June 4, 2019

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TOWN OF LUDLOW

The Meeting of the Board of Selectmen held on Tuesday, June 4, 2019 beginning at 6:00 p.m. in the Selectmen's Conference Room, Town Hall.

Members Present: Chairman Mr. DeBarge, Mr. Goncalves, Mr. Silva, and Mr. Rosenblum.

Members Absent: Mrs. Fernandes

First Order of Business: The Pledge of Allegiance

Visitations:

6:00 p.m. – Quarterly Meeting of the Board of Selectmen and Board of Public Works

BPW Members present: Michael G. Suprenant, P.E., Temporary Director, DPW/Town Engineer, Thomas Haluch, John Davis, Barry Linton, and Alex Simao

Mr. Thomas Haluch introduced Michael G. Suprenant, P.E. as the Temporary Director of Public Works/Town Engineer. Mr. Suprenant is also a Selectmen in Sturbridge, MA.

Pell Street Sign

Mr. Suprenant discussed posting a Pell Street sign near Allfaze Auto Repair. He also suggested that a "Private Way No Exit" sign should be placed below the street name sign. Mr. Linton stated Pell Street was taken away by the Ludlow Planning Board which caused the DPW to cut in a driveway on a private resident's property. Mr. Linton suggested the sign was possibly taken down by Allfaze Auto Repair approximately two years ago. Mr. Rosenblum stated Mr. Cabala who owns a business in the back of Pell Street brought this issue to his attention. Mr. Cabala informed Mr. Rosenblum of an instance when supplies were to be delivered to his business and the driver had difficulty locating his address due to the missing street sign. Mr. Linton says the Town does not own the land. Mr. Silva stated there was a Court Order in which the resident lost all access through Pell Street. Mr. Linton made a motion and seconded by Mr. Simao to post a sign that reads, "Pell Street – No Exit – Private Way". Motion carries 4-0 by the Board of Public Works.

Cemetery Update

Mr. Suprenant provided an update regarding the proposed new cemetery prepared by Stephen Frederick. He also provided an explanation regarding the funds currently available for the project. Mr. Linton also added the cemetery will have an overflow parking area included in the proposed plan. Mr. Linton stated a survey of other cemeteries in the area will be conducted to determine just how many lots are available and their fees.

Trash

Mr. Suprenant stated MassDEP notified public officials in April that recycling costs could increase between $50 and $90 per ton in FY2021. This increase could result in an overall budget increase of $100,000 to $125,000 for solid waste disposal and recycling for the Town of Ludlow. Mr. Suprenant suggests that at the next quarterly meeting with the Board of Public Works in September 2019, a representative from DEP should also attend to explain the increased recycling costs. Waste Management will want the Board of Public Works to sign a contract by the end of December 2019. The cost increase will not go into effect until July 2020.

Mr. Suprenant stated purple bags are available for sale and use when the standard 35-gallon bin is insufficient. A second recycling bin is available at no additional cost and recycling stickers may be placed on 35-gallon bins when needed.

Mr. Silva addressed several issues he has been having with trash pick up at his units. Mr. DeBarge addressed his experience with partial trash pick-ups with notes being left behind stating too much trash

is being left for pick-up. Mr. DeBarge also stated he has also received calls from residents indicating trash on some streets is not being picked up at all because of too much trash is being left curbside. Mr. Goncalves also addressed incidents where purple bags have been left behind. Mr. Goncalves stated he has over 200 comments on a FaceBook page where residents complain about their trash pick-ups and have posted pictures of the yellow notes left behind on their trash. Mr. Goncalves also indicated the trash at his business on East Street is no longer being picked up. Mr. Linton indicated business pick-ups are not included in the contract for trash pick-up.

Agreement with Chicopee Sewer Hook-up

Mr. Suprenant stated a draft Agreement was sent to Town Counsel on March 28th. The City of Chicopee is having Tighe & Bond evaluate construction of a gravity sewer as opposed to a pump station and force main as originally contemplated in the Agreement.

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Tree Removals

Mr. Suprenant stated the Public Works Department currently has 80 to 90 Work Orders for tree removals and receives two to three calls per day for the removal of trees. Eversource, through its contractor Northern Tree, has removed nearly 1,000 dead or hazardous trees that may have been a threat to their power lines. They have marked about 800 more trees for removal. The large number of tree removals are largely the result of the caterpillar infestation two years ago. The Town also trims down nuisance trees in certain locations that are hazardous.

Mr. Rosenblum stated he spoke with someone from WestMass Area Development Corporation (WestMass) regarding vines choking trees along the Riverwalk. Mr. Rosenblum inquired as to whose responsibility it was for the trees depending on which side of the Riverwalk the trees are located. Ms. Villano advised there is an easement the DPW holds with WestMass for maintenance regarding which trees the Town of Ludlow and WestMass are responsible for maintaining. Ms. Villano also stated there is an RFQ going out tomorrow for the design, permitting, engineering for the Riverwalk and the other public infrastructure which is phase two of the Riverwalk. Ms. Villano expects the design firm would also request some input from the Town and BPW. Ms. Villano stated the interim CEO, Bryan Nicholas, requested to be put in touch with the Board of Public Works to bring them up to date.

Potholes

Mr. Suprenant stated the DPW is currently doing hot patch two times a week this time of year. Hot patches usually begin around March 1. Cold patches are done every day in the winter and in the spring even though it is not as durable. Mr. Suprenant is looking into getting a hot box for patching during the winter months. The public's assistance with indicating the location of potholes is helpful. The DPW can be notified by telephone or email to report a pothole. Mr. Goncalves suggested the posting of a link on the DPW website would also be helpful.

Re-bid of Annual Contract Award/Attorney Corridan's Correspondence

Tabled until Mr. Suprenant has an opportunity to discuss with Town Counsel.

Special Municipal Employee Status

Tabled until Mr. Suprenant has an opportunity to discuss with Town Counsel.

Mr. Simao made a motion, seconded by Mr. Davis, to have the woman at 153 West Avenue come to the next BPW meeting to discuss her problem. Vote 4-0 in favor.

At 7:05 pm, Mr. Haluch made a motion to adjourn; Mr. Linton seconded the motion, for the DPW to adjourn from the meeting. Vote 4-0 in favor.

7:06 p.m. – Sean McBride, Chairman Westover Golf Commission and Ryan Linton, Superintendent of Westover Golf Course

Mr. McBride states he requested this meeting to discuss shared services. Mr. McBride has very high remarks to say about Town Accountant, Kim Collins who has provided him with detailed information on shared services, the breakdown of what is being paid for and by whom. Mr. McBride states after reviewing the budget and the Enterprise Fund it is obvious to see the golf course has struggled over the past several years. Twenty years ago, there was a large upswing of golf rounds, the revenue far outweighed the expenses, and Westover was fortunate to accrue a decent amount of money in the Enterprise Fund. Through the economic downturn, there were some internal issues with conditions over the last 7-10 years. The Enterprise Fund has drained to a point where it is almost non-existent from offsetting losses and performing upgrades to the golf course. Several cost saving measures have been considered. Ryan Linton has done a great job with reducing expenses and pairing down the budget. Mr. McBride stated shared services breaks the budget every year. For instance, $93,000 will be taken out for shared services such as pension, shared employees, workman's compensation, liability insurance and FICA taxes.

Mr. McBride discussed his conversations had with the Town Accountant, Kim Collins who indicated it appears they were overcharged $30,000. He stated he will be underbudget but not able to afford shared services. He is seeking relief from the Board by asking for a reduction of $30,000 from the $93,000 shared services for fiscal year 2019. Mr. McBride foresees the next major expense being the purchase of a new golf cart fleet with a warranty.

The Board determined relief of a reduction of $30,000 will have to go to Town Meeting in October. Ms. Villano and Mr. DeBarge agree that the Town Accountant, Mr. McBride, Mr. Ryan, and Mr. Rosenblum should meet to include updated revenue to determine if anything can be done for fiscal year 2019 for the shared services fund as well as future years going forward.

Correspondence:

133. Kerry Bogdan, Risk Analysis Branch Chief Mitigation Division FEMA Region I - informing the Board of a field survey in support of floodplain mapping updates in the Chicopee Watershed.

Moved by Mr. Silva seconded by Mr. Goncalves to file. Vote 4-0 all in favor.

134. Mark A. Merante, Massachusetts Department of Telecommunications and Cable - informing the Board of a public and evidentiary hearing at 11:00 a.m. on Wednesday, July 24, 2019, in Hearing Room 1E, at 1000 Washington Street, Boston, Massachusetts, to investigate the proposed basic service tier programming, equipment, and installation rates in rate-regulated communities in Massachusetts served by Charter Communications in response to Charter's filings.

Moved by Mr. Silva seconded by Mr. Goncalves to file. Vote 4-0 all in favor.

135. Ryan M. Pease, Fire Chief - informing the Board of the following donations to Ludlow Ambulance Service - $25.00 by Anthony Torres, also in addition to the subscription donation an additional - $20.00 by Mr. and Mrs. Antonio DaSilva and $10.00 by Mr. and Mrs. James O'Donnell.

Moved by Mr. Silva seconded by Mr. Goncalves to accept the donations with a thank you letter and to file. Vote 4-0 all in favor.

136. John P. DaCruz, Town Moderator - notifying the Board of his appointment of Nicole Parker to the Town of Ludlow Finance Committee effective immediately.

Moved by Mr. Silva seconded by Mr. Goncalves to file. Vote 4-0 all in favor.

137. Kim M. Batista, Town Clerk - requesting the Board appoint Michael Suprenant, Director of the Board of Public Works as the Records Access Officer "RAO" for the Department of Public Works.

Moved by Mr. Silva seconded by Mr. Goncalves to appoint Michael Suprenant as the Records Access Officer "RAO" for the Department of Public Works. Vote 4-0 all in favor.

138. John R. Maher, Director of Government Affairs, Charter Communications – informing the Board of a change in the channel line-up and programming information.

Moved by Mr. Rosenblum seconded by Mr. Silva to file. Vote 4-0 all in favor.

139. Ryan M. Pease, Fire Chief - informing the Board of the retirement of Walter Peacey as of May 25, 2019.

Moved by Mr. Silva seconded by Mr. Goncalves to accept the retirement and to present an appreciation citation to Walter Peacey at his retirement party. Vote 4-0 all in favor.

140. Ryan M. Pease, Fire Chief – informing the Board of a donation to the Fire Department of a Hummingbird Helix Series Fish Finder from the Ludlow Fire Department Social Club.

Moved by Mr. Rosenblum seconded by Mr. Goncalves to send a thank you letter for the donation and to file. Vote 4-0 all in favor.

141. David Bearce, Eversource Energy Project Manager – notifying the Board that Transmission Maintenance will be installing lightening protection hardware on existing transmission structures off Center Street, Moore Street, and Alden Street, between the Ludlow Substation and the Belchertown town line. Work is scheduled to begin the week of June 3rd and continue through the end of the month. Work hours are Monday – Saturday, 7 am to 7 pm.

Moved by Mr. Goncalves seconded by Mr. Silva to file. Vote 4-0 all in favor.

142. Paul A. Zielinski, member and vice-chairman of the Zoning Board of Appeals informing the Board of his resignation from his position effective June 1, 2019.

Moved by Mr. Silva seconded by Mr. Goncalves to accept the resignation of Paul A. Zielinski; to grant the request to appoint alternate member, Mr. Alan Aubin, as the new vice-chairman of the Zoning Board of Appeals; advertise for alternate; and to forward thank you letter to Paul A. Zielinski. Vote 4-0 all in favor.

143. Kim M. Batista, Town Clerk/Chief Election Official – requesting the Board of Selectmen's permission to hang a banner for our annual elections in March every year and placed by the Putts Bridge one week prior to our annual elections.

Moved by Mr. Silva seconded by Mr. Goncalves to approve the request from the Town Clerk to hang a banner for our annual elections in March every year and to place it by the Putts Bridge one week prior to our annual elections. Vote 4-0 all in favor.

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Unfinished Business:

Board to sign the approved Licensing Authority Certification for the Pledge of Collateral for Rodrigues Inc.

Moved by Mr. Silva seconded by Mr. Rosenblum to sign and approve the Licensing Authority Certification for the Pledge of Collateral of Rodrigues Inc. Vote 3-0-1 abstention.

Board to approve and sign three copies of the collective bargaining agreement between the Town and the Ludlow Police Supervisors. —Tabled

Board to approve and sign three copies of the collective bargaining agreement between the Town and the Local 1840 Firefighters.

Moved by Mr. Silva seconded by Mr. Goncalves to sign and approve three copies of the collective bargaining agreement between the Town and the Local 1840 Firefighters. Vote 4-0 all in favor.

Board to discuss the Health Insurance plans and the optional "buy-up" plan.

Mr. DeBarge states the "buy-up" plan was another health insurance plan offered to all Town employees. This plan was very similar to a previous plan the Town once offered with no deductibles. Initially after the Insurance Advisory Committee meeting when it was offered to all unions, 13 unions agreed to it and 3 did not. Town Counsel suggested our unions sign an agreement that they agree to the "buy-up" plan. As the deadline approached, 13 unions agreed, 2 did not agree and 1 had not responded. Therefore, the "buy-up" plan had to be pulled off the table as an option to all Town employees. Mr. DeBarge is

extremely disheartened that the 100+ employees who signed up for the "buy-up" plan, will need to return to the old plan.

Mr. Silva states he does not understand why this is an issue since this is a voluntary option for the employee and is no cost to the Town. Ms. Villano states Town Counsel has advised that all the unions need to formally accept the voluntary option in order to endorse this plan. The process started in March 2019 when there was a meeting with the Insurance Advisory Committee. There was an overwhelming response and complete confidence that every union would accept this insurance option. The open enrollment period was through May 2019. Now, time has run out and all unions have not endorsed this "buy-up" plan. Ms. Villano states, Town Counsel's recommendation to correct this is to take the option off the table, apologize to the employees, re-open the enrollment period for them to return to the old plan or sign up for another plan, and to take the time to re-evaluate all plans in the future. Mr. Silva agrees we should adhere to Town Counsel's advice. Ms. Villano states in six months from now the Board can re-evaluate other health care options but for now, the Board needs to vote to take the option off the table. Mr. Goncalves states it is horrible to think that now those who signed up for the "buy-up" plan are now unable to limit their losses. Mr. Rosenblum apologizes to those employees not able to utilize this option and hopes the option arises again to give those employees another opportunity to partake in the plan.

Moved by Mr. Goncalves seconded by Mr. Silva that pursuant to the advice of Town Counsel, due to some of the Town employee unions not endorsing the optional "buy-up" health insurance plan, the option is off the table this open enrollment period and the Board will revisit the health insurance plans again in six months. Vote 4-0 all in favor.

New Business:

Town Administrator to discuss "Municipal Hearing Officer" Training.

Ms. Villano states we have a Municipal Hearing Officer in town. There are civil hearings that the Fire Department can charge a fine against individuals. The Fire Chief recommends that perhaps the Town consider appointing a second person or sending someone else to this Municipal Hearing Officer Training, so we have a back-up should the Municipal Hearing Officer have a conflict. A Hearing Officer is used for building or fire appeals. The citations are written by the local code enforcement officers. When they are appealed, they go in front of a Municipal Hearing Officer. The deadline to register is June 24, 2019.

Moved by Mr. Silva seconded by Mr. Rosenblum to add an additional Municipal Hearing Officer and to have the individual trained. Vote 4-0 all in favor.

Board to peruse Selectmen Executive Session Meeting Minutes of May 7, 2019.

The Selectmen Executive Session Meeting Minutes of May 7, 2019 were perused by all Board members.

For the Board's Information – The 2020 Census will be consolidating and cleaning the blocked sections of the census. For example; three sections of Chapin Street will be merged into one larger section. One blocked section has a misprint at the end of East Street near the Putts Bridge, it will be removed.

Ms. Villano states it does not affect the census. It just affects that if someone is questioning a section of the census, it is divided into blocks. It has been submitted to the Town Clerk who has to respond by the end of the week if there are any issues or concerns. The Board of Selectmen have no issues or concerns.

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The following appointments are scheduled for June 18:

6:00 p.m. – Patrice Squillante, Melanson Heath – FY18 Audit

6:30 p.m. – School Committee

Upcoming events are as follows:

June 13 - Pioneer Valley Planning Commission Annual Meeting

June 21 - Retirement Party for Walter Peacey

Closing Comments:

Mr. Rosenblum – Thanked Walter Peacey for his 26 years of service with the Fire Department.

Mr. Goncalves – Offered his condolences to Mrs. Fernandes and her family for the recent passing of her father. He also stated the Memorial Day – Veteran's Day Activities and Parade was fun, bigger and better this year.

Mr. DeBarge – Stated the Memorial Day – Veteran's Day Activities and Parade was a great crowd and liked the new route. He expressed his condolences to Mrs. Fernandes and her family for the recent passing of her father. He also expressed his sincere apologies to the Town employees for not being able to offer the optional "buy-up" health insurance plan.

Meeting adjourned at 8:27 p.m.

The Board entered Executive Session for the purpose of strategy for negotiations with collective bargaining with the Police, Police Supervisors and Nurses unions and to discuss pending litigations as an open session would be detrimental.

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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