August 13, 2019

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TOWN OF LUDLOW

The Meeting of the Board of Selectmen held on Tuesday, August 13, 2019 began at 5:30 p.m. in the Selectmen's Conference Room, Town Hall.

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

First Order of Business: The Pledge of Allegiance

Visitations:

David Eisenthal, Unibank-Financial Advisor, School Committee, Elsa Barros, Town Treasurer, Kim Collins, Town Accountant

The Board requested Mr. Eisenthal to attend this meeting to discuss options regarding funding the track and fields replacement considering the upcoming October Town Meeting. Mr. Eisenthal stated based on the numbers discussed in the $2-4 million-dollar range, he does not believe the Town's debt portion of the credit score would be affected by the addition of the track and fields replacement. Mr. Eisenthal stated there could be some concern depending on how the project is funded if it is not a debt exclusion, how it would be funded relative to the Town's operating budget. If the project is passed and not debt excluded, those dollars would be competing with operating dollars for the fund services that are provided to the residents of the town, such as police, public works, and schools. Mr. Eisenthal stated from a credit prospective, a debt exclusion would be slightly better for this project. Mr. Eisenthal stated he is advising as debt financing not as a policy advisor.

Mr. DeBarge asked Mr. Eisenthal his opinion on the dollar threshold for debt exclusion. Mr. Eisenthal stated assuming financing a year from now, over the allowed 15-year term according to Massachusetts General Laws for this type of facility, the estimate was that the impact of the tax rate would be about $0.11 per $1,000.00 of assessed valuation. For the average single-family house, that is about $25.00 per year. If those dollars are not raised outside of proposition 2.5, then the Board, Town Administrator and Town Accountant will need to figure out what areas in the budget would need to be competed with to fund that debt service which is estimated to be $230,000-$250,000 a year over 15 years with a conservative interest rate of 4%. The total borrowed amount is $2.5 million dollars. The assessed valuation for last fiscal year was $2,000,000,078 and the average single-family house was about $225,000.

Mr. DeBarge stated we still do not know for certain the cost of the track and fields replacement. Mr. DeBarge asked, with fundraising and going to the ballot with debt exclusion or non-debt exclusion, and a warrant written showing the Town pays half and fundraising pays half, is there a time limit of holding onto it until you attain the money through fundraising? Are there penalties against that?

Mr. Eisenthal stated it depends what the authorization to proceed with the project looks like. For example, if the authorization says, the Town is authorized to spend up to $5 million dollars, and the Treasurer with the approval of the Board of Selectmen is authorized to borrow up to $2.5 million dollars, with no borrowing to take place until the Town has raised $2.5 million dollars, the Town Accountant would certify that the Town has $2.5 million dollars ready before the Town could allow a contract for construction. The Town could also not borrow its share until the $2.5 million is fundraised. It could take the Town months or maybe even years before they borrow their portion.

Mrs. Villano stated we are hiring an engineer to perform the assessment and provide a cost. When that is determined, the Board can decide how much they need to borrow. Once we are ready to go, we will need to obtain a full engineer for design, construction, and inspection in which the track and field committee would be involved. We have an engineer and are writing the scope.

Ms. Cincone stated that as of a few days ago, she was unaware the baseball diamond was included in the track and fields replacement. Therefore, the scope of the project will change, and she hopes to have it ready by Monday.

Mr. Goncalves asked Mr. Eisenthal if anything should change going into the next fiscal year. Mr. Eisenthal stated nothing should change.

The School Board Committee and the Board of Selectmen officially opened their joint meeting when Mr. Harrington arrived at 5:45 p.m. Mr. Kelliher recapped the discussion of a 15-year bond with a tax rate of $0.11 per thousand, $25.00 on the average household and the annual hit to the budget between $230,000 - $250,000 based on borrowing conceptionally $2.5 million at 4%. Mr. Mullin stated $2.3 million was

estimated to cover the replacement of the track and football field. Mr. DeBarge re-iterated we still do not know how much it will cost and the $2.5 million was only proposed as an example.

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Mr. Brillo stated when companies have come to review our entire complex they included the baseball field. Mr. Brillo stated presently, the track and football field are the immediate areas of concern. Mr. Brillo stated what he previously sent to the Board from one company was their best guess estimate of $3.3 million which included an itemized listing which included the football field, track, baseball diamond and netting down the first and third base line and to increase the line of the back stop. Mr. Brillo stated the cost of the netting would be approximately $61,000. Mr. Brillo stated he has had conversations with engineers which included building bridges connecting to Vets Park, putting recreational trails with educational type classrooms, fitness trails, that would also be with Conservation and would have access to grants to help pay for it.

Mr. DeBarge stated his understanding was the track, field and baseball diamond were going to be all included. However, the hypothetical $2.5 million mentioned, did not include the baseball field.

Mr. Mullin stated the estimate of $3.3 million he received from Kaestle Boos included the track, field and lights but not the baseball diamond. Mr. Mullin stated the presentation the School Board presented at the Board of Selectmen meeting in June only included the track and football field. Mr. Mullin wants to feel good about submitting a number for an Article at Town Meeting.

Mr. Kelliher stated the issue is we do not have a track that anyone in town can use. Mr. Kelliher stated the football/soccer field is currently of limited use because of the amount of play it can take. Mr. Kelliher stated the Town has two 90-foot baseball diamonds available for use, one at Whitney and one at the high school. Mr. Kelliher suggests the baseball fields be done during a second phase or when a decision is made about plans for the Veterans Park site. Mr. Kelliher stated he hesitates to expand the scope of this project because it makes it more difficult to get things done. Mr. Kelliher stated phases were discussed at a Long-Range Planning meeting. Mr. Kelliher stated a decision needs to be made about what will be done at the Veterans Park site. Mr. Kelliher stated perhaps it can be redeveloped as a complex for sports.

Ms. Villano stated some of the concern with the baseball diamond was the estimate we have does not include the drainage, and when the track and football field is torn up, it is likely that the baseball field will be damaged by construction equipment. Mr. Harrington suggested the environmental study for the baseball field should be completed and we need to ask the engineers if it can all be done under $3.3 million.

Mr. DeBarge reiterated, before we decide to exclude some ideas, we need to determine the costs first. Mr. Kelliher stated the School Committee brought the track up to Capital for consideration to fix the track several years ago when the MIAA said the track was deteriorating. Mr. Brillo never came to the School Committee for funds for the track. Capital approved the tennis courts and the track and field runways and patching of the track and field. Mr. Kelliher stated perhaps the engineers should study repositioning the baseball field. Mr. DeBarge summarized by stating the priorities are the track, football field, and then the baseball field.

Mrs. Cincone clarified the scope of the engineering will be ready next Monday. It will go back to the engineer. The engineer will provide a price. When we sign the contract with them, the engineer will start borings, checking soil and checking drainage. They are not looking at nets and are not going to give you a price on what it is going to cost. They are going to tell you what you can do. At that point, you have an ability to go out and say this is what the situation is, this is how it has worked and now we can get bids or quotes. It is going to be a multi-step process. No designs will be completed at this point.

Mr. Goncalves stated the Board and the School Committee need to work together and share all information received going forward. Mr. Goncalves requests that Mrs. Villano be copied on all email communication, so she can inform the Board.

Mr. Silva stated we are looking at an override and overrides do not seem to pass in this Town. Mr. Silva suggests getting the numbers down as much as possible because you do not want to go override because it will fall through.

Mr. Rosenblum stated the cost of the field replacement at Minnechaug was $800,000. Mr. Silva stated the numbers being discussed for Ludlow fields appears to be three times the amount. Mr. Rosenblum stated the numbers for Ludlow will be different due to the location and drainage issues for our field and Minnechaug's cost does not include a track. Mr. Brillo stated the first thing we need to get done is the track. Mr. Brillo stated in order not to destroy the track, the football field should be completed at the same

time. Mr. Brillo stated one thing starts to affect another which increases the numbers. Mr. Brillo stated when he did a walk-through of the facility with the engineer, he kept identifying other areas of concern that need to be addressed. Mr. Brillo stated most of the cost of the track is digging up the asphalt from underneath. Mr. Goncalves agrees we should wait on discussing a specific dollar amount until the engineering findings are revealed.

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Ms. Collins stated at the very least, we know a track and field will cost $2.5 million. Ms. Collins stated we can not put anything on an October meeting until we know exactly what is needed. Ms. Collins suggests we get an engineer in with Phase 1 being a track and field, Phase 2 would be concessions and a baseball field, and Phase 3 consider a bridge leading to Veterans Park. Ms. Collins stated you cannot just raise and appropriate it because you would go into override. There is very little excess levy available. If you do this within the levy, we would not be borrowing on it until 2021. Ms. Collins stated we need to find a way to cover $250,000 of our operating budget to cover the funding of borrowing the money for the next fifteen years. Ms. Collins stated we need to know the cost of the project before Town Meeting, then determine if we are going to fund half, fundraise half, put it on a debt exclusion, move forward once funding is secured and then borrow moving forward. Ms. Collins stated excluded debt seems the only way to go in terms of looking at the Town's overall budget.

Mr. Eisenthal stated the scope of the project needs to be set in terms of budgetary numbers and a decision needs to be made about the projected timing if there are going to be multiple phases. Mr. Eisenthal stated however this is phased would affect how borrowing would be structured and how the debt service costs would affect taxpayers.

Mr. Rosenblum stated there is also the possibility of calling a Special Town Meeting since we do not have all the facts in time for when the warrant closes on August 20, 2019. Mr. Kelliher stated we are getting estimates for the high school complex to include the track, field, and moving the baseball diamond to be completed in segments. Mrs. Fernandes asked if this is a good time to discuss the project. Mr. Brillo stated there is no good time to ask, it's important and it needs to be done. Mrs. Fernandes agrees it needs to be done but need to be mindful of all taxpayers.

Mr. DeBarge stated not everyone wants to rush the field replacement through. Mr. DeBarge does not want the population of Ludlow to shoulder the entire bill for this project and knows there are people out there who want to donate. Mr. DeBarge stated since we are close to having an engineer and seeing the actual cost, as a totality of the project and segmented, we will be able to make a well-informed decision. Mr. DeBarge stated a high school should not be without a track. Mr. DeBarge stated it needs to be done and should not be put off any longer. Mr. DeBarge stated it also does not need to be rushed and feels good about the steps being taken with the committee and fundraising.

Mrs. Gregoire stated the importance of no two committees should be overlapping and asking the same individuals for donations. Mrs. Gregoire stated to keep in mind other groups and organizations in Town are also reaching out to the same individuals for donations for other causes. Mrs. Fernandes stated some of these businesses know how much they are going to give and to who whether it be a one time or continuous donation.

Mr. Brillo and Ms. Cincone recapped that the engineer will be coming to outline the condition of the field and what it is going to make the field viable. This will enable us to reach out to vendors to obtain an itemized listing of all the costs associated with a track, soccer/football field, and baseball diamond.

Mrs. Villano stated memoranda was sent yesterday to the School Committee, the Town Accountant, Mr. Brillo, DPW, and Mr. Goncalves regarding the establishment of the Track and Fields Replacement Committee. A memorandum will also be posted on our website and cable channels tomorrow requesting letters of interest of four (4) citizens that are interested in serving on the committee due by August 30th. Mrs. Villano stated citizens with fundraising and/or construction knowledge are encouraged to apply.

Mr. Goncalves stated we should stay clear of any potential larger donors until the Track and Fields Replacement Committee is officially formed and brochures are created with more information to make a great first impression once we approach them. Mr. Brillo has a packet he will share with the Board of Selectmen that he previously used as a model for brochures.

Mr. Kelliher motioned and seconded by Mr. Harrington to designate Mr. Harrington as the designated representative of the School Committee to serve on the Track and Fields Replacement Committee. Motion carries 3-0.

Mr. DeBarge stated the charge of the Track and Fields Replacement Committee is to fundraise and oversee the construction. Mr. Goncalves stated the individual who oversaw the construction of the Lusitano field is also great at fundraising and has agreed to help. Mr. Brillo stated there are previously donated funds in The Facility Improvement Team (FIT) account under the school budget. Ms. Collins stated she would need a listing of what has been deposited in the fund and those funds can be transferred to the Track and Fields Replacement Fund. Mr. DeBarge stated the LDAA representing the boosters can also donate to the Track and Fields Replacement Fund.

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Mr. DeBarge confirmed a member from the Conservation Committee is not on the Track and Fields Replacement Committee. Mr. Kelliher stated the Conservation Committee will be consulted throughout the track and fields replacement process due to wetland issues.

Mr. Eisenthal stated when there is a consensus on the timing and dollar amount of the project, bond counsel should draft the appropriate motions, articles and wording for debt exclusion language.

Mr. Kelliher stated when the numbers and estimates are received, we should meet again and decide the scope of how to proceed with the track and fields replacement project.

The School Committee adjourned their meeting at 6:47 p.m.

Correspondence:

196. Elaine Hodgman – informing the Board of her interest in filling the vacancy for the one-year term Alternate Position on the Zoning Board of Appeals.

Moved by Mr. Silva seconded by Mr. Goncalves to come in for an interview. Vote 5-0.

197. Alexander K. Bardow, P.E., MassDOT State Bridge Engineer – informing the Board of deficiencies reported in the rating report with recommendations to be addressed through repairs or rehabilitation at Genovevo Dr./Minechoag Brook Bridge No.: L-16-027.

Moved by Mr. Silva seconded by Mrs. Fernandes to file. Vote 5-0.

198. The Commonwealth of Massachusetts Alcoholic Beverages Control Commission Notice of Hearing for Turnpike Package Store, Inc. d/b/a Turnpike Package Store scheduled for Thursday, October 24, 2019 at 11:30 a.m.

Moved by Mr. Rosenblum seconded by Mrs. Fernandes to file. Vote 5-0 Mrs. Villano stated she has been in contact with the owner and they are in negotiations with the sale of the property.

199. Jose Fernandes – Application for a one day outside Music and Dance permit for Come-e-Calate between the hours of 1:00p.m. and 6:00p.m. for a fundraiser that is being held for Joe Santos. Further request to allow the blocking of the area of State Street between Bristol and Duke Streets. (approx. 200 feet) during the 5-hour event.

Moved by Mr. Silva seconded by Mr. Goncalves to approve pending Chief of Police recommendations. Vote 4-0-1 abstention.

200. Dorothy Du, Massachusetts Department of Agricultural Resources Agricultural Preservation Restriction Administrator Assistant – informing the Board they are in receipt of an application submitted by Ryan Voiland for an Agricultural Preservation Restriction on land located on Brook Street in the Municipality of Ludlow.

Moved by Mr. Silva seconded by Mrs. Fernandes to file. Vote 5-0.

Unfinished Business:

Board to approve and Chairman to sign the Sunday Entertainment License for September 1, 2019 for Rev. Victor Oliveira on behalf of Our Lady of Fatima FESTA for music and dance during FESTA.

Moved by Mr. Silva seconded by Mrs. Fernandes to approve and sign the Sunday Entertainment License for September 1, 2019 for Rev. Victor Oliveira on behalf of Our Lady of Fatima FESTA for music and dance during FESTA. Vote 5-0.

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Board to approve and sign Selectmen's Meeting Minutes of May 21, 2019.

Moved by Mr. Goncalves seconded by Mr. Silva to approve and sign Selectmen Meeting Minutes of May 21, 2019. All members were present. Vote 5-0.

Board to approve and sign Selectmen's Meeting Minutes of June 4, 2019.

Moved by Mr. Goncalves seconded by Mr. Rosenblum to approve and sign Selectmen Meeting Minutes of June 4, 2019. Members present were Derek DeBarge, Chairman, Manny Silva, Tony Goncalves, and William Rosenblum. Vote 4-0-1 abstention.

Board to approve and sign Selectmen's Executive Session Meeting Minutes of June 18, 2019.

Moved by Mr. Goncalves seconded by Mr. Rosenblum to approve and sign Selectmen Executive Session Meeting Minutes of June 18, 2019. Members present were Derek DeBarge, Chairman, Tony Goncalves, and William Rosenblum. Vote 3-0-2.

Board to approve and sign Selectmen's Executive Session Meeting Minutes of July 2, 2019.

Moved by Mr. Goncalves seconded by Mr. Rosenblum to approve and sign Selectmen Executive Session Meeting Minutes of July 2, 2019. Members present were Derek DeBarge, Chairman, Carmina Fernandes, Manny Silva, Tony Goncalves, and William Rosenblum. Vote 5-0.

New Business:

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

Signed.

Upcoming events are as follows:

August 25 – Annual Cyclonite Sprint Triathlon at 8:00 a.m. begins and ends at Chicopee State Park (portions of the route include Burnette Road, West Street and Old West Street)

August 30, 31, September 1, and 2 - Our Lady of Fatima Church FESTA

September 1 – 11th Annual Ride Like an Animal Motorcycle Run & Car Show (a portion of the route includes turning onto West Street between 10:50-11:00 a.m.)

Closing Comments:

Mr. Rosenblum stated he has no closing comments.

Mr. Silva stated he has no closing comments.

Mrs. Fernandes stated to attend the upcoming FESTA.

Mr. Goncalves stated to support the upcoming car show and bike ride and other Town activities such as the fundraiser being held for Joe Santos at Come-e-Calate between the hours of 1:00p.m. and 6:00p.m. on August 24.

Mr. DeBarge stated he has no closing comments.

Moved by Mr. Silva and seconded by Mrs. Fernandes to go into Executive Session at 7:01 p.m. and not return to open session for discussing negotiations with the Nurses Union, Police Officers and Police Supervisors. To discuss strategy with respect to collective bargaining or litigation if an open meeting, may

have a detrimental effect on the bargaining or litigation position of the public body and the Chair so declares. Vote 5-0 all in favor.

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