The Meeting of the Board of Selectmen held on Tuesday, January 5, 2021 began at 5:30 p.m. Remote participation due to COVID-19.

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

First Order of Business: The Pledge of Allegiance

Visitations:

5:30 p.m. – Board to enter in Executive Session to discuss the deployment of security personnel or devices or strategies with respect thereto.

Moved by Mr. Goncalves, seconded by Mr. DeBarge to enter in Executive Session at 5:32 p.m. Vote 4-0. All in favor.

6:00 p.m. – Carrie Ribeiro, Human Resources Director; Police Chief Valadas and Fire Chief Pease participated by teleconference.

Families First Coronavirus Response Act (FFCRA) Discussion
Ms. Ribeiro, Human Resources Director appeared before the Board to discuss the possible extension of the Families First Coronavirus Response Act (FFCRA); leaves allowed due to the COVID-19 pandemic; the MA and CDC guidelines for quarantine and return to work guidance updated on December 7, 2020; and the Long-Range Planning secretary position.

Ms. Ribeiro stated the FFCRA that went into effect April 1, 2020 through December 31, 2020 allows for two different types of leave extensions for employees due to COVID-19. Ms. Ribeiro stated this benefit has not been expanded as a mandate. Ms. Ribeiro stated it is up to employers as to whether they want to voluntarily extend this benefit to employees through March 31, 2021. Ms. Ribeiro stated the federal government is providing tax credits and refunds to the Town through March 31, 2021 for this benefit. Ms. Ribeiro recommends the Board to extend this policy and the two paid leave provisions under it to our employees for 60 days which would end February 28, 2021 and to revisit it at that time if needed.

Ms. Ribeiro stated this benefit would be extended to all employees and anybody who has not used the benefit at this point. Ms. Ribeiro stated under the FFCRA there are two provisions. First, is the Emergency Paid Sick Leave Act which covers individuals who are quarantining. Examples are if you have symptoms and have been advised by a healthcare provider to get tested; if you test positive and need to quarantine; or if you call in with having COVID like symptoms and are awaiting test results; or if an individual has travelled and are abiding by travel restrictions, an individual is covered up to eighty (80) hours of 100% paid wages. Second, is the Expanded Family Medical Leave Act for child care provisions which has a cap of twelve (12) weeks. The eighty (80) hours of the Emergency Paid Sick Leave Act are included in the twelve (12) weeks. Ms. Ribeiro stated it would be a wise decision to extend this policy especially since Ludlow students are attending school fully remote as well as other surrounding towns.

Mr. DeBarge stated he agreed with the recommendation of Ms. Ribeiro and was surprised there were no extended provisions for first responders.

Ms. Ribeiro stated initially, some towns were exempting first responders from having these benefits because early on during the pandemic, in some towns, daycares and childcare providers were open to first responders only. Ms. Ribeiro stated when the FFCRA was adopted, Ludlow unlike other towns, did not exempt first responders.

Ms. Villano stated the federal government gave the ability to the states to decide whether to extend the FFCRA provisions. Ms. Villano stated the recommendation of an extension of 30 to 60 days is because we are currently in a surge. Ms. Villano stated at the end of sixty (60) days, employees will utilize their own time to cover their leaves. Ms. Villano stated the Board can reevaluate it at the end of 60 days, or the federal government may reinstitute an extension.

Mr. DeBarge stated he agrees with an extension.

Ms. Ribeiro stated if an employee has exhausted their twelve (12) weeks for the child care provision, they are done and are not going to receive another twelve (12) weeks.

Mr. Goncalves stated he does not support the idea of employees utilizing this extension for vacationing in the next sixty (60) days.

Ms. Villano agreed with Mr. Goncalves and stated if an employee travels recreationally they use their own time. However, legislation requires them to quarantine upon return.

Moved by Mr. Goncalves, seconded by Mr. DeBarge to extend the Families First Coronavirus Response Act (FFCRA) for sixty (60) days for employees until February 28, 2021. Vote 4-0. All in favor.

MA and CDC Guidance for Quarantine and Updated Return to Work for First Responders Discussion

Ms. Villano stated the recent updates to the MA and CDC guidance have been reviewed by the Board of Health. Ms. Villano stated if first responders (i.e. fire and police) are asymptomatic and test negative, the quarantine period time is much less. Ms. Villano states the Board should consider this for first responder departments to utilize the guidance that the CDC is providing which is slightly different from what the other departments would use for their quarantining, testing, and return to work.

Ms. Ribeiro stated originally, the CDC guidelines were if an employee tests positive, they must quarantine for 14 days, but now it's 10 days. Ms. Ribeiro stated our policy states the employee must complete the quarantine period and supply two negative tests which are at least 24 hours apart. Recognizing that health care workers, public safety, and essential critical infrastructure workers need to come back to work sooner, there's been updated guidelines from the CDC that allows for individuals who test positive to come back without having 1 or 2 negative tests. Therefore, if they tested positive and have symptoms, they would be able to come back to work after they completed the 10-day quarantine, and 24 hours without having any symptoms, no fever and have not taken any fever reducing medications and their symptoms have improved. With an asymptomatic person, a person with no symptoms, 10 days would have to pass since the first positive diagnostic test was taken and no symptoms have developed. Ms. Ribeiro stated after having conversations with Ms. Villano, Chief Valadas, Chief Pease, and in agreement with the Board of Health, staffing is an issue for public safety and first responders, therefore recommend adopting the CDC guidelines.

Mr. DeBarge asked for clarification if the Department of Public Works (DPW) is also included and thinks they should be considered.

Ms. Villano stated the DPW is not a 24-hour operation but are on-call.

Chief Valadas stated his department has had 14 positive cases and 12 of them are from the full-time staff, however employees are now starting to come back. Fortunately, no one has had any severe or critical cases. Chief Valadas stated vaccinations start next week. Chief Valadas stated he has seen the benefit of having some asymptomatic employees coming back to work after being symptom free after 24 to 48-hours.

Chief Pease recommends the Board to have any applicable department follow the CDC guidelines.

Moved by Mr. DeBarge, seconded by Mr. Goncalves that our first responder agencies which include the Police Department, Fire Department and the Department of Public Works, to follow the updated CDC guidelines and the return to work guidelines. Vote 4-0. All in favor.

Long Range Planning Secretary Position Discussion

Ms. Villano stated the Long-Range Planning committee has not met since 2018. Ms. Villano stated the stipend secretarial position gets paid $2,000 a year. Ms. Villano stated the secretary was paid half of the stipend, and would like the Board to vote to not pay the remainder of the stipend for this last six-month period since the committee has not met, to review this stipend position and decide whether to continue with this position and consider paying a secretary an hourly rate on an as needed basis versus the $2,000 per year stipend. Ms. Villano stated perhaps the Long-Range Planning committee will meet more regularly in the future.

Ms. Ribeiro agrees with Ms. Villano that this position should be paid an hourly rate on an as needed basis. Ms. Ribeiro suggests using the L.A.T.O.S.S. III compensation scale for this position.

Moved by Mr. Rosenblum, seconded by Mr. DeBarge to not pay the remaining $1,000 stipend for the Long-Range Planning position for 2020, and to establish the Long-Range Planning secretary as an hourly position on an as needed basis.

Correspondence:

1. Board to vote to abate Invoice #385 for $50.00 for Grilled Specialty Sandwich as it will not require 2021 entertainment license.

   Moved by Mr. DeBarge, seconded by Mr. Goncalves to abate Invoice #385 for $50.00 for Grilled Specialty Sandwich as it will not require a 2021 entertainment license. Vote 4-0. All in favor.

2. Timothy Dias, Resident – requesting the Board to provide information where to find the Town of Ludlow parking bylaws and why they are not being enforced.

   Mr. Goncalves stated he provided Mr. Dias a copy of the bylaws and instructed him to contact the Safety Committee.

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

3. Louis Gilli, Environmental Engineer, Massachusetts Municipal Wholesale Electric Company (MMWEC) – notifying the Board MMWEC will be conducting its quarterly inspection of its natural gas pipeline and test stations during the first calendar quarter in 2021.

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

4. Sandra E. Sheehan, Administrator, PVTA – informing the Board of Assessments for Fiscal Years 2020 and 2021.

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

5. Veronica Giana, Resident – informing the Board of her concerns with the Board approving the hanging of a religious banner that reads, "Keep Christ in Christmas" near the Putts Bridge.

   Mr. Rosenblum read the following sign policy dated March 4, 2014, which states "signs and banners for community involved and not for profit organizations will be allowed on town property with the sole permission of the Board of Selectmen".

   Mr. Rosenblum stated this banner fits within the sign policy as it was through the Knights of Columbus which is involved with the churches in Ludlow and the Knights of Columbus is a non-profit under 501 C(3) in which religious organizations are included. Signs and banners on town owned property are acceptable if it is a Ludlow based community non-profit.

   Mr. Rosenblum proposed a moratorium on signs and banners and to draft an article for the May Town Meeting to eliminate some of the confusion about the Selectmen's statement in 2014 and any zoning bylaws.

   Mr. Silva agreed with the proposal of Mr. Rosenblum.

   Ms. Villano stated Ms. Giana notified the office she would most likely not be able to attend the meeting by teleconference but would like a response to her email. Ms. Villano stated she has received other emails concerning the Board's approval of the banner.

   Mr. Goncalves stated the Board is not trying to coerce anyone of any acceptance of any organization or religion by allowing the banner to be there. Mr. Goncalves stated anybody could have asked the Board to put up a banner of a similar nature.

   Mr. Silva stated the Town of Ludlow is not promoting a religion. Mr. Silva stated if you are organized and want to promote your own religion, we do not see an issue with that. Mr. Silva stated only the organization putting up the banner is promoting. Mr. Silva instructed Ms. Villano to respond to Ms. Giana and provide her with the LCTV website to review this meeting.

Mr. DeBarge stated he was initially going to say he has no comment on the email, however he does have a comment made by Mr. Silva and reminded the Board of his hesitation on his vote in favor of allowing the banner. Mr. DeBarge stated he thought allowing the banner would create some backlash. Mr. DeBarge also does not agree with the moratorium on signs. Mr. DeBarge cautions the statement made by Mr. Silva that "if you want to promote your religion, we don't have a problem". Mr. DeBarge fears this will open up anything in the future and will vote differently next time.

Mr. Silva clarified that the Board would vote for the good of our Town and the public.

Mr. Rosenblum stated the Town Article should be rewritten for clarification purposes.

Mr. DeBarge stated he would not want to be able to post banners put up to promote events that happen in Town for our residents. Mr. DeBarge stated if there were a moratorium, it would be for everything and that's why he would caution against one.

Mr. Silva stated we could still go to Town Meeting and look at the bylaw since the Warrant is open.

Mr. Silva agreed with Mr. Goncalves' suggestion of a letter being drafted to the Town Planner asking for assistance and to collect information from surrounding communities to see what their policies are and compile something similar.

Moved by Mr. Rosenblum, seconded by Mr. Goncalves to draft an article for the May Town Meeting to address signage in the Town of Ludlow on Town of Ludlow property. Vote 4-0. All in favor.

6. Connor Sormanti, Special Police Officer– letter of resignation as a Special Police Officer, effective January 11, 2021.

   Mr. DeBarge congratulated Special Police Officer, Connor Sormanti on his offer from South Hadley Police Department for a full-time position.

   Moved by Mr. DeBarge, seconded by Mr. Goncalves to accept the letter of resignation of Connor Sormanti, Special Police Officer and send a thank you letter for his service. Vote 4-0. All in favor.

7. Board to approve a request to charge off medical expenses and lost wages to Chapter 41, Section 111F for an injury sustained by a Police Officer as a result of an incident that occurred on January 3, 2021.

   Moved by Mr. Rosenblum, seconded by Mr. Goncalves to approve a request to charge off medical expenses and lost wages to Chapter 41, Section 111F for an injury sustained by a Police Officer as a result of an incident that occurred on January 3, 2021. Vote 4-0. All in favor.

8. John Wiecek, Special Police Officer - letter of resignation as a Special Police Officer, effective immediately.

   Moved by Mr. DeBarge, seconded by Mr. Rosenblum to accept the letter of resignation of John Wiecek, Special Police Officer and send a thank you letter for his service. Vote 4-0. All in favor.

Unfinished Business:

The Board discussed Liquor License and Entertainment Fees. Ms. Villano stated Town Counsel provided guidance and a study was done of neighboring towns which indicated less than 50% of surrounding towns decided not to waive their fees. Ms. Villano stated the issue Town Counsel had for this year is the Town has already budgeted that revenue into the budget. Ms. Villano stated the Town put the revenues on our tax recap and the Department of Revenue has set the tax rate based on the fees. Therefore, counsel recommends the Board of Selectmen cannot go back and waive these fees but did provide should the Board of Selectmen want to look at possibly providing some relief in fiscal year 2022, they can either restructure or waive the fees. Ms. Villano stated the Board would have to go through a whole abatement process which Town Counsel does not feel the Board can do since the tax rate is set for fiscal year 2021.

Mr. Rosenblum and Mr. Silva are in support of providing some sort of relief for businesses in fiscal year 2022.

Ms. Villano stated she has had discussions with the Town Accountant regarding possibly taking a portion of free cash and putting it into a COVID Fund. Ms. Villano stated the CARES Act has been extended and we can get reimbursement from FEMA and the CARES Act. Ms. Villano stated whatever FEMA does not reimburse us, the CARES Act would cover it. Ms. Villano stated concern that the Town may have some bills that may be addressed. Ms. Villano and the Town Accountant also thought of creating a COVID-19 Article.

Mr. DeBarge stated he would like to help our local business owners. Mr. DeBarge stated he wished we could have discussed this before the tax rate was set. Mr. DeBarge suggested the following two options, take this to Town Meeting before the Precinct Members or do this before we set the tax rate for fiscal year 2022.

Mr. DeBarge asked for clarification from Mr. Goncalves about how much money business owners take in versus what they pay for liability insurance. Mr. Goncalves stated if a business' gross is less, their insurance is less, however if they make a lot, their insurance goes up. Mr. DeBarge stated if a business is closed or at a lower capacity during COVID, businesses are making much less money and the insurance company is not taking their percentages down equivalent to the loss incurred by the business. Mr. DeBarge believes the Town should try to do something to help those businesses.

Mr. Goncalves stated this round of Payroll Protection Plan allows restaurants and hotels to apply for 3 ½ times the average monthly salary from the previous year whereas last round it was 2 ½. Mr. Goncalves encouraged all residents to order out locally, buy gift certificates and support our small businesses in Town because they need the help now.

Board to approve and sign Selectmen Meeting Minutes of December 8, 2020.

Moved by Mr. Goncalves, seconded by Mr. Rosenblum to approve and sign the Selectmen Meeting Minutes of December 8, 2020. Members present were Chairman Silva, Mr. Goncalves, Mr. Rosenblum and Mr. DeBarge. Vote 4-0. All in favor.

Board to approve and sign Selectmen Meeting Minutes of December 15, 2020.

Moved by Mr. Goncalves, seconded by Mr. Rosenblum to approve and sign the Selectmen Meeting Minutes of December 15, 2020. Members present were Chairman Silva, Mr. Rosenblum and Mr. DeBarge. Vote 3-0-1 abstention.

Board to approve and sign Executive Session Minutes of November 24, 2020.

Moved by Mr. Goncalves, seconded by Mr. Rosenblum to approve and sign the Selectmen Meeting Minutes of November 24, 2020. Members present were Chairman Silva, Mr. Goncalves, Mr. Rosenblum and Mr. DeBarge. Vote 4-0. All in favor.

New Business:

Board to discuss having all Boards, Committees and Commissions scheduling their meetings fully remote until further notice.

In light of the spike in COVID cases, the Board strongly advises all Boards, Committees, and Commissions to consider scheduling their meetings remotely for all participants as much as possible. Ms. Villano will provide notification of the Board's recommendation.

The Board perused the Selectmen Meeting Minutes of December 22, 2020.

Closing Comments:

Mr. Goncalves wished everyone a Happy New Year, advised everyone to continue taking precautions since COVID numbers are spiking, and advised all to beware of various scams circulating.

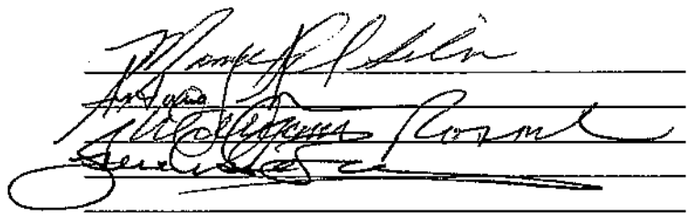
Mr. DeBarge stated he is an advocate of everyone's right to free speech especially on social media platforms. Mr. DeBarge addressed his frustrations with Chairman Kelliher of the School Committee on social media constantly berating and his lack of contact with Board of Selectmen. Mr. DeBarge stated perhaps Mr. Kelliher needs to safeguard the children in schools.

Mr. Silva commented all public officials should be working together and not berating other Town Boards and Committees.

Mr. Rosenblum stated the COVID numbers are going up because of Christmas and the New Year. Mr. Rosenblum advised everyone promote more positivity and kindness and wished all a Happy New Year.

Mr. Silva stated the Board of Health does not have vaccine. Mr. Silva wished all a Happy New Year.

Moved by Mr. Goncalves, seconded by Mr. Rosenblum to adjourn the meeting at 7:47 p.m. 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.