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TOWN OF LUDLOW

Meeting of the Board of Selectmen held on May 8, 2018 beginning at 6:00 pm in the Selectmen's Conference Room, Town Hall.

Members present: Manuel Silva, Chairman; Derek DeBarge; Brian Maylix; Carmina Fernandes

Members absent: William Rooney

First order of business: Pledge of Allegiance.

Visitations

The Board met with Eric Nelson and Austin Saunders, Project Manager from Westmass Development to discuss the Ludlow Mills Project and the EDA Grant.

Mr. Nelson stated that we received 50% of the cost, 3.5 million dollars, for the development and infrastructure of Riverside Drive in a Massworks grant and have applied to the EDA for the remaining 50% of the cost. The EDA grant is currently in the review and approval process. He stated that they have asked for more information from the Town regarding the project. Ms. Villano and Mr. Saunders have been providing any information that has been asked for. Massworks has agreed to push the 3.5 million dollars into Fiscal Year 2019 while we wait to hear on the EDA grant. He stated that they have tremendous support from all the elected officials in not only the State Legislature but the Federal Government as well. Senators Warren and Markey sent a joint letter with the application.

Mr. Silva thanked Mr. Nelson for all the work they have done in this process and for keeping the Board up to date on the progress.

Correspondence

113. Pat Gregoire, Relay for Life of Ludlow – request to hang banners at the Mass Pike entrance and one at Putts Bridge for Relay for Life of Ludlow being held on June 2, 2018

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, that we allow the Relay for Life of Ludlow to hang banners at the Mass Pike entrance and one at Putts Bridge for the Relay for Life being held on June 2, 2018. Vote 4-0 all in favor.

114. Christ the King - request for a One Day All Alcoholic Permit and Music and Dance permit for the Annual Parish Picnic to be held on Sunday, June 24, 2018

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, that the Christ the King be allowed to hold a One Day All Alcoholic Permit and Music and Dance Permit for the Annual Parish Picnic to be held on Sunday, June 24, 2018. Vote 4-0 all in favor.

115. Dan Lambe, President, Arbor Day Foundation – informing the Board that Ludlow has earned recognition as a 2017 Tree City USA

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, to file. Vote 4-0 all in favor.

116. Anna Lucey, Director, Government Affairs, Charter Communications – informing the Board of changes to the channel line up

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, to file. Vote 4-0 all in favor.

117. Board Reorganizations - Finance Committee, Ludlow Cultural Council

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, to file. Vote 4-0 all in favor.

118. Derek DeBarge, Chairman, Capital Planning Improvement Committee - recommendations for the FY2019 Capital Planning Budget Article

Moved by Mrs. Fernandes, seconded by Mr. Mannix, to approve the recommendations presented in the FY2019 Capital Planning Budget Article. Vote 3-0 in favor, with Mr. DeBarge abstaining.

119. MassDOT - informing the Board of the Capital Investment Plan Public Meeting Schedule

Moved by Mrs. Fernandes, seconded by Mr. DeBarge, to file. Vote 4-0 all in favor.

120. Carmina Fernandes – informing the Board of the Opioid Summit being held on June 1, 2018 at Sheriff Cocchi's Conference Room at 10:00 a.m.

Moved by Mr. DeBarge, seconded by Mr. Mannix, to file. Vote 4-0 all in favor.

121. Chief Pease, Fire Department – request to charge off medical bills and lost wages to Chapter 41, Section 111F for injuries sustained by a Firefighter on April 24, 2018

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, that we allow the Fire Chief to charge off medical bills and lost wages to Chapter 41, Section 111F for injuries sustained by a Firefighter on April 24, 2018. Vote 4-0 all in favor.

122. Ludlow Elementary Schools PTO – request to hold the 8th Annual Lions Roar 5K run/walk on Sunday, October 14, 2018

Moved by Mr. DeBarge, seconded by Mr. Mannix, that we allow the Ludlow Elementary Schools PTO to hold the 8th Annual Lions Roar 5K run/walk on Sunday, October 14, 2018. Vote 4-0 all in favor.

123. Chief Pease, Fire Department – informing the Board of a $50.00 donation received from John Chenier made to the Ambulance Grants and Gifts Account. Board to accept the donation.

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Moved by Mr. DeBarge, seconded by Mrs. Fernandes, to accept the donation on behalf of Chief Pease, the Fire Department, of $50.00 received from John Chenier made to the Ambulance Gifts and Grants account with a letter of thank you to Mr. Chenier. Vote 4-0 all in favor.

124. Michael Sweeney, Executive Director, MA State Lottery Commission – notifying the Board of the Lottery's intent to install a Keno monitor at Basics Plus Mini, 192 East Street

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, to file. Vote 4-0 all in favor.

125. Marguerite McGinley, Area Director, Philadelphia Regional Office, US Dept. of Commerce – notifying the Board that the Proposal Review Committee has conducted an initial review for the Riverside Drive and Infrastructure Improvements project and has determined the proposal is not responsive to the Federal Funding Opportunity

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, to file. Vote 4-0 all in favor.

126. Michael Kane – informing the Board that Columbia Gas of Massachusetts filed for new rates with the DPU

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, to file. Vote 4-0 all in favor.

127. Ludlow Planning Board to hold a Community Housing forum on May 17, 2018

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, to file. Vote 4-0 all in favor.

128. Plans for the permanent closing of Howard Street

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, to file. Vote 4-0 all in favor.

129. Stephen Santos, member of the Board of Public Works - requesting reimbursement for legal fees

Ms. Villano stated that Town Council felt that we should not be approving this but thought it should be discussed by the Board. She asked the Board to table this item until the Board meeting that is being held before the Annual Town Meeting on May 14th.

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to table this item until the meeting on May 14th. Vote 4-0 all in favor.

130. Acting Fire Chief Lavoie, Fire Department – request to charge off medical bills and lost wages to Chapter 41, Section 111F for injuries sustained by a Firefighter on April 30, 2018

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, to allow Acting Fire Chief Lavoie to charge off medical bills and lost wages to Chapter 41, Section 111F for injuries sustained by a Firefighter on April 30, 2018. Vote 4-0 all in favor.

131. Acting Fire Chief Lavoie, Fire Department – request to charge off medical bills and lost wages to Chapter 41, Section 111F for injuries sustained by a Firefighter on April 19, 2018

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, to allow Acting Fire Chief Lavoie to charge off medical bills and lost wages to Chapter 41, Section 111F for injuries sustained by a Firefighter on April 19, 2018. Vote 4-0 all in favor.

132. Philip D'Arcangelo, Business Representative, New England Joint Board - requesting to commence contract negotiations for the Library Technicians

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to commence contract negotiations for the Library Technicians. Vote 4-0 all in favor.

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Unfinished Business

Board to appoint Douglas Stefancik to the Long Range Planning Committee.

Moved by Mr. Mannix, seconded by Mr. DeBarge, to appoint Douglas Stefanick to the Long Range Planning Committee. Vote 4-0 all in favor.

Board to sign the One Day All Alcoholic Permit and the Sunday Music and Dance Permit for the Christ the King Annual Parish Picnic, if approved.

The Board signed the One Day All Alcoholic Permit and the Sunday Music and Dance Permit.

Board to discuss the design changes to the health insurance, the Agreement with the Public Employee Committee, and to review and approve the Agreement.

Ms. Villano stated that there is a tentative verbal agreement from the Public Employee Committee, they are meeting tomorrow afternoon. She stated that Town Counsel has reviewed and approved the Agreement.

Mr. Mannix made a motion, seconded by Mrs. Fernandes, that we approve the Agreement. Vote 4-0 all in favor.

New Business

Board to designate a Selectmen representative to serve on the Health Insurance Review Panel as required by the MGL c. 32B 21-23 and 801 CMR codes relative to the Health Insurance changes.

Moved by Mrs. Fernandes, seconded by Mr. DeBarge, to designate Mr. Mannix to the Health Insurance Review Panel. Vote 3-0 all in favor, with Mr. Mannix abstaining.

Unfinished Business (Continued)

Board to approve and sign the Selectmen minutes of February 6, 2018.

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, to accept the Board of Selectmen minutes of February 6, 2018 with all members present. Vote 4-0 all in favor.

Visitations (Continued)

The Board met with Eric Segundo and Paul Chrzan regarding the Poppy Drive and the Memorial Day Parade.

Mr. Chrzan stated that this year is the 100th anniversary of World War I.

Correspondence # 133. Eric Segundo, Director of Veterans' Service – requesting permission for the selection of this year's Honorary Parade Marshals to be the First Responders and Military. This year parade is the perfect time to say thank you to the first responders who "selflessly and quickly perform actions that save lives and prevent injury".

Mr. Segundo stated that with everything happening in the news today with our law enforcement and public service I think it's only right that we honor them for their service and dedication, many of them are Veterans, and to thank those serve our community as well as our country, this is a perfect way of doing that.

Moved by Mr. DeBarge, seconded by Mrs. Fernandes, to allow Eric Segundo, the Director of Veteran's Services to select the First Responders and Military to be the Honorary Parade Marshals for this year's Memorial Day Parade. Vote 4-0 all in favor.

Mr. Segundo stated that after speaking with the DPW and the Safety Committee, Howard Street will remain closed for the Parade. It would cause confusion for motorists in the fact that it would be opened a few days prior to the Parade for cleaning up and set up and it would give a false sense that the street has been reopened permanently.

Mr. Segundo stated that the Town has been approved for a flyover by F-15 fighter jets from Barnes.

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New Business (Continued)

Board to authorize the Chairman's signature on Amendment #1 for the Contract Project Management Services between the Town of Ludlow and the OPM for the Chapin Street School Building Project for Design Development thru Construction Completion and close out.

Ms. Villano asked the Board to table this item until the next meeting. There are also amendments to the Mount Vernon Group that were not put on the agenda.

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to table this item until the next meeting. Vote 4-0 all in favor.

The Board has received one applicant for the Westover Municipal Golf Commission vacancy. How does the Board wish to proceed?

Moved by Mr. Mannix, seconded by Mr. DeBarge, to advertise the vacancy for another two weeks. Vote 4-0 all in favor.

The Board perused the minutes of February 20, 2018.

Visitations (Continued)

The Board interviewed Kara Ribeiro for a vacancy on the Council on Aging.

Mr. Silva: Thank you for coming in.

Ms. Ribeiro: Thank you for having me.

Mr. Silva: We'll give you an opportunity to tell us a little something about yourself and why it is you're interested in becoming a member of the Council on Aging.

Mr. Ribeiro: I've lived in Ludlow my entire life, most of my family has lived in Ludlow, has benefited quite a bit from the services that the Committee helps to set up for them such as Meals on Wheels, the Senior Center, I've gotten to see a lot of the benefits firsthand, I'd love to be a part of it and like I said, I've been in this community and looking for opportunities to give back. I do sit on the Dog Park Committee which hopefully will be wrapping up its projects in the near future, you know, so I'm looking for something more long term, a way I can continue to give back. And my parents will shortly be, you know, looking for these services so anything I can do now to help strengthen what this community can do to support all of our citizens is something that I'd, seems very worthy.

Mr. Mannix: The only thing I have to say is thank you taking care of us old people, nobody ever cares about us old retired, living on fixed incomes, struggling from day to day, barely able to make ends meet people, you know, it's nice that someone young and energetic has some experience and knowledge and I thank you very much.

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Ms. Ribeiro: Thank you.

Mrs. Fernandes: Nothing with the position that you're volunteering for but we have a resident that was asking about the dog park earlier, maybe you can give us an update on that. Not that you're required to but he's sitting there patiently.

Ms. Ribeiro: Oh absolutely, I can tell you from the last meeting that the next step is that the Town go forward to go out to bid for the well for the Dog Park Committee, as part of the grant, there has to be water provided for the dogs to drink, not human drinkable water, so that is the current task ongoing, so that's, there's already, went out to bid for the construction and I believe we

Ms. Villano: It's been awarded and the contract has been signed and they will be starting soon.

Ms. Ribeiro: Forward progress, thank you for your interest.

Mrs. Fernandes: Is there a date when this might all be completed?

Ms. Villano: No because, you have to be careful because the seeding, once you seed and grass, you have to keep it offline for a full year so this dog park, while it's being constructed this year, may not be online for people until next year. It just depends on how quickly it's done and how well the seed takes. In the meantime, as Ms. Ribeiro has stated, the Town will be going out to bid to have the well drilled, so it's kind of gonna go concurrent.

Mrs. Fernandes: Thank you and thank you for volunteering for the seniors.

Mr. DeBarge: Ms. Ribeiro, thank you very much for coming in and thank you so much for volunteering for the Council on Aging, it's nice to see younger people get involved, nice to see anybody get involved in anything we have in Town but to see the fervor of younger people get involved, and it's definitely nice to see or to hear you say to get yourself prepared for as years come when your parents get

Ms. Ribeiro: I hope they're not watching this, they'll be mad at me.

Mr. DeBarge: well you know what, I'd say if they were watching they would be happy to hear you say that so kudos to you and I appreciate you, thank you very much.

Mr. Silva: Same here, dittos, it's a pleasant surprise to see somebody your age come in for the Council on Aging, unless you're expecting to get old quick. Thank you.

Ms. Ribeiro: I'd like to eventually.

Mr. Mannix: Very slowly.

Mr. Silva: With that, I'll take a motion.

Moved by Mrs. Fernandes, seconded by Mr. DeBarge, to appoint Ms. Ribeiro for the Council on Aging. Vote 4-0 all in favor.

Ms. Ribeiro: Thank you, I appreciate the opportunity.

Mr. Nick Albano, resident, asked how the Town is paying for the dog park. Ms. Villano stated it is a grant from the Stanton Foundation. There is a 10% payment required by the Town for the hard construction. That is being paid by the Conservation Commission from the reliability study monies. The Town has also received donations from businesses and residents. She stated that the dog licensing fees were increased an additional five dollars which goes into a fund for any future repairs and maintenance to the dog park.

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Closing Comments

Mrs. Fernandes stated that she attended the Ludlow Dementia Friendly Community meeting and found it very interesting to learn how the community can help and address the issue. There will be other meetings and events held in the community in the future. The Police Department has a program where you can register your loved ones with dementia to help aid the Police if there is an emergency for that person.

Mr. Mannix stated that he attended a program sponsored by Ludlow Cares last week which addressed sexual abuse and he thought it was a good turnout with about 100 people and a great program with important information being talked about.

Mr. DeBarge reminded everyone that there will be a coed soft-pitch softball game in memory of Nate Carreira on Saturday, May 12th at 1:00 pm at the High School. Donations will be accepted for the Ludlow High School Nate Carreira Scholarship Fund.

Visitations (Continued)

The Board met with Mr. Tony Jarvis from the Zoning Board of Appeals regarding his re-appointment to the Board of Appeals.

Mr. Silva stated that some of the Board members had some concerns with the appointment of Mr. Jarvis to the Board of Appeals.

Mr. Jarvis asked if anyone has researched his last 14 year history as an unpaid volunteer with the Zoning Board of Appeals. Mr. Silva stated he has not, but he has had no issues in the past. Mrs. Fernandes stated she has no issues and hasn't heard of any complaints. She stated it's a tough job. Mr. Jarvis asked if there have been any complaints from other Boards or Commissions. He also asked if anyone has asked the Town Administrator or that office of any issues over the past 14 years. Mrs. Fernandes stated she hasn't heard any complaints since she's been on the Board.

Mr. Jarvis stated so having said that, what's up?

Mr. Silva stated as far as your work with the community and the ZBA, there's no question that you've done, what's come up is that it has been said that some members of the Board have not been treated properly. He stated he is not speaking for himself. Mr. Jarvis stated that to his knowledge they have never improperly treated a member of the Board of Selectmen.

Mr. Mannix stated that he will never vote for any member of the ZBA again. I'll leave it at that. I'm not going to approve your appointment or anybody else sitting on that Board at the present

time. Mr. Jarvis stated that he has no knowledge of any written documentation that there has been any problems. He feels his comments and accusations are here say and unfounded.

Mr. DeBarge stated that he is one of the members that asked for him to come in. He stated that he is speaking for himself and how he perceives Mr. Jarvis. He stated he didn't like the attitude of Mr. Jarvis at the beginning of this meeting. He stated that at a previous meeting he asked the question of whether or not other members would step into Mr. Jarvis's place if he was not re-appointed, and the answer was yes. He also asked if that would leave a vacancy, and the answer was yes. Mr. Jarvis stated that there has been a vacancy on the Board of Appeals for two years and there hasn't been any response. He stated he is hearing that because it's an unpaid position people don't want to do it. They deal with very stringent regulations, Mass General Law and the Town of Ludlow Zoning Bylaws, you need somebody who is going to be committed and really put there all into it. It's a difficult position, there are a number of difficult things that come before them. There is a committed Board that is trying to give you 110% but there are going to be times when somebody's feathers may get ruffled. We have to stay within those guidelines. Mr. DeBarge stated he wants to make it clear that for him, it's not about my feelings got hurt at a meeting, this is about a constant kind of feeling and wondering if a new position needs to be looked at.

Mr. Silva stated that he has heard from people that when he tells them they have to go before the Zoning Board of Appeals, they tell him I'm not going to see Anthony Jarvis. He stated that it is difficult to say no to people and it has to be said with tact and we have to be a little more personal. It's a difficult position, no question about it.

Mr. Paul Zielinski, Vice Chairman of the ZBA, stated that we've been on this job for last eight years, volunteer, we've put in a lot of hours, we're hear about a lot of issues, to make it really clear, the Zoning Board of Appeals is your last step, we're not on your team as Selectmen, we're not on the Building Commissioner's team, we're no one's team, we are impartial, we are the judge and jury when it comes to any appeals that come up in this town. And as such, we have to be impartial all the way through, we follow state regulations clearly and we are very fair with everyone. We make suggestions to people on how they can make adjustments and get their variance or their special permit put through. Rarely do we have anyone leave angry. He stated he listened to the comments made at the April 24th Board of Selectmen meeting and he was absolutely appalled at the comments made. He quoted the comments made by Mr. Rooney and Mr. Mannix. He thanked Mr. Rooney for the complimentary comment and recognition of the hard work the ZBA does. Mr. Mannix stated that at the first meeting held regarding the low income housing project held in the cafeteria at the high school, the quoted comments came right out of Mr. Jarvis's mouth. Mr. Zielinski stated that those comments are not supported by any recorded records or transcripts. Mr. Mannix requested that recording.

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Mrs. Fernandes stated that she has been to several of the ZBA meetings and she agrees that the ZBA members are there to do their jobs and not make it too difficult for the person to understand the decision. She feels they are always positive, they're not very contentious.

Mr. DeBarge stated that he has nothing negative to say about their work, he thinks they have the hardest job of all.

Moved by Mrs. Fernandes, seconded by Mr. DeBarge, that we appoint Mr. Tony Jarvis to another five year term on the ZBA. Vote 3-1 in favor.

Closing Comments (Continued)

Mr. Silva recognized the passing of Alda Grimes and expressed his condolences to the family, she worked for the Town for 20 years. He also expressed his condolences to Mr. Bill Rooney, his father-in-law passed away.

Mr. Silva: We are going to take a motion to go into executive session for purposes of Collective Bargaining and discussing strategy for collective bargaining with Police and LATOS and in respect to collective bargaining or litigation if an open meeting may be detrimental on the bargaining or litigation position of the public body and the Chair so declares and I do so we will go into executive session.

Mr. Mannix made a motion, seconded by Mrs. Fernandes, to go into executive session for collective bargaining at 7:48 pm and not return to public session.

Mr. DeBarge, yes; Mrs. Fernandes, yes; Mr. Mannix, yes; Mr. Silva, yes. Vote 4-0 all in favor.

Chairman

Ludlow Board of Selectmen

All related documents can be viewed at the Board of Selectmen's Office during regular business hours.

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