Meeting of the Board of Selectmen held on Tuesday, February 22, 2022 beginning at 5:30 pm in the Selectmen's Conference Room, Town Hall.

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Members Present: William Rosenblum, Chairman, Manuel Silva, Derek DeBarge and James Gennette

Members Absent: Antonio Goncalves

First Order of Business: The Pledge of Allegiance

No visitations:

5:35 pm – Board to enter Executive Session for the following purposes:

To conduct strategy sessions in preparation for negotiations with the Town Administrator or to conduct collective bargaining sessions or contract negotiations with non-union personnel; and
To discuss strategy with the Ludlow Firefighters' Association, Local 1840, I.A.F.F., AFL-CIO with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares and to return back to open session.

Moved by Mr. Silva to enter Executive Session at 5:37pm, and return to open session once we have completed the Executive Session to conduct strategy sessions in preparation of negotiations with the Town Administrator or to conduct collective bargaining sessions or contract negotiations with non-union personnel; and discuss strategy with the Ludlow Firefighters' Association, Local 1840, I.A.F.F., AFL-CIO with respect to collective bargaining or litigation and the Chair so has declared that it has a detrimental effect on bargaining and litigation position of the open body, seconded by Mr. DeBarge. Vote 4-0

Correspondence:

48. Octavia Anderson, Animal Control Officer – requesting approval from the Board for a public official Facebook page for animal control.

Mr. Silva: I am not sure there are any issues with having any one individual, one office having Facebook. I think there are some already out there that already have them. You don't see an issue with that do you?

Ms. Ribeiro: There are other departments that have a Facebook page; Fire Department, Police Department, Board of Health. I think it would be helpful, but I do not know too much about that.

Mr. Silva: Maybe she can get one through the Police Department.

Mr. Rosenblum: You can do a link that would shoot right through a Facebook page of her own as long as there is some kind of guideline to say what it is.

Mr. Gennette: I think there should be some kind of conversation with her about it. This should not be a communication with the community as much as postings of things. I just want to make sure we are not ending up in a public forum of neighbors bashing neighbors about their animals, so you have to be cautious of that. So, I think there should be a conversation with the ACO to understand what all the dynamics are going to be.

Mr. DeBarge: We all get updates on social media proper usage and all that, so we have to follow the same guidelines we do.

Moved by Mr. Silva to approve the request by the Animal Control Officer for Facebook as long as she checks with IT, and the Police Department to make sure issues are in order and then move forward, seconded Mr. Gennette Vote 4-0

Unfinished Business:

The Cable Television Renewal License Agreement between the Town of Ludlow and Charter has been fully executed.

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Mr. Rosenblum: The agreement between the Town of Ludlow and Charter has been fully executed.

Board to discuss H.R.S. Services and the non-union classification study.

Mr. Gennette: Is this the same study we were waiting for a year ago?

Ms. Villano: Yes. The chairman asked me to put it on the agenda at the request of somebody else.

Mr. Rosenblum: It's because we have had some delays.

Ms. Ribeiro: We contacted H.R.S back in April/May of last year. We started working together in May. This is the company that would be doing all the non-union class study not just management, all non-union positions. At the end of May we had a meeting with all our nonunion that fell into that category and set expectations. Between the end of May to the end of June, individuals were working on their job position analysis. It was a five-to-six-page form of their job description. We could not move forward with the next step, which was the individual person meeting until she got all the commission statements back. She did not want to move into stage II without completing stage I. We got a little delayed, took some people a little longer to get those position statements back, we got them all back by the middle of July. Then she started doing the in-person part of the study. She physically met with each individual as part of the study. There are about thirty-three positions. Some of them were done via zoom due to Covid reasons. She wrapped up the in-person meeting sometime in the middle of September. After that had been done her and I got together, and we developed a list of comparable communities. At that point she was going to reach out to all the communities about their comparable salaries and job descriptions for those similar positions and that is where it was left in the middle of September. Then the consultant had a family emergency, a death in the family. Things were put on hold. After a reasonable and respectful amount of time, I reached out to see what the status was. She was very apologetic, said everything was put on hold, and that it has been a lot harder than she thought. She has not been able to do the work, and everything was put on hold. So now we are in November when we are having this conversation. I asked if there were any updates so I could bring it to the Board, see what she has got. I asked her if she had put out that survey that we had discussed in September, and she said that has not been done. She said that she had been working on some of the job descriptions but was not ready to submit to the town. She did get a little bit frustrated that I was pushing her a little bit. At that point I pulled Ellie in to get involved in this. A couple more weeks went by, and Ellie reached out to her, and they came up with a new deadline. Now we have a new extension in the contract until the end of December. So middle of December rolls around and I reach out to her, and we were supposed to get some comparables and some job descriptions and an end report that would summarize everything to give to the Board and she has not done that and said that she would get some information back to me in another couple of weeks. A week before the holidays, it was not looking good, and we did not have any information. I reached out and I said, "are we going to get any information? At this point she had a conversation with Ellie that she was going to need to the end of January, so I marked the calendar and followed up with her again. When I reached out to her again, I got another story that now she had become ill herself and had another personal issue and wanted to push it out to February. Now I'm a little concerned, ok we need to get something in writing to bring to the Board to see what they want to do with this because we had extended it to December then extended it to January and now wanted it extended into February. Ellie's pending retirement is happening, so I suggested bringing this to the Board to get more involved. She has been very apologetic; she is giving us a discount and she has not been invoicing us anymore. But at the end of the day, she did have a contract and we had not received any of the documentation, not one job description. So, we brought it up for discussion and I believe Ellie might have an update.

Ms. Villano: So, I reached out to her a couple of times. She emailed me this afternoon; says she should have the job descriptions soon. I told her I am leaving at the end of this week, and I want the product. So, she expects to have it before I leave. She is surveying the communities; she is putting our web portal together which she will send a log in later on tonight. I think we are close to being done and that is all that I have on it. I think at this point we should wait until the end of the week to see what it brings.

Mr. Genette: When is her contract up now?

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Ms. Villano: It is actually out of.

Mr. Rosenblum: So, she's reimbursing us back a month or something?

Ms. Ribiero: There's three installments. We've paid two. So, she's not going to charge us the third installment. In an email, she said she's not going to invoice us for that third installment, a total of $9,000.

Mr. Gennette: So, through all of this she has proven pretty inconsistent, and my biggest problem is how accurate is the work going to be. You know what I mean. She is just putting all this stuff together just to say she did it. I worry about the validity of it.

Mr. DeBarge: That's a big concern of mine. I could not agree more. In my experiences we all have in our life's periods of unfortunate events, my sympathy goes out to anyone dealing with that. The length of time, however, is the issue that I have most importantly if any installment is voluntarily not accepted. I would question the level of work. We've been waiting for this quite a while.

Mr. Gennette: She's in void of the contract right now. At this point I'd want a refund of our money.

Mr. Silva: It is unfortunate, but I don't think we should do that because we'd be starting the process all over. We have been telling a lot of employees that we're waiting for this contract, we're getting this done and then we will move forward and now to start over. I don't think that's what we should do.

Mr. Gennette: I don't want to pay $9,000 for bad information.

Mr. DeBarge: If we're expecting it at the end of the week, I'd let it go to the end of the week, but if it goes past this week then I would fix that.

Mr. Gennette: My point is that if we accept this information, we're on the hook for the bill whether we are outside of contract or not. So, we are either going to decide whether we are going to accept this information from her or not accept this information from her.

Ms. Villano: So, technically two months out of contract.

Mr. Gennette: Plus given the extensions leading up to that. I know that we have extended the contract, but she has been given the opportunity to do whatever she needs to do. I am sorry too that she has had some family issues and that she has been struggling and stuff, but at this point she has been stringing us along and I do not feel comfortable paying for this information.

Mr. Rosenblum: I would like to see what happens at the end of the week. If it is something that we do not get by the end of the week then, I would be willing to go further with some kind of action. It could be another year before we get anything done again.

Mr. Gennette: So, why don't we do this, why don't we pass this by Town Counsel to see what she thinks about the information and the contract. I am sure she will be able to have some kind of comments about this.

Mr. DeBarge: Ultimately are we suggesting going after the two installments that we have already paid and not accept the material. I still agree to wait until the end of the week. It has been a long time. I do not know what it is going to look like. I have never seen anything like this before. I think we should make the decision once we see it if it is here and if it is not that is the easier answer.

Mr. Gennette: Well maybe that is what Town Counsel will say too, is that you do not have to accept this information if we receive it.

Mr. Rosenblum: So, we wait for the end of the week and if it comes in by the end of the week, we review the material and reach out to Town Counsel to get their opinion.

Board to appoint Justin Larivee and Kathy Demetrius to the Internal Safety Committee and Board to discuss whether this will be annual appointments or longer.

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Moved by Mr. Gennette to appoint Justin Larivee and Kathy Demetrius to the Internal Safety Committee and that all members of the Internal Safety Committee be appointed annually, seconded by Mr. DeBarge. Vote 4-0

Board to approve the use of the Building Infrastructure money for the completion of the Human Resources office.

Moved by Mr. DeBarge to approve the use of building infrastructure money for the completion of the Human Resources office, seconded by Mr. Gennette. Vote 4-0

Board to appoint the new Sealer of Weights and Measures.

Moved by Mr. DeBarge to appoint Mr. Brandon J. Collinge as the new Sealer of Weights and Measures effective immediately, seconded by Mr. Silva, Vote 4-0

Board to appoint James Goodreau to the Joint Transportation Committee (JTC) member for the Pioneer Valley Planning Commission.

Moved by Mr. DeBarge to appoint James Goodreau to the Joint Transportation Committee (JTC) member for the Pioneer Valley Planning Commission, seconded by Mr. Gennette. Vote 4-0

Board to approve and sign Selectmen Meeting Minutes of November 16, 2021.

Moved by Mr. DeBarge to approve and sign Selectmen Meeting Minutes of November 16, 2021, with all members present, seconded by Mr. Gennette. Vote 4-0

New Business:

Board to approve and Chairman to sign the Melanson engagement letter for the FY 2021 audit.

Moved by Mr. DeBarge to approve and Chairman to sign the Melanson engagement letter for the FY 2021 audit, seconded by Mr. Gennette. Vote 4-0

Chairman signed the July 1, 2022 – June 30, 2023 renewal proposal for health benefits as presented by the MIIA Health Benefits Trust.

Board to discuss and then approve and sign the Release of Grant and Lien Agreement between Ethel A. Dias and the Town of Ludlow for the 2005 Ludlow Sign and Façade Grant if the Board is satisfied that the conditions of the grant have been satisfied.

Moved by Mr. DeBarge to discuss and then approve and sign the Release of Grant and Lien Agreement between Ethel A. Dias and the Town of Ludlow for the 2005 Ludlow Sign and Façade Grant if the Board is satisfied that the conditions of the grant have been satisfied, seconded by Mr. Silva. Vote 4-0

Mr. Silva: I believe this is from quite a while ago and it has been executed, but for some reason it's still in. There's going to be a new tenant this year, so they are going to be moving in, so I believe this is just to get the paperwork in order.

Ms. Villano: Several years ago, there was Sign and Façade Grant and a lot of the businesses along East Street received that Grant and part of the conditions were they had to stay in business and operational at least five years from the time that this Façade had been … There are liens on all these properties. A lot of these releases have to be signed at each of these businesses itself further down the road. I have sent the list to the Board of Assessors because at the suggestion of Town Counsel because it might be prudent for the Board to go through it and take a look to see that all the liens have been met so that you can sign all the municipal liens at once. It was confirmed through proper attorneys that business was opened and operational through the five years that was required after the singing Façade.

Board to vote to authorize the ZBA Chairman to have approval authority of the Agreed Statement of Facts in Woffenden v. Ludlow Zoning Board of Appeals et. al.

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Moved by Mr. Silva to authorize the ZBA Chairman to have approval authority of the Agreed Statement of Facts in Woffenden v. Ludlow Zoning Board of Appeals et. al, seconded by Mr. Gennette. Vote 4-0

Board to discuss the Fiscal Year 2023 budget.

Ms. Villano: As you know we've been diligently working to prepare the FY23 budget. The budget subcommittee has met several times and what you have before you are the actual FY21 budget, FY 22 budget, and the level one FY23 budget and that is everything that all the departments have requested. As you can see if you follow down to the level that was asked for and what our total budget is, that's pretty much where we are right now. We've met with the Assessor to get what our new growth is. Both with all the requests we've got from these departments and all the revenues, we anticipate coming in our excess levy will be minus one million six hundred thirty-five dollars, so one million six. So, it was clear that we had to make some adjustments to the budget. The subcommittee met, you'll see some notes on the side departments to review, department accounts adjusted, discussed a lot of different, made adjustments where we thought we needed to make adjustments. Some departments are taking some small cuts and some departments have had increases based on what's been requested and approved by the Board. This still has to go through the finance review and recommendations if the Board votes to move this forward based on the recommendations of the Town Accountant, myself and the budget subcommittee, The Finance Committee may come up with some different cuts, different recommendations and I'm sure the Board will be meeting with finance as you get closer to town meeting. In the fiscal year level 2 you'll see that we were able to make some cuts and some changes based on some known entities like we did. We were able to get exactly what our debt is, we were able to get what the pension was, and we were able to get what our health insurance would be, and the end result is we now have approximately $86,000 left in our excess levy.

Mr. DeBarge: The level 2 budget, there are color coded, and thank you for that, departments to review and department accounts of adjusted. Does the adjusted departments; does that mean they are done?

Ms. Villano: No. at this point if the Board accepts this and we are going to move forward then we are going to be reaching out to all the departments highlighted in yellow or highlighted in orange that they will see some budget cuts. Any questions on the departments that you have taken a look at.

Mr. Gennette: There is a lot here to digest and I apologize but I would like to have time to review this, time to have the Finance Committee to have their recommendations in and the Town Accountant.

Ms. Villano: This is so you can allow this to move forward to finance so that they can do their part and then finance will meet with the Board of Selectmen. They have to start doing their public hearings on all of the departments and do their finance end of it.

Mr. Gennette: When is the Town Meeting?

Ms. Villano: Town Meeting is May 9th. Finance will be meeting with all or most of the departments to review the budget.

Mr. DeBarge: I will only say as I look at all this, grant writer, and police, fire, library all of this. I know that I have touched on it a couple of times in meetings going forward as a community. We're hiring a new superintendent for the schools, Town Administrator, and the Board of Public Works is constantly talking about staffing, and we have vacant positions open in different departments without applicants. It is going to come to a point in time, like this salary audit for managers and down to our other employees as well, it's going to have to be looked at each individual position in order to keep people and to hire people. Going from 1.6 over to 86,000 over the levy limit and still being able to address the issues that we need to, great job by our Town Account and our Town Administrator with the subcommittee. I think it is a great budget to send forward to finance.

Mr. Gennette: I understand that Mr. Debarge and I appreciate that, but I am looking at things like 65k Munis cloud hosting and I'm wondering if it's as simple as being able to be covered by ARPA, being an IT program?

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Ms. Villano: No, it is a required program, and they require us to enter it into the drive.

Mr. Gennette: I understand that, but can we cover that under the ARPA funds?

Ms. Villano: No.

Mr. Gennette: Because IT introspective was part of that before and I am just wondering because freeing up another 65k, things like that. I trust the Town Accountant and the Board, and everybody put together a great budget. I'd prefer to have some more time to review it a little better. Can I recommend a week before we approve it?

Mr. Silva: I believe that the Finance Committee has already moved their meeting from last week up to the following week. Quite honestly, we have been going over this and over this and some of these things we have approved before, and we are at the very end of this. So, I do not know what timing we have for the Finance Committee to be doing their work if we do not get this to them. Ellie, do you have any idea?

Ms. Villano: March 2nd.

Mr. Silva: So, we will have to have this in for March 2nd. Will that give them time to go over everything and have it for Town Meeting?

Ms. Villano: They are going to meet every week and meet with all the departments and there will have to be time for them at the end to meet with the Board to discuss what their recommendations are. The Town Accountant is not available until March 2nd no matter what. So, if you wait a week, you will wait two weeks. We need finance to at least start the ball rolling. That doesn't mean it can't come back.

Mr. DeBarge: This is just the process. This does not set the budget. We have to send this to finance.

Mr. Gennette: That is fine as long as it is coming back.

Moved by Mr. DeBarge to approve the level two budget as submitted and send it to the Finance Committee, seconded by Mr. Silva. Vote 4-0

Board perused Selectmen Meeting Minutes of November 23, 2021.

Board Updates/Misc.:

Mr. DeBarge: Ok, everyone our 250th Celebration Committee we are doing an open house and open forum at the auditorium at the high school on Monday, February 28th at 6:00pm. We will have a slide show with pictures of Ludlow from way back, two presenters that will give a description of what we are planning as our 250th Anniversary for Ludlow is in 2024. This committee has been hard at work in planning a huge celebration. We need more people involved and we need sub-commitments to be doing different things. Come on out businesses, citizens, anyone come on out Monday night February 28th and listen to what is going on with the celebration coming up. All the preparation that we need to do and if you want to get involved, please get involved. Another thing I have is Eric Segundo, our Veterans Service Director, handed me a flyer for a Memorial Day event. I love the idea; it's a little changed. I will just say that I am very happy to be back to Memorial Day as we should be with the parade. I know the plans are to do a candlelight vigil at the Memorial the night before the parade, Sunday night before the parade, so we can speak out those names of the veterans that we've lost. Wreath hanging ceremony on May 27th Friday, the candlelight vigil as I said Sunday night May 29th and of course our parade. Eric is planning on moving the start of the parade from 9:00 am to 10:00 am and I think it is a great idea.

Mr. Rosenblum: American Rescue Plan Act (ARPA) funds update. We do have an update. The 250th Cultural Celebration described by Mr. DeBarge has been marked to receive a grant not less

than $50,000 for the Cultural Celebration of the 250th Anniversary of the Town of Ludlow through the Fiscal Year 2022 ARPA spending year.

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Closing Comments:

Mr. Silva: Ellie, I wore black for a reason. It is a sad day. I have been here with you ten/twelve years? Ellie, you've been. a total asset to the community. You are going to be sorely missed, that's for sure, and I feel bad for the new person coming into step in your shoes. I wish him a lot of luck. As the longest standing member of this Board, you have made it easy for me. Thank you

Mr. DeBarge: The School Committee voted to make masks for our children in school a choice. We know they did that because DESE is allowing them to do that on the 28th and they did not take our children's safety into account until the 28th because the funding is safe. I think that after all of this I am assuming that the communities doing this on the 28th are also stipulating that they may return back to it. I think that in the end we are going to find out and we should already know that masks do not work. They never worked, and they have hurt our children over these two years. They have hurt them socially, they have hurt them in education, and they have hurt them in every way. Voice specialists talk about it, hearing specialists talk about it, they all talk about it. I am happy to see this happening, but it has been long, long overdue. As for Ellie, listen Ellie you know I love you to death professionally, personally you have been here for all of us for a whole lot of things. As a Selectman, you get elected by the public not necessarily because you know how to do the job. I got elected because of Mary Evangalista and Gloria Faria. I didn't know what I was doing when I got here so I shut my mouth and listened to those who I thought I should listen to. It took me a short time and then I opened my mouth. I owe my knowledge, I owe everything to Ellie, my senior selectmen. I will always appreciate but Ellie is the all and end all and when we talk about the positions you can't talk about the person you have to talk about the positions, Well I'm sorry it's not the position this time, it's the person. To come in the way, you did Ellie and to then take over and run the town the way that you have to say it is exceptional is a great understatement. I do not think anybody else that I have ever met in my life could do the job that you have done. I was telling my wife that when I look at the people that I've looked up to in my professional career, and not only my mother of course but the women that I've mentioned, it's Mary, Gloria and Carmina and it begins with you because you have been a leader in this town, in every department at all times. You have to take personalities from all of us, which is a nightmare, especially me and James of course, but to carry that on with a smile on your face and without throwing stuff at us and out of your office I do not know how you did it. You will be sorely missed professionally but personally I will not miss you because we will see each other and talk. So that is all I have.

Mr. Gennette: I am going to follow up on that. I have not shut my mouth this year. He has been here twelve years. I have been here twelve months. I cannot imagine the number of people that have come through here that you have had to deal with. The command of the position, your patience, your knowledge of what is going on. These twelve months you have been a mentor to me, and I appreciate it. I can't imagine not having you there to catch me on the many errors I would have made. I thank you for the time you have made for being here, I thank you for bringing me in and I feel sorry for anybody that has to come onto this Board again and not have you here. I am lucky to have come in under your wing and I thank you very much and congratulations.

Mr. Rosenblum: I appreciate the time that we have spent, and I think we do not really appreciate it fully until you get a chance to be chairman where you have our ear that much more and we have your ear much more. In the same sense you get to know the person. We have talked about family, your son, your daughter, your grandchild, me going off with college tours and things like that. I think that is the thing that sticks out with me. The fact of the friendship that we have made, I think it is a friendship, you might consider it is a nuisance but that's ok. Now with you retiring, we are hoping that you can go on the Ludlow Community forum and clear up some issues. You are going to go home and put your keys down and now you enjoy life. You have a grandchild; you have your family and that is how we all hope you enjoy your time. We hope you keep in contact. I want to say thank you for the past three years. Thank you, enjoy your time off and enjoy your family. You said you did not want it to be about you tonight, but it is about you so, I will read this, it is from the Town of Ludlow, Official Citation. We, the Board of Selectmen, are proud to present the Certificate of Recognition to Eileen "Ellie" Villano upon your retirement as the Town Administrator. Ellie Villano began her career with the Town of Ludlow when she was hired as Administrative Clerk in September of 2000 in the Board of Selectmen's office. She became an Executive Clerk in 2004, was appointed by the Board of Selectmen as interim Town Administrator

and Procurement Officer in July 2008, was then appointed as Town Administrator in August 2008. As a Town Administrator, Ellie has served on several Boards, Commissions, and Committees. She has respectively served the residents of our community for the last twenty-two years with a high standard of professionalism. The level of dedication and commitment will be hard to replace. With deep appreciation of your outstanding contributions and dedication to the community, we the Board of Selectmen present this certificate of recognition to you Eileen Villanova and extend our congratulations and best wishes for a long and healthy retirement, filled with special moments with family and friends. Signed the members of the Ludlow Board of Selectmen, February 22, 2022 and there is a nice gold seal.

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Moved by Mr. DeBarge to adjourn the meeting at 7:37pm, seconded by Mr. Gennette. Vote 4-0

Chairman

Ludlow Board of Selectmen