The Meeting of the Board of Selectmen held on Tuesday, April 5, 2022 began at 5:30 p.m. Remote participation due to COVID-19.

Members Present: Derek DeBarge, James Gennette, Antonio Goncalves, William Rosenblum and Manuel Silva.

First Order of Business: The Pledge of Allegiance

Reorganization of the Board of Selectmen.

Moved by Mr. Silva, to nominate Antonio Goncalves as Chairman of the Board of Selectmen, seconded by Mr. Gennette. Vote 5-0. All in favor.

Moved by Mr. Silva, to nominate James Gennette as Vice-Chairman of the Board of Selectmen, seconded by Mr. DeBarge. Vote 5-0. All in favor.

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TOWN OF DUDLEY

VISITATIONS:

5:30 p.m. – Steven Santos, Chairman BPW – Proposals for Engineering and Construction Services Westover Pump Station.

Mr. Santos stated that he is requesting ARPA funds for a pump station at Westover (Lawton Street) which feeds 8 commercial properties. This particular pump station had a major makeover in 1980 but the pump leaks now. He handed out packets to the Selectmen for their review. Mr. Santos reached out to Mott MacDonald for a quote, they are the Consulting Engineers for all of the sewer work in town. The Engineering services is $70,000 and the proposal for the construction services is $708,000. It is close to wetlands so they have to be particularly careful. They will use the existing wet well. These are the current figures but they could change with the way prices have been increasing. If something happens with this now, they will have to go out to bond. The DPW has already used a lot of their retained earnings with sewer projects around town. There is about $300,000 left in retained earnings. They did increase the sewer rate but they only have 4200 sewer users.

Mr. Goncalves stated that they will have to check with the consultant to be sure they can use ARPA funds for this.

Mr. DeBarge asked how the maintenance will work for this if approved?

Mr. Santos stated that they have a contract currently that tests all of these systems to be sure they are running properly and that would not change for this project. The DPW will jet the lines and another company vacs out the wet wells twice a year. This particular pump station is 40 years old.

Mr. Gennette asked how old the others are?

Mr. Santos stated Chapin Street and 1st Avenue are in good shape. The Chapin Street pump is about 20-25 years old but they can still get parts for that one. The one on Lawton they cannot get parts for the generator any longer.

Mr. Silva asked what happens if this is not upgraded over the next few years?

Mr. Santos explained that he is unsure. It is still functioning currently but the parts for the generator are not easy to find. If the town wants to upgrade in the future and get more residents on sewer this is something that needs to be invested in.

Mr. Goncalves asked what would happen if only one pump was replaced now and then the other one further down the road?

Mr. Santos stated that they could go that route, however, the generator and the controls are where the big money is. The pump is $40-60,000 each. Piecemealing this together, will cost more in the long run.

Mr. Goncalves asked if this would qualify for a dif?

Mr. Strange explained the dif process would be much more comprehensive and they would have to look at the area and if there are any development or redevelopment possibilities in that area first. It also takes a few years to get enough money in that account to do something with it.

Mr. Goncalves stated that the Board will take all of these ARPA requests up with the consultant and then notify each department.

5:45 p.m. – Douglas J. Stefancik, Town Planner – Allowed Use of Cannabis-based Establishments.

Moved by Mr. Coelho to open the Planning Board meeting with the Board of Selectmen.

Mr. Coelho, Chairman of the Planning Board, stated that the Planning Board needs to take a closer look at the marijuana moratorium. He feels that the area has run its course on saturation and after speaking with surrounding towns, they didn't have the problems that Ludlow anticipated initially. The biggest issues now are odor and traffic. After getting some good bylaws in place he thinks they could make it work, especially in some of the underutilized areas in town.

Mr. Goncalves asked if they would have to bring it to Town Meeting in order to lift the moratorium.

Mr. Stefancik stated that it would have to be removed from the town bylaws, as well as the zoning bylaws.

Mr. Phoenix stated that Doug pulled some sample bylaws from surrounding communities to get a feel for how they are doing things. Taking the best from these communities will help the town overall as well as the tax base.

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TOWN OF LUDLOW

Mr. Goncalves stated that the town has been very fortunate for over 10 years now with growth on Center Street and condominium projects but those are wrapping up. The town needs to start looking at new growth. There is a gentleman that has an operation locally and he is willing to come in and talk to the Selectmen about it in more detail.

Mr. Coelho also recommends in addition to getting information from the towns people, it is important to get information from the regulators and the industry itself.

Mr. Goncalves stated that they should also speak with the Cares program as well. He asked what type of zoning this will have?

Mr. Coelho stated that it will have to be a multi-zoning situation because the growing should be in the industrial side and then potentially retail in business. The retail would be the most effective because of the complaints about odor. The growing area should be totally separate.

Mr. Goncalves stated that unfortunately, there is not a lot of industrial areas left in Ludlow. We would possibly have to consider agricultural so it's not in the center of town. However, after speaking with the gentleman about this, he stated that it has to be easy access also.

Mr. Coelho stated that the retail stores are actually pretty nice also.

Mr. Phoenix stated that the one in Chicopee on Shawinigan Road was very busy initially with a lot of traffic but now there's usually only one or two cars there and everyone seems to get in and out okay.

Mr. Coelho said we could also ask the developers to add additional parking if its in the downtown area.

Mr. Queriroga stated that you could push them into the areas where there is more land. We need to keep them away from churches and schools as well.

Mr. Goncalves stated that he thinks that is going to be Cares concern.

Mr. DeBarge stated that he agreed with the moratorium 6 years ago but does agree that now we need to look at different avenues for tax revenue. This is a sensitive subject for different groups in town and this conversation needs to be had with them first.

Mr. Gennette is not in agreement with this. He is willing to listen to different points of view, however he believes that Ludlow is a unique town with an older generation. He would like to see some impact studies of surrounding communities beforehand.

Mr. Silva asked what kind of revenue the surrounding communities have seen? He does not believe our town can handle the growing aspect of this either. Suggests that the town starts opening the zoning more.

Mr. Coelho stated that over the last 4-5 years the Planning Board did a lot of opening up responsibility.

Mr. Phoenix stated that they are hearing mixed messages from the Board and you can't have both. Either no one is interested, someone wants to do and it will change the town or it will be somewhere in the middle. This is why more research needs to be done.

Mr. Rosenblum stated there is a state retail tax, a state sales tax and a local optional tax. Retail is around 10.7%, sales at 6.25% and local can be up to 3%. Once we can see what the feasibility study is in surrounding communities, we will be able to see what the tax revenue will be for the town. The federal government are thinking about legalization as well. He believes it should be brought to the ballot and let the tax payers have a say in it.

Mr. Carpenter stated they want the opportunity to get it to town meeting but if the Selectmen are not on board, then it's a moot point.

Mr. Rosenblum stated that they still have time to get the feasibility study together and write the article for Town Meeting and take it from there.

Mr. Strange stated that he believes it is a good time to take a look at this and see what is out there. When he worked in Agawam, they did the same thing and they did the growing part of it and not the retail but it is a heavily regulated market, more so than any other business will be in town.

Mr. Phoenix stated that he believes when the moratorium was put in place it was very new and no one really had an idea of what was going to happen with the industry. He believes this is a totally different conversation now.

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SEP 15 P 3:12
TOWN OF LUDLOW

Mr. Silva stated that it is not ready to put on the ballot. They need more information about it first.

Mr. Goncalves asked the Planning Board to look into more condominium projects for the town as well.

Moved by Mr. Phoenix, to close the Planning Board meeting in conjunction with the Board of Selectmen, seconded by Mr. Carpenter. Vote 4-0. All in favor.

6:15 p.m. – Maureen K. Downing, Finance Committee – Budget Discussion.

Mr. Goncalves explained that this is to discuss the budget and see what type of suggestions the Finance Committee has for the Board.

Ms. Downing stated that she came in today thinking that they had settled everything from last Wednesday and Kim Collins just gave her paperwork that there were large changes to the bottom line/levy limit. Last Wednesday when the levy limit was $86,000 and she was emailed that $5,000 was needed for mailings for the trash and $167,000 for the bond payment for radio communications principal pay down. The $5,000 was not an issue taking it out of the levy limit. However, the $167,000 is another story. The Finance Committee did not get any detail for the positions requested and they were not involved with the conversations last December for the explanations. When she met with the large departments, everyone seemed to be okay with the cuts that they made. Initially the Finance Committee decided to take $22,000 from the levy limit to cover some of these changes and that still left $64,400. Ms. Downing was just told today that there is a different calculation regarding the levy limit and certain departments.

Ms. Collins explained that they decided to remove the Grant Writer position, add $5,000 to postage for billing, reduce the Building Inspector's budget by $45,000, reduce the DPW's budget by $30,000 and increase the debt by $167,000 for the radio communications pay down. Today she reviewed all of the departments highlighted in yellow. She made notes to the side of the spreadsheet she presented with possible decreases in department budgets. The one thing that changed was the state aid offset, it is now $487,668 which changed the excess levy. There is an additional $145,000 in excess levy which the Finance Committee were unaware of at their last meeting and they may not have made the decisions they made had they known this.

Mr. Rosenblum asked if Ms. Downing had known about this information, what would her recommendation be?

Ms. Downing stated they probably could have accommodated everything, other than maybe one reduction in personnel. The committee did not have the opportunity to go over this, it was only her and Ms.

Collins. She then had to go and explain to the Finance Committee as to what happened and they voted because they thought that was the end of the budget. If the Board wants to have Ms. Downing have another meeting with the Finance Committee, she can do that but she did stress that the committee does not want the library to lose their personnel request. They have been asking for 5 years now for additional help and the committee wants them to have that. As long as the town is under the levy limit, she believes they would be on board with whatever the Selectmen want.

Mr. Gennette asked for clarification regarding the excess levy capacity, if it is in fact $1.153?

Mr. Collins stated that yes, that is the offset from 2022.

Mr. DeBarge stated that he does not want to get rid of the Grant Writer or the money for the DPW. The Selectmen cannot continue to complain about the DPW and then take money away from them. The Grant Writer can help bring funds to the Town, so he does not believe that it is a good idea to take that position away either.

Mr. Silva clarified that the positions are in the classification plan and they just need funding at this point?

Ms. Collins stated that the Board approved the positions to be added to the classification plan but now the funding has to go to Town Meeting, however, they cannot fund them if they are going over the excess levy. Now that there is a little bit of excess levy, they can move forward.

Mr. Silva stated that the funding should be in there if the Selectmen already voted for the positions. Otherwise, they need to find the funds from somewhere else.

Ms. Downing stated that there is enough in the levy at this point, therefore, it should be okay. We should be able to leave the budget where it is.

Mr. Goncalves would like to get rid of the part time inspector and add back the $35,000. If they do that and with all of the positions that were requested, they should have a $95,000 excess levy.

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TOWN OF LUDLOW

Mr. Gennette asked if that would include the Grant Writer position?

Mr. Silva stated he is always on the tax payer's side and does not like to go right to the levy limit.

Ms. Downing agrees with Mr. Silva. She asked if the Selectmen would like her to bring this information back to her board and asked them to vote again or to just wait until the Town Meeting?

Mr. Gennette stated that he believes that would be Ms. Downing's call.

Moved by Mr. Gennette to fund the $75,000 Grant Writer/Procurement, seconded by Mr. DeBarge. Vote 3-2. Two opposed.

Moved by Mr. Gennette to add $5,000 back in for trash billing postage, seconded by Mr. Rosenblum. Vote 5-0. All in favor.

Moved by Mr. Rosenblum to not fund the $35,000 part time inspector and the $10,000 professional services, seconded by Mr. Gennette. Vote 5-0. All in favor.

Moved by Mr. Silva to approve the $35,000 for the DPW level II employee, seconded by Mr. DeBarge. Vote 5-0. All in favor.

Moved by Mr. Silva to approve the $167,000 for the radio telecommunications principal pay down, seconded by Mr. Gennette. Vote 5-0. All in favor.

6:45 p.m. – Patrick McGowan, Director of Hubbard Library – Potential Use of Playground Equipment at Veterans Park Elementary School.

Mr. McGowan stated that after speaking with one of the DPW worker's, it was brought to his attention that the old Veteran's Park Elementary School has some playground equipment that is not going to be used. He would like to have that repurposed to the field adjacent to the library. This would be a good use of resources.

Mr. Silva thinks it's a great idea but asked why they were coming to the Selectmen with this request?

Ms. Collette explained that when Chapin Street closed the school got rid of all of that equipment and there was a lot of backlash over that and also the property next to the library is town property and wanted to be sure it was okay with the Selectmen to move it there.

Mr. McGowan was just doing his due-diligence.

Mr. Gennette agrees that it is a great idea, however, they need to take into consideration that not only will it have to be moved but it will have to be ADA compliant and there may need to be a little ground work done there as well.

Mr. Goncalves asked how that will be moved?

Mr. DeBarge stated that he is helping them with this project and he is in favor of it.

Mr. Rosenblum agreed that a lot of residents asked him about the equipment at Chapin Street School also.

Ms. Collette stated that she is unaware if anyone even knew about that equipment being disposed of.

Mr. McGowan thanked the DPW for suggesting this.

Mr. Silva asked if Vets Park has been handed over to the town yet?

Mr. Strange stated that it has not but will be in the next few weeks.

Moved by Mr. Silva that the playground equipment at Vets Park be used by the library as they see fit and as long as it can be repurposed, seconded by Mr. DeBarge. Vote 5-0. All in favor.

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CORRESPONDENCE:

64. Sean McBride, Chairman Westover Gold Commission – advising the Board the term for Mr. Joseph O'Brien of the Westover Golf Commission is expiring in April 2022 and requests to start the process for appointing a new commissioner.

    Moved by Mr. Silva to begin getting applications for a new golf commissioner and thank Mr. O'Brien for his service, seconded by Mr. DeBarge. Vote 5-0. All in favor.

65. Tighe & Bond, Inc. – providing the Board the Quarterly Post – Closure Use Landfill Inspection Report for the Holyoke Street Landfill.

    Moved by Mr. Silva to file, seconded by Mr. DeBarge. Vote 5-0. All in favor.

66. Kim M. Batista, CMMC, Town Clerk – notifying Board and Committees to reorganize after the Town Election held on March 28, 2022 in a timely manner.

    Moved by Mr. Silva to file, seconded by Mr. Gennette. Vote 5-0. All in favor.

67. Board to approve a request to charge off medical expenses and lost wages to Chapter 41, Section 111F for an injury sustained by a Firefighter as a result of an incident that occurred on March 25, 2022.

    Moved by Mr. Rosenblum to approve a request to charge off medical expenses and lost wages to Chapter 41, Section 111F for an injury sustained by a Firefighter as a result of an incident that occurred on March 25, 2022, seconded by Mr. Silva. Vote 5-0. All in favor.

68. Robert Mishol, Resident – letter of interest to serve on the Ludlow 250th Celebration Committee.

    Moved by Mr. DeBarge to appoint Robert Mishol to serve on the Ludlow 250th Celebration Committee, seconded by Mr. Silva. Vote 5-0. All in favor.

69. Robert J. Duarte, Resident – request to be appointed as a democratic poll worker. Town Clerk recommends approval.

Moved by Mr. Rosenblum to appoint Robert J. Duarte as a democratic poll worker as recommended by the Town Clerk, seconded by Mr. Silva. Vote 5-0. All in favor.

70. Eileen Lavoie, Resident – request to be appointed as a democratic poll worker. Town Clerk recommends approval.

Moved by Mr. Rosenblum to appoint Eileen Lavoie as a democratic poll worker as recommended by the Town Clerk, seconded by Mr. Silva. Vote 5-0. All in favor.

71. Board Reorganizations – Board of Public Works.

Moved by Mr. DeBarge to file, seconded by Mr. Silva. Vote 5-0. All in favor.

72. Karen Pilon – informing the Board of her resignation from the 250th Semi-Quincentennial Committee.

Moved by Mr. DeBarge to accept the resignation of Karen Pilon from the 250th Semi-Quincentennial Committee and thank you, seconded by Mr. Rosenblum. Vote 5-0. All in favor.

73. Stingray Motors, LLC – New Class II Motor Vehicle License – Board to schedule hearing.

Moved by Mr. Gennette to schedule a hearing for Stingray Motors, LLC for a new Class II Motor Vehicle License, seconded by Mr. Rosenblum. Vote 5-0. All in favor.

UNFINISHED BUINESS

Moved by Mr. DeBarge to approve and sign the Seasonal Liquor License for the Ludlow Country Club/9th Hole Concession, Tony Lema Drive; Gremio Lusitano Club, 400 Winsor Street; and Ludlow Fish & Game Club, Sportsmen's Road, seconded by Mr. Gennette. Vote 5-0. All in favor.

Moved by Mr. Silva to send Eversource Energy a letter to replace existing lights in the Town with LED lighting, seconded by Mr. DeBarge. Vote 5-0. All in favor.

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Board to discuss how to proceed with 54 Windsor Street, 63 Chestnut Street and Veterans Park Elementary School.

Moved by Mr. Silva to schedule an auction to dispose of any vacant properties that the Town would like to dispose of, seconded by Mr. Rosenblum. Vote 5-0. All in favor.

Mr. Strange explained that as far as Vets Park is concerned, he reached out to Associated Building Wreckers and they will want to look at the drawings to see what the building was made of and then take a tour of the building. He also reached out to Atlas to do an asbestos survey.

Moved by Mr. Silva to get an RFP for the hazardous waste, as well as the demolition of Vets Park, seconded by Mr. Rosenblum. Vote 5-0. All in favor.

Moved by Mr. DeBarge to approve and sign ten copies of the May 9, 2022 Annual Town Meeting Warrant, seconded by Mr. Gennette. Vote 5-0. All in favor.

Moved by Mr. DeBarge to approve and sign ten copies of the May 9, 2022 Special Town Meeting Warrant, seconded by Mr. Gennette. Vote 5-0. All in favor.

Moved by Mr. DeBarge to approve and sign the Executive Session Meeting Minutes of February 1, 2022 with all members present, seconded by Mr. Gennette. Vote 5-0. All in favor.

Moved by Mr. DeBarge to approve and sign the Executive Session Meeting Minutes of February 8, 2022 with all members present, seconded by Mr. Rosenblum. Vote 5-0. All in favor.

NEW BUSINESS

Board to authorize Marc Strange, Town Administrator, to sign the agreement between the Town of Ludlow and the Town of Coventry, Connecticut.

Mr. Strange explained that this is for the public safety radio communications. There is a frequency in Coventry, Connecticut that they are allowing the Town of Ludlow to use in exchange for ten radios, ten batteries, ten antennas and ten chargers.

Moved by Mr. Rosenblum to authorize Marc Strange, Town Administrator, to sign the agreement between the Town of Ludlow and the Town of Coventry, Connecticut, seconded by Mr. Silva. Vote 5-0. All in favor.

BOARD UPDATES/MISC.

American Rescue Plan Act (ARPA) Funds Updates.

Mr. Gennette stated that there has been ARPA funds requests to the Capital Finance Committee and they are going to gather them up together and send them to the Board of Selectmen.

Mr. Rosenblum stated that the Town needs to chose the right things to use the ARPA funds for.

Mr. Silva stated that they will have to wait for the quote for Vets Park in order to move forward with any other ARPA funds requests.

Chairman to approve and sign 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.

Event Calendar:

May 9 Annual Town Meeting

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CLOSING COMMENTS

Mr. DeBarge stated that they will be putting stone pillars around the Civil War Monument on Center Street by First Church. The boulders will be moved out more. The statue in front of the Civil War Monument was hit about a week ago as well. Reminds everyone about May 7th town wide clean-up day. He congratulated everyone who won in the elections. Asked to give everyone a chance before they start ripping them apart.

Mr. Gennette stated that Mr. Walsh, Principal of East Street School came to Capital Finance to discuss the playground there and they are going to try and do some community outreach. One of the para's there, Sonya Elliott is going to spearhead that. There will be some fundraising done for this to try and offset the cost to the town and asked residents and businesses to be on the lookout for that.

Mr. Rosenblum congratulated everyone who ran and won in the elections. It takes a lot to put yourself out there.

Mr. Silva also congratulated everyone who won. Reminded the precinct members to review their packets before the Town Meeting.

Mr. Goncalves congratulated everyone who won and thanked everyone who ran. There are 16 precinct Members still needed in town and anyone interested can go to the Town Meeting a be sworn in for this. There are a lot of scams regarding COVID 19 so please be aware of that.

Moved by Mr. Rosenblum, to adjourn this meeting at 7:50 p.m., not return to open session, seconded by Mr. Silva. Vote 5-0. All in favor.

Chairman

Ludlow Board of Selectmen

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