affect everything once the charter committee has what we think will be the best form or vision of a government to bring to the voting population in March 2025. You have every right and we want interaction with the public. Maybe you feel something different about the number of council members. Maybe you feel differently on how we set up certain departments, how things are done, elected and appointed officials. We've been talking about all kinds of stuff. Term limits for elected officials. Everything has come up and it's a charter committee that will decide it. We have a whole series of ways we're trying to get information out to people, whether it be mailers, open town halls, all that stuff as we progress. We like to see people involved. The 250th Committee's First Night February 24, which signifies the first night that Ludlow was incorporated, I went to the meeting last night and I was surprised because First Night is planned February 24 from 11-6, we have 40 vendors signed up to be a part of this, including 4 food vendors. A lot of outside stuff to do with the kids, inside stuff where the craft vendors will be. The food trucks will be outside. Games. Fireworks. It's going to be a good time so I hope we get a big crowd.

Mr. Rosenblum: What's good about the committee that you have is sure, you have Derek and myself on it but some of the people on it with diverse backgrounds who are very qualified but not knowing what to expect so they've learned as they go along which is good because they have a lot of questions. They've learned a lot and they're going to continue to learn and we're going to continue to learn. It's a good representation in the fact that once they understand it more and we understand it more it will help the public understand it more.

Chairman to approve and sign all bills, warrants and abatements. A record of all warrants is in the Selectmen's office for perusal until provided to the Town Accountant's office.

CLOSING COMMENTS

Mr. Silva: To go back to the fiberoptics we're doing in town so maybe some more people know what's happening. As you saw, most people don't know exactly what's going on and they're interested obviously. There's a lot of questions, for instance the cost to opt into it. Do we know what it's going to be?

Mr. Strange: The price point they told us is slightly below what Charter is. The attraction is the speed is more reliable.

Mr. Silva: Also, my understanding is that they're not going to be going underground. If you don't have overhead you're not going to be able to connect.

Mr. Strange: They're doing phase roll outs. They need a 70% adoption rate. Once they can roll out more downtown populated areas then they can roll out additional areas.

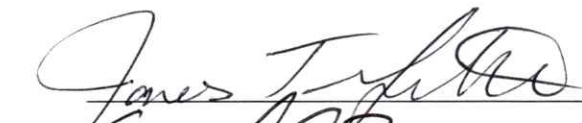

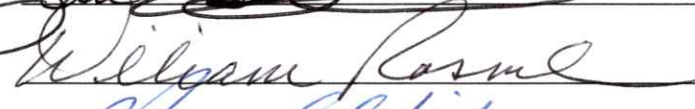
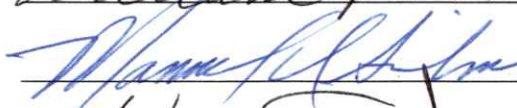

Mr. Silva: That's why I bring it up. I'm shocked at times how people don't follow anything. Hopefully some more will get information from here and they'll pass it on.

EVENT CALENDAR

Monday, February 19, 2024 – Town Hall Closed in observance of Presidents' Day

Saturday, February 24, 2024 – 250th First Night to be held at Ludlow High School 11 a.m. – 6 p.m.
Saturday, March 9, 2024 – 250th Dinner and Dance at the Gremio-Lusitano Club beginning 6 p.m.

Motion made by Mr. Rosenblum to adjourn the meeting at 7:42 p.m. Mr. Silva second. All in favor. Motion passed 5-0.

 Chairman





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