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2020 JUL 22 P 3:50
TOWN OF LUDLOW

The Meeting of the Board of Selectmen held on Tuesday, March 17, 2020 began at 5:30 p.m. in the Selectmen's Conference Room at Town Hall. This meeting was held during the COVID-19 crisis.

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

Absent: Carmina Fernandes

First Order of Business: The Pledge of Allegiance

Board to vote to accept and authorize remote participation for all public bodies.

Moved by Mr. Goncalves, seconded by Mr. Rosenblum for the Board to accept and authorize remote participation for all public bodies within the Town of Ludlow under the current state of emergency. Vote 3-0. All in favor.

Board to declare a "State of Emergency" within the Town of Ludlow.

Moved by Mr. Goncalves seconded by Mr. Rosenblum for the Board of Selectmen vote to declare the Town of Ludlow under a "State of Emergency". Vote 4-0. All in favor.

Board to vote to put a redundancy plan in place for signatures of payroll, warrant and bills.

Moved by Mr. Silva seconded by Mr. Goncalves for the Chairman to sign the warrant, abatements and payroll in his absence to have Mr. Goncalves as the second replacement and then Mr. Rosenblum as the third. Vote 4-0. All in favor.

Visitations:

5:45 p.m. – Cheryl Messier, Director of Nursing, Board of Health Coronavirus update

Ms. Messier stated that as of today the State of Massachusetts has reported 197 positive coronavirus cases and 1,367 specimens have been tested so far. Everyone in this Town needs to take this very seriously and social distance, wash your hands, do not shake hands or hug, etc. Young adults need to stay home and not socialize with their friends, this is not a vacation, this is serious. If you are sick, after 72 hours of being home and if you no longer have symptoms then you can go back to work.

Mr. Goncalves agreed with Ms. Messier that people need to take this seriously and listen to what the State and Federal guidelines are.

Ms. Messier reiterated that this is not just happening in Ludlow or Massachusetts, it is the entire world. This is very dangerous and very real.

Fire Chief Pease assures residents that the Board of Health, along with the Board of Selectmen, the Fire Department and the Police Department are working hard together to figure this whole thing out. Mr. Pease also stated that the Government can put guidelines forward but unless people abide by the guidelines it will not help. There hasn't been anything like this since the Spanish Flu in 1918. The United States is learning from other countries that are already going through this. If people do not take this seriously, this will go on for much longer then necessary. We will all get through this as a community because we are a strong community.

6:30 p.m. – Turnpike Package- Continued Liquor License Cancellation Hearing

Moved by Mr. Silva, seconded by Mr. Goncalves to continue the Turnpike Package hearing until May 5th. Vote 4-0. All in favor.

6:45 p.m. – Budget Discussion

Board to continue the budget discussion until March 24th at 6:15 p.m.

Correspondence

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82. Charles D. Baker, Governor, MassDOT – informing the Board that the Chapter 90 apportionment for FY21 for the Town of Ludlow is $694,010.

Moved by Mr. Rosenblum, seconded by Mr. Goncalves to file. Vote 4-0. All in favor.

83. John R. Maher, Director of Government Affairs, Charter Communications – informing the Board of the Annual Form 500 (Outage Report).

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

84. Steve Lottman, Divisional Controller, Charter Communications – Summary of the Annual Franchise Fee payment for January 1, 2019 – December 31, 2019 for Charter Communications.

Moved by Mr. Rosenblum, seconded by Mr. Goncalves to file. Vote 4-0. All in favor.

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

Moved by Mr. Rosenblum, seconded by Mr. Goncalves to file. Vote 4-0. All in favor.

86. Pioneer Valley Planning Commission 2019 Major Accomplishments.

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

87. James T. Gennette, Midwoods LLC, Partner – informing the Board of their interest in acquiring the vacant corner lot owned by the Town at the intersection of West Street and Holyoke Streets.

Moved by Mr. Silva, seconded by Mr. Goncalves to send a letter to DPW, Planning Board and Conservation to get their comments regarding selling this property. Vote 4-0. All in favor.

88. Kim M. Batista, Town Clerk – informing the Boards/Committees that they must reorganize after the Town Election.

Moved by Mr. Goncalves, seconded by Mr. Rosenblum to file. Vote 4-0. All in favor.

89. Shonda D. Green, Massachusetts Department of Telecommunications and Cable – requesting the Board to provide the status of licensing efforts with Charter Communications which expires on September 16, 2020. The Board must submit a written report by March 18, 2020.

Moved by Mr. Silva, seconded by Mr. Rosenblum to have Ms. Villano check with the licensing Attorney on this matter and file and submit the report. Vote 4-0. All in favor.

90. Kerry Bogdan, Risk Analysis Branch Chief Mitigation Division FEMA Region I – informing the Board regarding the Final Middle Connecticut Watershed Discovery Report.

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

Unfinished Business:

Board discussed inserting articles into the warrant for Special Town Meeting. Agreed to invite Mr. Suprenant in to discuss the two articles for the DPW at the next meeting. A classification study has been requested by the Town Administrator, the last one was in 2006.

Moved by Mr. Goncalves, seconded by Mr. Silva to insert all of the articles from various departments as proposed. Vote 4-0. All in favor.

Moved by Mr. Silva, seconded by Mr. Rosenblum to close the Special Town Meeting Warrant. Vote 4-0. All in favor.

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Board discussed organizing a subcommittee to review Bylaws and make suggestions of proposed changes.

Moved by Mr. Silva, seconded by Mr. Rosenblum to organize a subcommittee to review Bylaws and make suggestions of proposed changes and the subcommittee will be made up of a Selectman, DPW, Finance, Building, Planning, Police, Fire and 2 Citizens. Vote 4-0. All in favor.

Board discussed the legal services agreement to provide legal services to the Town of Ludlow for the period from July 1, 2020 through June 30, 2021 received from Doherty Wallace Pillsbury & Murphy P.C. previously tabled from the March 3, 2020 Board of Selectmen meeting.

Mr. Silva asked what the Town was paying for legal services and what the new proposal is?

Ms. Villano explained that the retainer services are currently $33,000 annually and Town Counsel is looking to increase the retainer to $75,000 annually and they have not had an increase since 2004 in any of these categories. The dollar amount rates by Partner, Associates, Para for the legal services that are outside of the retainer issues are currently $185/hour for a Partner, $165/hour for Associates and $110/hour for Para's and now they are asking for $235/hour for a Partner, $205/hour for Associates and $120/hour for Para's.

Mr. Silva inquired how much the Town was paying annually in total for counsel, excluding anything special.

Ms. Villano explained that the average cost is approximately $90,000 annually. The budget is usually around $113,000 which includes the labor negotiation which is a different attorney.

Mr. Goncalves stated that the average on the hourly increase is approximately 20%, which is around $11,000 more and then another $40,000 increase on the retainer.

Mr. Silva just wants to be sure this is not going to put us in a bind with our budget.

Ms. Villano explained that it has already been added to the budget and it does not appear there will be an issue with the increase.

Mr. Goncalves asked if the Town has had to reach out to Town Counsel more in the last several years then previously.

Ms. Villano stated that it fluctuates year to year and she has had to rein in some of the other Boards from contacting Town Counsel without her consent.

Mr. DeBarge stated that over the last several years the Town's communication has gone up considerably with the Town Counsel and feels the increase is reasonable considering.

Moved by Mr. Goncalves, seconded by Mr. Silva to approve and sign the contract for legal services with Doherty Wallace Pillsbury & Murphy P.C. as presented. Vote 4-0. All in favor.

Board to sign the previously approved 2020 Class II License for Delta Foreign Electric, Diamantis Tzikas & Tom Tzikas reflecting the correct legal name of the owner.

Moved by Mr. Goncalves, seconded by Mr. Rosenblum to approve and sign Selectmen Meeting Minutes of November 6, 2019. Mr. DeBarge, Mrs. Fernandes, Mr. Goncalves and Mr. Rosenblum were present. Mr. Silva was absent. Vote 3-0-1. One abstention.

Moved by Mr. Goncalves, seconded by Mr. Silva to approve and sign Selectmen Meeting Minutes of November 19, 2019 where all members were present. Vote 4-0. All in favor.

New Business:

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Moved by Mr. Goncalves, seconded by Mr. Silva for the board to approve and the Chairman to sign the Ambulance Service License Application. Vote 4-0. All in favor.

Board perused Selectmen Meeting Minutes of December 3, 2019.

Board perused Selectmen Meeting Minutes of December 17, 2019.

Board perused Selectmen Meeting Minutes of January 7, 2020.

Board perused Executive Session Meeting Minutes of March 3, 2020.

Chairman approved and signed 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. Rosenblum wanted to let the public know they can access facts about COVID-19 by going on the Town's Website, the Department of Public Health – Mass.gov/2019coronavirus or call the disease emergency hotline which is 617-983-6800. COVID-19 is now presence in all 50 states so please take this seriously. This may be a chance to reunite with your family as well.

Mr. Silva wishes everyone St. Patty's day and to stay safe.

Mr. Goncalves echoes Mr. Rosenblum to take this seriously and stay home as much as possible and enjoy your family time.

Mr. DeBarge keep your kids home even though it's difficult and stay safe. Work together as a town and take it seriously.

Moved by Mr. Goncalves, seconded by Mr. Silva to adjourn this meeting at 6:54 p.m., not return to open session and to enter Executive Session for the purposes of discussing contract negotiations with a non-union contracted employee. Vote 4-0 all in favor.

Ludlow Board of Selectmen

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