The Meeting of the Board of Selectmen held on Tuesday, September 6, 2022, began at 5:30 p.m. Remote participation due to COVID-19.

Members Present: Derek DeBarge, Antonio Goncalves, Manual Silva, and William Rosenblum.

Absent: James Gennette

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First Order of Business: The Pledge of Allegiance

VISITATIONS:

5:35 p.m. – Elsa Barros, Town Treasurer, Requesting Approval to Issue Bond Anticipation Notes

Ms. Barros stated that she is requesting approval to borrow $9,615,000 with an interest rate of 3.75% and a one-year maturity date. This is for the radio communication and the school project, and it will be due next September 2023. Once the projects are complete, they will be converted it to permanent borrowing.

Moved by Mr. Silva to approve Mr. DeBarge as the Clerk of the Board of Selectmen, seconded by Mr. Rosenblum. Vote 4-0. All in favor.

Mr. DeBarge read the Vote of the Board of Selectmen.

Moved by Mr. DeBarge to approve the issued bond anticipation notes as read by said Clerk, seconded by Mr. Silva. Vote 4-0. All in favor.

Ms. Barros requested Mr. DeBarge to sign as the Clerk of the Board of Selectmen.

5:45 – Chris Pietrowski to discuss adding Pickleball Courts to LHS Sports Complex Project

Ms. Pietrowski explained that they originally went in front on the Recreation Department and requested the Pickleball Courts be built where the Whitney Tennis Courts are currently. The Recreation Department stated that there was money coming to the town and that was one of the priorities, to have Pickleball Courts put in but apparently the Recreation Department did not get this request approved. She is under the impression that there is a new Sports Complex being built at the high school and would like to request that Pickleball Courts be added to that complex. She also pointed out that Pickleball is played by people of all ages, adults and children. Many surrounding communities have already done this.

Mr. Goncalves stated that the Sports Complex in the back of the school will not be able to accommodate Pickleball Courts, but they can entertain other areas in town. Vets Park is hopefully coming down as well so that may be another place to put the Pickleball Courts.

Ms. Pietrowski stated that this is the fastest growing sport in the country right now.

Mr. Silva stated that the Board of Selectmen voted to have a Pickleball Court at Whitney and a request went over to the DPW to do that. The Selectmen are trying to focus on areas in Town that really need help like the track and field at the high school. Demolishing Vets Park is another priority, but he definitely sees Pickleball courts somewhere in town.

Ms. Pietrowski asked if the land where Vets Park is will become part of the sports complex?

Mr. Goncalves stated that it will not, the sports complex will be behind the high school.

Mr. DeBarge stated that the tennis courts at the high school need to be redone. The Boys and Girls Club is redoing the back of the club and they are planning on putting in at least one Pickleball Court. He does not believe there will be any ARPA funds left over to do anything at Whitney, but they are getting positions in place at Town Hall like Procurement Officer and Grant Writer to focus on getting grants geared towards the parks. He agrees with Mr. Goncalves that it will happen in the near future.

Mr. Rosenblum agreed with Mr. DeBarge but cautioned them that once Vets Park is demolished it will have to go back to Conservation before any projects can be done there. He also stated that they may be able to request Pickleball Courts under Capital because they cost $30,000-60,000 to put one in. He also agrees that the Selectmen are on board and will see it in the foreseeable future.

6:00 p.m. - Dangerous Dog Hearing

Moved by Mr. Rosenblum to open the Dangerous Dog Hearing at 6:01 p.m., seconded by Mr. Silva. Vote 4-0. All in favor.

Mr. Goncalves: Okay in a minute I will ask you all to introduce yourselves and beforehand anyone who is going to testify tonight, I need you to raise your right hand please. Do you swear that the testimony you are about to give is the truth, the whole truth and nothing but the truth.

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Ms. Emiterio: Yes.

Mr. Emiterio: Yes.

Ms. Gallucci: Yes.

ACO Anderson: Yes.

Mr. Goncalves: Okay great thank you. Why don't we start here and introduce yourselves please.

Ms. Gallucci: Jennifer Galluci.

Mr. Goncalves: And you own the dog?

Ms. Gallucci: Yes.

Mr. Goncalves: Okay.

Mr. Gallucci: I'm Anthony Gallucci, her husband.

Mr. Goncalves: Okay, great.

ACO Anderson: Octavia.

Ms. Emiterio: Maria Emiterio.

Mr. Emiterio: Paul Emiterio, my mother.

Mr. Goncalves: Okay and Octavia why don't you go ahead and open it up.

ACO Anderson: Sure. First of all, thank you all for fitting me in. I know this is last minute but sometimes these things happen. I have for you a little package for each of you just about dog bites in general and… So, the package that I just gave you is basically dog bites statistics and the difference protective behavior and aggressive behavior and the reason why this matters is they have, their dog who bit her has been described as a very protective dog and there is just such a distinction between protective and aggressive. The papers that I just gave you point that out what the two different behaviors are even though they look the same and a lot of dog owners are confused with you know my dog is being protective or is my dog just being a jerk and he needs some training. The main signs of your dog being protective is a constant, let's think of a German Shepard guarding something. They immediately focus if somebody comes into the room. They are alert but calm. They can move between owners and whatever they perceive as threatening. Growling and barking, if the threat does not go away and one of the main differences is that they return to normal if somebody doesn't lunge out. You know if somebody just kind of drops their head or turns, the dog just chills out and says okay their fine. Aggressive behavior is immediately barking, growling, raised hackles, lunging, baring teeth, snapping. They get insanely territorial and even if the person is an obvious no threat, they just they lose it. They can't really tell the difference. Different bites also have the same you know you can get a nip; you can even get a bite even on the hand or you can get a dog that has no bite inhibition whatsoever and he just bites. Unfortunately, this bite is he has not bite inhibition; he didn't hesitate to bite and that worries me because he is a big boy. He's a 100-pound Pitbull.

Mr. Goncalves: I saw that in your 5-6 rating.

ACO Anderson: Yes, and with the rating…that is basically what I just said to everybody. So, the ratings that have it,

Mr. Goncalves: Level 5, level 6, is that,

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ACO Anderson: yes level 5, level 6 is death. There has been, in 2022, a ridiculous amount of dog related deaths across the United States. We are up to like; I think 36 right now. Unfortunately, 76 of those are Pitbull type dogs whether they're owned or whether you know I think only 4% of those attacks are by dogs that the people did not know. Like you know were roaming free and those statistics really scare me because that's the last thing anybody wants is to have an attack as bad as this could have been. You know we have all seen the pictures. She was bit pretty bad. Luckily the dog went after her arm and not her face, we would be having a different conversation.

Mr. DeBarge: Can I ask a question, Mr. Chairman. First of all, how are you feeling?

Ms. Emiterio: I'm okay. Honestly, I'm okay.

Mr. DeBarge: Okay and how did the dog break contact after the originally after or the bite. Was it because you pulled or did it break on its own.

Mr. Gallucci: No, Maria came over and dropped a toy off on my porch and my wife was brining Caesar out to use the bathroom and when she came off the porch my dog went after her.

Mr. DeBarge: I understand that but after the bite did Caesar break himself?

Mr. Gallucci: Yes, yes, yes.

Mr. DeBarge: Okay. I'm sorry I needed to know that. Thank you.

ACO Anderson: No, no, no, that's fine. I met Caesar briefly today, he is off his 10-day quarantine, with a muzzle on because I don't think I would pet him without a muzzle on and I'm sure with you and with your children he's fine unfortunately with dog bites that don't have any inhibition to not bite hard, it's mind could switch in a second. It's shocking how fast that type of behavior with a dog that has already bitten will most likely happen again. When a dog does bite at that level, the next bite escalates because you know he got that far, it's a dog's behavior they just escalate the attacks. You have children all this worries me you know even without children it would worry me. I don't think your dog is an outright aggressive mean horrible dog at all, but he was obviously not socialized as a pup. I don't know his back history at all. Dog training really does make a difference. Neutering him and the rest of things that go with it you know let's hear their stories but I've already kind of made up my mind as to what I'd like to see happen with him without going as far as euthanizing. He is not out of control, and I think he could be fixed possibly.

Mr. Goncalves: So, go ahead as the owners of the dog, what are you guys thinking?

Ms. Gallucci: I'm thinking from my point of view, he is just really, really protective. She was around my 4-year-old son so that didn't make him happy and by the time she came down the stairs, he just spun me and took me down to the ground and with her landing on top of me that must have made him more aggressive we he got her arm and gave her a worse bite then,

Mr. Goncalves: Ms. Emiterio have you gone there before or was this your first time at their house? Have you been there a lot of times?

Ms. Emiterio: This was my first time, wasn't it?

Mr. Gallucci: Well, technically the second time.

Ms. Gallucci: There may have been one other time.

Ms. Emiterio: Oh, the second time.

Mr. Gallucci: I have a heart condition and I passed out on my porch a couple weeks prior and she,

Ms. Emiterio: And I ran over to see if he needed help.

Mr. Gallucci: she came over to my concern.

Ms. Emiterio: Yeah, I forgot about that. I forgot about that.

Ms. Gallucci: My friend told her that the dog was really protective and not to come on the porch.

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Ms. Emiterio: Yeah, yeah exactly.

Mr. Emiterio: Now has this dog ever attacked anything else, anyone else?

Mr. Gallucci: No, this is the first time.

ACO Anderson: I talked to the neighbors and there is one incident where the dog was loose and went after one of your neighbors dog while they were trying to get him out of the car.

Ms. Gallucci: Yeah, yeah.

ACO Anderson: Other than that, I haven't, none of the other neighbors you know have said the dog was running loose constantly or anything like that. We don't have any police records either.

Mr. Goncalves: Maria tell us what you're thinking now please.

Ms. Emiterio: I'm thinking that I'm blessed I didn't get on the face. I got bit pretty bad. It's healing okay. This is one of, this was about this deep. They couldn't stitch it up. There was no skin to stay, I went to Palmer. The doctor only put one stitch, Maria, he said to the other surgeon there is nothing we can do about this. So, it's been healing on its own, no pain whatsoever. I'm being honest and then the big one is right on my hip right here, it got four big teeth marks.

Mr. Goncalves: Yeah, we saw pictures, yeah.

Ms. Emiterio: That's it.

Mr. Goncalves: Alright, Paul anything else?

Mr. Emiterio: Like I said we are definitely animal lovers. We have a few pets ourselves. Our neighbor also has a 100-pound Pitbull.

Mr. Goncalves: On the other side?

Mr. Emiterio: No, I live in East Longmeadow, I don't live in Ludlow.

Mr. Goncalves: Okay, okay, I'm sorry.

Mr. Emiterio: So, our neighbors in East Longmeadow have a hundred Pitbull and every time I go there, and we sit on the patio the first thing the dog does is jump on my lap. Hundred-pound lapdog. Pitbull's do have a bad rap. I'm not familiar with this dog at all but like they were explaining and what the police report is saying that you know it bit her once on the arm and then you know it knocked Ms. Gallucci down and continued to lunge at her. That is somewhat of a concern not just for you know my mother, more of a concern for all the residents, the kids you know it's tough, it's hard. You know, if the dog goes for a walk and a kid is across the street and all of a sudden, the dog wants to go,

Mr. Goncalves: Yeah.

Mr. Emiterio: and dragging her across the pavement, it's scary and a kid a lot smaller height wise then you know an adult size person.

Mr. Goncalves: Okay, do you guys have any questions before we let Ms. Anderson tell us what she's thinking. Mr. DeBarge?

Mr. DeBarge: Not right now.

Mr. Goncalves: Okay, anybody?

Mr. Rosenblum: Not right now, no.

Mr. Silva: I just want to,

Mr. DeBarge: Well, I do actually have a question. I'd like to ask the Emiterio's what they would like to see happen before we hear a suggestion? What outcome do you think would be best suited in this situation?

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Ms. Emiterio: I mean, I don't wish anybody bad luck it was just a freak accident and I love that little boy. He said momma, momma, momma and I just went over to give him a little car. I'm an honest person and I was with them for about three or four minutes and as I was leaving, I said bye-bye, and he goes bye Maria and all of sudden I guess she wasn't holding the dog tight enough and he turned around and grabbed me. That's how it happened.

Ms. Gallucci: He actually brought me down first and then I couldn't, I had not control over him because I was,

Mr. Emiterio: Like I said, it's you know for us to try to make a decision to euthanize a dog, I don't know enough about animal attacks and behavioral. It would be terrible to put a dog down and it's not my call but what I seen is pretty scary and we don't want it to happen again to anybody. I know it's a pet, I know it's a family member, it's tough, that's the ACO's judgement I guess on that because she knows the level of attacks and all that.

Mr. Goncalves: Mr. Silva.

Mr. Silva: Concern, I know we are kind of restricted in age of children, stuff like that but you have young children?

Ms. Gallucci: Three young children, yeah.

Mr. Gallucci: Four, nine and twelve.

Mr. Silva: Well, you said it, I didn't ask. That concerns me quite honestly, if he bites your four-year-old, I mean,

Ms. Gallucci: We have him just because my husband works overnights and I don't have any,

Mr. Emiterio: How long have you guys had the dog for?

Ms. Gallucci: Almost six years.

Mr. Silva: Yeah, so to me it would be one and done if I had young children quite honestly. I don't, I know you say they can be rehabilitated but I do own a dog, he's a little dog and even a little dog it's one and done for me. If it can happen once, it can probably happen again. So, her suggestions are probably would say you know do it. Get some training, get whatever the suggestion is because that's scary,

Mr. Gallucci: Of course. Of course.

Mr. Silva: and the reason I say that because I have two friends that the dogs turned on them and that, she was the actual owner and she got pretty messed up with her, she had two Pitbull's and just turned on her for whatever reason and if that can happen to the owner that's scary. Anyway, I'm good.

Mr. Goncalves: Thank you. Mr. Rosenblum.

Mr. Rosenblum: Yeah, the main concern is that I mean unfortunately we've seen you quite a bit lately and I think we did have, we did have a child incidence once and luckily it was kind of a and didn't do but and again I don't have, I mean I have a sixty-five-seventy-pound lab. In my house if it ever happened, as much as I would hate it because it's really my dog, it just comes to me a lot. It would be devastating to me but that's the rule in our house. The thing that concerns me most of all with the age of your children is that especially that strong. I know a hundred-pound Pitbull has got to be strong. It would concern me with the children. Again, what the ACO has done in the past, we kind of understand, we know where we can go moving forward and what I've always said when it comes to anything or anyone who sits before us, be it a police chief, fire chief, they know best and in most instances I'm gonna go with what they say. So, that will get to the point when we hear what the ACO has to say but it's just the concern is the small children.

Mr. Gallucci: Sure, yes.

Mr. Rosenblum: To me that would be, because we saw one picture of it and luckily it wasn't that bad but that 4% or whatever that's in there because if that had been up in the face,

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Mr. Goncalves: Okay, why don't we hear from the ACO then. Oh, do you want to,

Mr. DeBarge: I'll go after, that's fine.

ACO Anderson: So, I spent the day looking at dog bite statistics over and over and over again. Talking to different trainers that are local around here. You know Pitbull's do get picked on and I don't want to be breed aggressive I guess that's the right word for it but this is a big dog, he's untrained, he's not neutered and even though you know she is an adult the dog floored her when it was going after someone. You know that alone worries me just on the whole level of controlling a dog. I recommend one of two things actually. One, we deem the dog dangerous, you know that follows all the rules that the kennel being built, muzzled at all times, you know insurance, training, nonstop with a trainer that is actually out in Manchester, CT. I've worked with him before with my bull mastiffs. He does protection training too so he's fairly familiar with large breed dogs and aggression and I feel comfortable with him. I don't know the cost whatsoever. That would be completely up to you. If the dog does anything again, he will be euthanized immediately, but I think you as a mother and father really need to seriously think about the safety of not only your own children but your children's friends. You know, I'm sure your dog is absolutely great with them but literally all it takes is a blink or the dog perceiving and that's what, that's what bothers me. Your dog perceived her as a threat and it wasn't just a warning bark and a bite,

Mr. Goncalves: When she was leaving, which is the part that is bugging me. She was actually walking away from it and the dog re-engaged her.

ACO Anderson: Right, right.

Mr. Gallucci: Yeah, she walked, she was walking off my porch after giving my son a toy. I will say that she came over right in all good nature.

ACO Anderson: You know and so there was nothing threatening about the situation should cause a dog to attack with that ferociousness besides him being insecure, being you know nervous. He was definitely, when I met him today with his muzzle on, he was definitely scared, you know I'm a stranger knocking on the door but that he has learned over the years for who knows what reason because they're dogs that lashing out and biting is okay. He will bite again. He will bite probably worse than before. I've said this over and over to people and sure enough four or five months down the line I get another call. Hey, I know that address and we start all over again. I just, I'm having a hard time with this one. I don't want to you know say yes, the board says put your dog down, but I would highly recommend putting your dog down. You know, we can go through all these steps of you know building the right kennel, making their dog training and everything, but he's already bitten really severely. So, my recommendations would either be to follow these to a T, and we you know, me are just on top of it, meaning you don't take the chance of walking your dog to the car without a muzzle on, you know. With people in the house or your kids in the house don't have your dog by your kids' period. You know, don't let, just don't do it, he's a big dog and he will take down someone. You know, it's a hard decision to make and I personally would hate to make that decision for my dogs, I love my dogs and I'm sure you love him, but there are other, other breeds, other you know dogs that are protection dogs, but they don't cross that line and your dog crossed that line.

Mr. Gallucci: Yes, yes, I understand.

ACO Anderson: You know, I don't know if that can be fixed you know and that is something that you as a family need to decide on some level. I think we should, you know if they,

Mr. Gallucci: We've started with the muzzle,

ACO Anderson: Okay.

Mr. Gallucci: and if we need to go with the kennel.

ACO Anderson: Yeah, yes so you know the kennel gets,

Mr. Gallucci: And then we will definitely get training and then if you know that doesn't work then that's unfortunate and we will end up euthanizing him.

ACO Anderson: I mean I can,

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Mr. Goncalves: The part that bothers me is if it doesn't work does that mean it bit somebody else?

Mr. Gallucci: No, no, no, no, I mean if he's still aggressive. I think starting with the neutering because I guess that takes out testosterone.

ACO Anderson: So, your dog is almost six years old neutering isn't going to matter whatsoever with him. You know if you neutered the dog at six months old when his hormones weren't developed it would you know somewhat change his personality. At this point in the game, it's not going to do anything besides make him not be able to breed. That's not going to change him into a lapdog that, at all.

Mr. Gallucci: Okay.

ACO Anderson: I don't know if training will even work you know you will always, for at least the next six years, if the dog lives that long, be on guard. Always.

Mr. Goncalves: Mr. DeBarge.

Mr. DeBarge: Mr. Chairman. I've owned a Cocker Spaniel for twelve years that we had to tell anybody that came over whether they came over for twenty years or for twelve years, when they came over for the first time, do not put your hands down, keep your hands up. Don't go down to the dog because he will bite you. The severity of the bite I think is the key thing here but also had an American Bulldog that got so aggressive when we would leave the house because she had separation anxiety. She bit me on the thigh almost the same pictures as yours and I owned her all my life because I was leaving one day, and she came right up and bit me. I've been bit so many times by dogs I would never say that a dog is one and done, ever. I would never say that. I don't think this situation calls for euthanization. I think that the dog, the owners deserve to put in the effort to try and train Caesar and I think that's the key is will the effort be there to train Caesar. You know, no we don't want any other incidents to happen, we would never want that to happen. The pictures are as graphic as they can be and I'm sorry that that happened, and I know how it feels but I don't think that this is a situation to euthanize a dog. I think you should be given a chance to train him and go forward with checkups, you know and all of that and again it's unfortunate, but I understand, I'm not saying I understand the mentality of a dog I've just; I've seen it, especially leaving makes some dogs you know a little bit, a little bit crazy. So, I think he deserves a chance to be trained before killed.

ACO Anderson: Yeah, yes.

Mr. Rosenblum: So, normally I would say Mr. Chairman but, so we've had the conversation before when you've been in here before as to how a dog is going to react to certain circumstances,

ACO Anderson: Yes.

Mr. Rosenblum: during training, kenneling, muzzling. One dog in the house will not make it in the house, needs to be an outdoor dog. With this breed of dog as this age five to six is you know you're middle aged pretty much.

ACO Anderson: Set in his way.

Mr. Rosenblum: He is set in his ways.

ACO Anderson: He is set in his ways, but dogs can be trained.

Mr. Rosenblum: So, to Mr. DeBarge's point, my point too would be I would, I would in order for me it's gonna be a lifestyle change honestly is what it is. It is a lifestyle change because you're going to be, if it's a muzzle all the time or the dogs outside you know is in the kennel, I don't even know if a line, a running line would do it for the dog but in the kennel,

Mr. Gallucci: We already have a running line,

Mr. Rosenblum: I don't even think that is going to do it,

ACO Anderson: He can't be on the line.

Mr. Rosenblum: I think the last kennel was what a sixteen by sixteen?

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ACO Anderson: Yeah, so the Mass General laws actually have, you know these are the steps to follow if a dog is deemed dangerous. We have a minimum dimension of twelve-foot by twelve-foot, six foot high, has to have a solid floor or has to buried at least a foot if not two feet under, under the ground level so the dog can't dig out. A lock on the kennel, a roof on the kennel. You know, it's a pretty substantial kennel. Signs making sure that nobody can go in and oh look my ball went in or let me see Rover because kids don't think at all. So, you know he is fine and it just, it would be just such a split second that this could happen. I think, you know, I would like to get Matt, who is the dog behavioralist his,

Mr. Gallucci: That's the one from Manchester?

ACO Anderson: Yes, yes. He is pretty good a reading dogs and I would like to see what he comes up with, his assessment. You know he definitely won't be looking I spoke to him earlier today about it, you know wouldn't be looking it as oh let's see what we can do. He knows the dog's life is on the line and I would follow whatever he recommends. If he looks at you and says you know this dog is pretty set in his ways, I don't know if we can do this, then you would need to respect that.

Mr. Gallucci: That's perfectly fine.

ACO Andeson: You now and make that ruling one way or another. So, I think your dog should be deemed dangerous, follow the, I wrote it all down, follow the outdoor kennel requirements, signage, training, neutering, microchipping within a month. I did send in your request for the voucher, and they will microchip him at the same time once we get that approved.

Mr. Goncalves: There's a young lady that you had asked to come here and testify. Do you need her to come in for any reason or do you think,

Mr. Gallucci: If my dogs not being euthanized, I don't see it necessary.

Mr. Goncalves: Okay, okay.

ACO Anderson: So, I that's my recommendation to the Board, I actually wrote it.

Mr. Goncalves: Do you suggest, with the training, if the Board was to go in that direction, that particular person or they have to be somebody accredited or,

ACO Anderson: Yes, because there's a million people out there that can talk a good game. I've seen Matt's results as far as dog training goes, you know, they've been doing German Shepherds for years and years and years.

Mr. Goncalves: So, you would say it would need to be Matt?

ACO Anderson: I would, yes, I wouldn't want someone at Petco handling this dog.

Mr. Goncalves: I don't know Matt; I think that's Manchester that you said originally?

ACO Anderson: Yes, he's in Manchester. He doesn't do home visits, but he does do in-house training, you know the dog goes to him and then usually within house training the dog stay a couple of weeks or whatever it is and then you meet them and you through weekly training with him and you keep it up that way.

Mr. Goncalves: That assessment that you said, would that take place before they move forward with any type of training or,

ACO Anderson: What I meant was Matt will assess and you know let them know A the cost and if this is going to be a long-term project, can we fix it in a couple of weeks, is it just that the dog is scared. He'll be able to assess that a little bit better than I can. But, either way the dog, if the dog is not going to be euthanized, he has to go through really pretty intense training. He needs to get over what is causing him to shoot off the way he is shooting off, you know, the trigger and you know you can call it a protective tendency but as you know I pointed out earlier, there is such a difference between being protective and being aggressive.

Mr. Gallucci: I totally understand that.

Mr. DeBarge: Mr. Chairman, I have no problem with deeming the dog dangerous per these parameters that they have to follow as long as he gets a chance, yeah.

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ACO Anderson: Yeah, and if it doesn't you know, Matt says this isn't going to work or if he, you know you guys need to be on top of it, if the dog starts showing aggression again you need to be able to realize that this is his reaction is overboard with what the situation is and hopefully, they will be able to calm that reaction down. He won't ever be a dog that you are going to be able to let loose if you're having a barbeque, at all.

Mr. Gallucci: I never have.

ACO Anderson: You know and he's a big boy, he's strong.

Mr. Goncalves: And especially where you are. I mean you are in a; you probably have six neighbors within a hundred feet.

Mr. Gallucci: Yes, definitely.

Mr. Goncalves: In every direction.

Mr. Gallucci: Definitely.

Mr. Goncalves: That's, you know if you're out on Lyon Street, Miller Street something okay you know it's great you can control him but that's, that's real quick to get at anybody and a lot of people of in a small space.

Mr. Gallucci: Normally, we bring Caesar in the back yard to use the bathroom in the front yard and then it's right back in the house and anybody that comes near Caesar we are like, he's very protective, he's not friendly. Just stay away, you know.

Mr. Emiterio: So, does this dog, do you guys that the dog like out and about or just like,

Ms. Gallucci: No, we keep him inside.

Talking over each other.

Mr. Gallucci: We take him on walks that are like very secure, where not a lot of people walk. So, we don't have to go through this incident, right. But he gets socialization.

Mr. Goncalves: Any questions?

Mr. Silva: Nope.

Mr. Goncalves: Bill?

Mr. Rosenblum: No, I, it's just again, it's, it's going to be a lifestyle change, one hundred percent will be and again as the ACO is saying it's something you have to evaluate, you know and you might see it being, you might see after a little while it's like mmm or you might see a change.

ACO Anderson: So, we are hoping for a change. You know, hopefully he can learn to be a if not great citizen, he could at least learn to control the urges that he is displaying.

Mr. Gallucci: If we don't see a change, we have no choice, but to put him down.

ACO Anderson: Yeah. I mean that would be the most responsible thing to do.

Mr. Rosenblum: The change, it has to be because if it's like a,

Mr. DeBarge: Or find a rescue.

Mr. Rosenblum: that means that there's a chance it's still there. It's something that, because God forbid, I'd hate to have it where we are in this situation again and it's worse and it's a six-year-old,

ACO Anderson: Me too.

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Mr. Rosenblum: or anyone, just anyone in general but I mean it's and listen I'm like Mr. DeBarge I have a dog, I've had pets my whole life and I just the last thing I would want to see is a dog be put down.

ACO Anderson: Me too.

Ms. Emerito: Yes.

Mr. Emerito: Now when this dog, if the dog goes through the proper training are you going to be the one monitoring these trainings and make sure they are following through with all of the this?

ACO Anderson: Yes.

Mr. Goncalves: Absolutely.

ACO Anderson: And you know in the future there's always going to be an ACO in town you know I keep pretty detailed records of my problem cases. So, that would definitely be passed on if for whatever reason, but I don't foresee that in my future at all.

Mr. Goncalves: How long do you think before Matt would be able to give us,

ACO Anderson: I'm going to give him a call tonight when I get home just to see if he can get you in in the next couple of days. You will need to bring the dog to him.

Mr. Gallucci: Okay.

ACO Anderson: In the meantime, you would need, I think I left on my note, a month to get the kennel built. I need to go out and inspect it, that will also give him time to be neutered and you know as everybody has said, there is no guarantee that this will work you know your dog could be set in his ways. He could even just have a screw loose, it's so hard to say you know.

Mr. Gallucci: I honestly don't think that he has a screw loose,

ACO Anderson: I hope not.

Mr. Gallucci: because he is very protective of all little children that come into our house and he's just,

ACO Anderson: Until he's not.

Mr. DeBarge: The dangerousness label is a pretty strict, do you have a copy of this of what they have to do?

Talking over each other.

Mr. DeBarge: What they have to do, the guidelines, if we deem the dog dangerous which I'm sure we're going to vote on soon. But it's very strict so you know as much as I'm against euthanizing animals for something like this that's, those guidelines are very, very strict.

Mr. Emerito: It's very strict and especially to go and obey by all this is a lot of work on your behalf.

Mr. DeBarge: It's a lot of work and it's expensive too.

ACO Anderson: Right.

Mr. Emerito: What's the time frame that this would have to be done?

ACO Anderson: Well, depending on the trainer, hopefully we can get the dog in training in the next week.

Mr. Emerito: It's a lot. Is there, like could you put like a number figure on this if you were to say the cost.

ACO Anderson: I put on it that it can only be built in a month, hopefully dog training will start in the next two weeks. That, to me is the most important part of anything is dog training is going to make it or break it.

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Mr. Emerito: How much does dog training usually run around you know?

ACO Anderson: Absolutely no idea what he charges actually that's not true I do; I want to say $100/hour for private training.

Mr. Gallucci: And how much does he get trained.

ACO Anderson: That would be, you know so,

Mr. DeBarge: That's for you guys to work out.

Talking over each other.

ACO Anderson: That is completely up to the trainer you know if the trainer says we can fix this or not.

Mr. Rosenblum: Mr. Chairman just one quick, so time frame, like normally we come back, say thirty days, forty-five days, would you want to go like forty five maybe?

ACO Anderson: I would say forty-five days.

Mr. Rosenblum: So, to have a follow up in forty-five days to see where we are at.

ACO Anderson: Right, to see if the dog is doing okay.

Mr. DeBarge: I was going to say two weeks.

Mr. Rosenblum: Well, I mean between the kennel and the and doing everything because it's going to be a huge undertaking.

Mr. DeBarge: Right, right that's what I'm saying progress, progress. However, you want to do it is fine with a pertinent update. Alright, Mr. Chairman.

Mr. Goncalves: Yes, Mr. DeBarge.

Moved by Mr. DeBarge to designate the male Pitbull named Caesar who is owned by the Gallucci family on 31 Hampden Street in that our dog officer gives us an update when she has pertinent information for us so that we are kept abreast of this, seconded by Mr. Rosenblum. Vote 4-0. All in favor.

Moved by Mr. Rosenblum to close the hearing at 6:38 p.m., seconded by Mr. DeBarge. Vote 4-0. All in favor.

6:30 p.m. – Ilda Rosa, Owner of Expressions Salon on East Street to discuss barriers in front of her business.

Ms. Rosa explained that her business is located on East Street across from the Ludlow Central Bakery and the barriers that were put up in front of her business are being hit by cars, people are using her parking lot to do business at the bakery, and she does not have enough space for that. She also stated that cars are blocking her parking lot entrance so her customers cannot get in at all. She suggested making Hubbard Street, up until Oak Street a one way or maybe making it a right turn only, no left turn. Ms. Rosa also said that cars are speeding down East Street and it's ridiculous.

Mr. Silva asked if the signs for her parking lot say, 'Patrons Only' and if she had gone to the Safety Committee with her concerns yet? He agrees that it is a mess over there.

Mr. DeBarge stated that the barriers were only supposed to be a six-month temporary solution to see if it helped at all. He suggested a mirror at that intersection people can see when they are getting out of there.

Mr. Strange stated that they are due to come out in either November or December.

Mr. Rosenblum suggested some type of lines painted on the road similar to what is in front of the Police Department.

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Mr. DeBarge suggested the Chairman of the Board of Selectmen speaks to the Chairman of the Safety Committee and then notify the business owner.

CORRESPONDENCE

149. Application for a Common Victualler License for Mad Wings, 313-319 East Street, Ludlow.

Moved by Mr. Silva to grant the Common Victualler License for Mad Wings at 313-319 East Street, seconded by Mr. DeBarge. Vote 4-0. All in favor.

150. Application for an Entertainment License for Mad Wings, 313-319 East Street, Ludlow.

Moved by Mr. Silva to grant the Entertainment License for Mad Wings at 313-319 East Street, seconded by Mr. DeBarge. Vote 4-0. All in favor.

151. 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 August 13, 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 Police Officer as a result of an incident that occurred on August 13, 2022, seconded by Mr. DeBarge. Vote 4-0. All in favor.

152. Seniors concerned about time changes at the Senior Center.

Moved by Mr. Silva to take it in advisement and send to Council on Aging to address, seconded by Mr. DeBarge. Vote 4-0. All in favor.

153. Cynthia Kennedy informing the Board of her resignation from the Ludlow Cultural Council effective immediately.

Moved by Mr. Silva to accept the resignation of Cynthia Kennedy from the Ludlow Cultural Council, seconded by Mr. DeBarge. Vote 4-0. All in favor.

154. Kimberly H. Robinson – Executive Director, notifying the Board of a Level 3 Critical Drought Emergency.

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

155. Agnes Kibbe notifying the Board of her resignation as the Chair of the Ludlow Historical Commission.

Moved by Mr. Silva to accept the resignation of Agnes Kibbe as the Chair of the Ludlow Historical Commission with a letter of thanks, seconded by Mr. Rosenblum. Vote 4-0. All in favor.

UNFINISHED BUINESS

Moved by Mr. DeBarge to approve and sign the Selectmen Meeting Minutes of January 18, 2022, with all members present, seconded by Mr. Rosenblum. Vote 4-0. All in favor.

Moved by Mr. DeBarge to approve and sign the Selectmen Meeting Minutes of February 9, 2022, with all members present, seconded by Mr. Rosenblum. Vote 4-0. All in favor.

Moved by Mr. DeBarge to approve and sign the Selectmen Meeting Minutes of March 1, 2022, with all members present, seconded by Mr. Rosenblum. Vote 4-0. All in favor.

Moved by Mr. DeBarge to approve and sign the Selectmen Meeting Minutes of April 5, 2022, with all members present, seconded by Mr. Rosenblum. Vote 4-0. All in favor.

Moved by Mr. DeBarge to approve and sign the Selectmen Meeting Minutes of May 3, 2022, with all members present, seconded by Mr. Rosenblum. Vote 4-0. All in favor.

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Moved by Mr. DeBarge to approve and sign the Selectmen Meeting Minutes of May 17, 2022, with all members present, seconded by Mr. Rosenblum. Vote 4-0. All in favor.

Moved by Mr. DeBarge to approve and sign the Selectmen Meeting Minutes of May 27, 2022, with Mr. Gennette and Mr. Silva absent, seconded by Mr. Rosenblum. Vote 4-0. All in favor.

Moved by Mr. DeBarge to approve and sign the Executive Session Meeting Minutes of June 21, 2022, with Mr. Silva absent, seconded by Mr. Rosenblum. Vote 4-0. All in favor.

Moved by Mr. Rosenblum to approve and sign the Common Victualler License for Mad Wings, 313-319 East Street, Ludlow, seconded by Mr. Silva. Vote 4-0. All in favor.

Moved by Mr. Rosenblum to approve and sign the Entertainment License for Mad Wings, 313-319 East Street, Ludlow, seconded by Mr. Silva. Vote 4-0. All in favor.

Moved by Mr. Silva to table the signing of the Point Software Contract, seconded by Mr. DeBarge. Vote 4-0. All in favor.

Board to discuss and vote on New Positions on the Classification Plan (Tabled from 8/23)

Mr. Strange stated that in the warrant that will be presented tonight, there is request for funding for a Facilities Director and a Local Building Inspector. Ms. Ward will explain more about why these positions are needed and the help she needs with code enforcement.

Ms. Ward, Building Commissioner explained that new housing certs are up 40% from July 1st to current from the same time period last year. Permits are up 21% from the same time period last year.

Mr. Goncalves asked if Ms. Ward could give them actually numbers.

Ms. Ward explained that last year there were five new houses and this year there are seven. Last year there were 286 total permits and this year there are 346. Permit fees are up 56% compared to this time last year. Permit fees from July 1st through September 6, 2021, totaled $48,638 and this year from July 1st through September 6th total $76,131.93. A lot of that has to do with the increase in construction costs. The amount of permits themselves has skyrocketed. She is concerned that they are not keeping up with the inspections even though she has been inspecting everyone that calls in. Last year there were 1,732 permits and only 1,491 inspections for the year. She does not understand that.

Mr. Goncalves asked Ms. Ward if a resident came in and pulled a permit to replace a window and Home Depot did the work; would she go out and inspect that?

Ms. Ward said that a lot of times the contractor will not call for a final inspection with something like that. So, that may be part of the offset with the inspections. She stated that when she worked in Holyoke there were 38,288 citizens and there were 4 building inspectors. In Ludlow we have 21,000 citizens and only one inspector. Since she came to Ludlow, the amount of code complaints has increased steadily. She cannot keep up with them. She also stated that every complaint that she receives, she has to address in one way or another and she can't even acknowledge some of these.

Mr. Goncalves asked if they could get Doug Stefancik, Town Planner involved with the zoning enforcement?

Ms. Ward asked in what capacity could she do that?

Mr. Goncalves explained that in other communities the planner is also the zoning enforcer, especially with projects that they are approving. He asked Ms. Ward if this would help her at all?

Ms. Ward stated that it would help some because currently the zoning complaints versus the other housing complaints are about 50/50. This would not solve the problem, but it would help. Ms. Ward also explained that losing her Clerk and some of the issues with the town, like the IT and trying to go digital also adds to her challenges.

Mr. Rosenblum thanked Ms. Ward for the numbers she presented. He is thankful that she is trying to

address these issues. Trying to use more resources in Town Hall would definitely help.

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Ms. Ribeiro explained that the position already has a 19-hour a week local building inspector on the Classification Plan. She believes in 2008 or 9 the money was taken from that position due to recession but she was not employed by the Town at that time. Ms. Ribeiro agrees that a full time inspector is needed.

Mr. DeBarge believes that the mentality in this town needs to change. It is not a small town anymore. Having a building department with one inspector or a cook at the Senior Center who makes 140 lunches a day and only gets paid $16.00 per hour is unacceptable. We don't have a grants writer or a facilities director and we are always trying to play catch-up. He believes that we need to give a better product to our residents.

Mr. Silva agrees with Mr. DeBarge but how is the Town going to pay for it? The town has to stay under the prop 2 ½ and we already run right up to it now. With all of these positions being requested, he does not know how they are going to stay under 2 ½.

Mr. DeBarge stated that the residents need to know that the Town has to get out of that small town mentality because we are no longer a small town. The need at least has to be discussed at least.

Mr. Rosenblum agrees with Mr. DeBarge but also does not want to see a revolving door at Town Hall when employees get frustrated with what they have to work with. Mr. Rosenblum also suggested job sharing.

Ms. Ward also wanted to let the Board know that they also lost their weight and measures person and the stipend for that is very small. She would also like to wrap that into the inspector's position somehow.

Mr. Silva asked Ms. Ward how many parcels were in Holyoke because that is really what it is about. In Ludlow there are only about 8,000 parcels. In Holyoke there must be much more. You can't really go by population. Therefore, you cannot compare having four building inspectors to one. He agrees that we need an additional building inspector but he is concerned as to how it will be paid for.

Mr. Goncalves does not know if this position will be approved at Town Meeting.

Ms. Ward suggested raising the cost of the permit fees for the building department.

Mr. Goncalves disagrees with Ms. Ward about the permit fees. He believes Ludlow's fees are already high enough to build a new house. However, if the other permit fees were to increase a little, that would be fair.

Ms. Ribiero does not feel that any more should be put on the taxpayer either. She does feel that the Board should at least fund the 19-hour position and at least get Ms. Ward some help for the remainder of the year.

Mr. Goncalves asked to get Mr. Stefancik involved also.

Mr. Silva explained that Mr. Stefancik already has a job description and therefore that would have to be ironed out first.

Ms. Collins explained that the 19-hour position is already on the classification plan and will be non-benefited. She is concerned about other positions that will have benefits and how that will affect the Treasurers budget.

Ms. Ward stated that this position would handle certificates of inspection, code enforcement, permit inspections, permit reviews, meet with contractors and field complaints, etc.

Ms. Collins stated that they want full time on the classification plan and then go to Town Meeting in October to ask for the funding.

Ms. Ribiero stated that the first decision is whether or not the Board will increase the position to full time and then the funding will be based on whether or not it's full time or part time. Benefits are paid after 20 hours.

Mr. Silva asked why the facilities manager could not do both positions?

Mr. Goncalves stated that the building inspector was also the facilities person.

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Mr. DeBarge stated that they tried that several years ago and no one wanted to go forward with it.

Ms. Ward stated that she believes a full-time facilities manager is needed in Ludlow.

Mr. Strange stated that he is confident that the money will be there for both positions by reallocating funds differently going forward.

Mr. Goncalves stated that the growth is projected at $550,000. Mr. Goncalves also stated that subdivisions lose money usually.

Mr. Strange asked what the 19-hour position would cost?

Ms. Ribeiro stated that it would be about $32,000 per year.

Mr. Strange asked if there is a market for part-time inspectors?

Ms. Ward stated that based on what she sees out there, inspector positions are not being filled.

Mr. Silva stated that he is not as optimistic as Marc with the budget.

Mr. Strange stated that a facilities manager is needed in town.

Ms. Ribeiro stated that being reactive to problems with buildings in town is a problem. This would be a full-time position with a salary of $65,000-86,000 annually. This position is not currently on the classification plan and will need to be voted by the Board to have it added on.

Mr. Goncalves asked if the facilities manager is going to oversee the custodians.

Ms. Ribeiro stated that they will and there are four of them, two full time and two part time.

Mr. Strange stated that this is becoming a real problem because now some of his staff has become the facilities manager for Town Hall so to speak. Sandy essentially fields all of the calls from Town Hall with issues and then has to call around to different vendors to get things taken care of.

Moved by Mr. Rosenblum have the HR Director draft a GL IV for the Director of Facilities and Ground Maintenance, seconded by Mr. Silva. Vote 4-0. All in favor.

Board to approve and sign Kim Collins Contract.

Moved by Mr. DeBarge to approve and sign the contract for Kim Collins, Town Accountant, seconded by Mr. Silva. Vote 4-0. All in favor.

NEW BUSINESS

Board to reopen and approve the Special Town Meeting Warrant.

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

Moved by Mr. Silva to approve the articles for the Special Town Meeting on October 3, 2022, seconded by Mr. DeBarge. Vote 4-0. All in favor.

Board to discuss and approve the FY24 Budget Calendar & Assumptions

Mr. Strange explained that they put together a FY24 Budget Calendar, which doubles as an outline of how they envision the process going. Last year a lot of confusion about the Finance Committee's role in this process. Fin Com's role is a recommending body, so the Board will vote on the budget to send to Town Meeting and Fin Com will either recommend approval or not. He explained that Fin Com has a defined role. He explained that they also talked about doing joint meetings to keep the lines of communication open. At the next meeting on September 20th there will be a joint meeting between the Board, the School Committee and the Finance Committee to collaborate on the final version of the calendar and talk about dates and expectations and assumptions to create a dialogue between the Board,

the Finance and School Committees. In October, Kim will send out a memo about the budget process and requesting that they submit their level one budgets by November 15th and then Kim will enter them into MUNIS on December 2nd. Positions and reclassifications are due October 15th. Also, on November 15th the Capital Planning Meetings will begin. Meeting with departments and go through their budgets line by line. They will go over their capital requests and their department requests and come up with a budget for each department during the week of December 12th and then presented to the Board. December 20th the warrant will be opened. January 13th, level II budgets will be presented to the Board. Between the middle of December to the middle of January, Mr. Strange and Ms. Collins will be meeting with the departments to come up with level II budgets. February 7th we may or may not have revenue projections and/or expenditure estimates from the Governor for the Board of Selectmen meeting. February 10th the Annual Town Meeting Warrants would be due. February 13th another joint meeting between the Board of Selectmen and Capital Improvement Planning to review the FY24 budget. Mr. Strange explained that according to the by-laws it is the Town Administrator's role to create a five-year plan for capital improvement and presented to the Capital Planning Committee. Then the Capital Planning Committee will approve their own five-year plan, which will then go to the Board of Selectmen, and they will approve the plan. It will be broken down for the Selectmen as to what the requests were from the town and what the requests were from capital planning in order to approve the FY24 capital budget. He spoke to Frank Tiano, Superintendent of schools about dates that they can expect the School Committee to have their FY24 budget together and when they can all meet to have the school present their budget to the Board of Selectmen, the School Committee and the Finance Committee. That will take place in late February or early March. Once this is complete, they will make a presentation to the Board. March 20th they will have a public forum to go over the budget. The next night the Board of Selectmen will vote on the FY24 budget, including the capital plan. That then goes to the Finance Committee, and they will review the recommendations and put in their own recommendations, this will be the end of March. April 4th the warrant will be signed.

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Mr. Silva is concerned that this timeline that Mr. Strange just read is still taking the Finance Committee out of the process.

Mr. Strange stated that it is not the Finance Committees responsibility to set the day-to-day budget. He offered to do a joint meeting with the Finance Committee and the Board of Selectmen.

Mr. Rosenblum stated that the level II budget went to the Finance Committee, but they never met with the departments and gave recommendations.

Mr. Silva explained that if the Finance Committee has no say in anything then why bother being a part of that committee.

Mr. Strange stated that he will set up at joint meeting with the Finance Committee on January 17th.

Ms. Ribeiro asked if the new positions or reclassifications were going to be submitted in October or November because she will need time to put those together.

Ms. Collins stated that it will be October 15th, however she is going to send the email sooner than that to the departments so that she does not get overwhelmed.

Ms. Ribeiro stated that the more time they give people, the better off they are.

Moved by Mr. DeBarge to approve the FY24 and Capital Planning Calendar with the addition of a joint meeting in and around January 17th with the Finance Committee, seconded by Mr. Rosenblum. Vote 4-0. All in favor.

Ms. Collins explained that they give the departments some type of assumptions as a guideline in regards to increases for nonunion and managers. She explained that for the last few years they have been very conservative with the budget and now she has brought it up to actuals and it freed up almost $500,000 which can be brought to Town Meeting in October to use towards the capital article. She used 3% increase for the schools plus the additional $150,000 that they are requesting because that would be on their budget if it is approved. She made increases for benefits and increases for what she knows the debt schedules will look like because they can look at that over the next five to ten years. She updated the excluded debt which is increases quite a bit and it is freeing up more levy. Without making any increases to town departments but saying 3% increase here and then adding in what we know is going to increase and then giving a reasonable assumption for benefits; it will leave us with about $1.2 million in excess levy. Therefore, this is why Marc is optimistic.
Ms. Collins also explained that she downloaded all of the union contracts into a spreadsheet and added a

3% COLA to be on the safe side and that's an additional $700,000 needed just for the town side contracts' increases. This does not include anything approved at the October Town Meeting, those will need to be added in going forward.

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Mr. Silva stated that after all of that, we will only have about $400-500,000 for expenses.

Mr. Strange stated that it would also assume revenue is flat.

Ms. Collins stated that she included a 3% increase for local receipts. Ms. Collins did mention that once the radio communications systems are in year three, there will be a service contract for $82,000 annually.

Mr. Silva asked if Ms. Collins gave the departments a certain percentage for their general expenses this year? He is concerned with inflation that the departments may not be able to remain flat with expenses.

Ms. Collins stated that she did not do that but if she were to give them 2%, it would be $180,000.

Mr. Silva asked if the town will be doing re-evaluations this year on homes?

Ms. Collins said they are supposed to and that's $107,000 annually. She also reminded the Selectmen that they need to look at this very cautiously because they will find additional items that need to be added to the budget as they go. She also added 3% for health insurance, FICA and retirement. She explained that she also figures out for non-union and managers what the increase would be for 2, 3 & 4%. They would be as follows; $50,000, $77,000 & $103,000.

Board to approve and sign the Blackboard Connect License Renewal Contract.

Moved by Mr. DeBarge to approve and sign the Blackboard Connect License Renewal Contract, seconded by Mr. Silva. Vote 4-0. All in favor.

BOARD UPDATES/MISC.

American Rescue Plan Act (ARPA) Funds Updates.

Mr. Goncalves believes everything is right on target as of now. The engineers are reworking the baseball field requests and numbers.

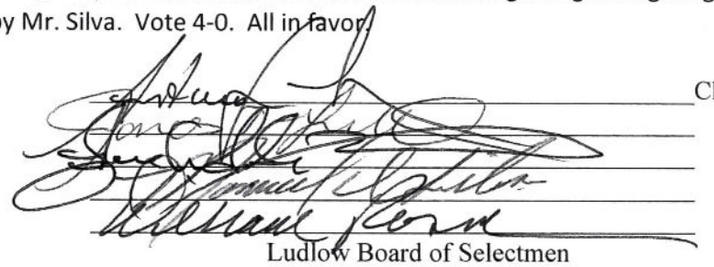
Chairman to approve and sign all bills, warrants and abatements. A record of all warrants is in the Selectmen's office for perusal until provided to the Town Accountant's Office.

CLOSING COMMENTS

Mr. DeBarge was very impressed with the way Festa was set up this year. Also, thanked all of the volunteers. He also stated that he had missed the last meeting because he wasn't feeling well and wanted to comment about the Ludlow Cares Coalition coming in to speak about the drug problem in the town. When residents see an arrest made at our rest stop with fifteen kilos of cocaine and drug overdoses have doubled since last year and the amount of Fentanyl coming into our country, he reminds people to get to the ballot box to stop this. This has to be handled on a national level as well as local.

Mr. Goncalves also gave kudos to the Festa committee. They had record crowds also.

Moved by Mr. Rosenblum, to adjourn this meeting at 8:47 p.m. and not return to open meeting but to enter into Executive Session for the purposes to discuss strategy with respect to collective bargaining or litigation in an open meeting may have a detrimental effect on the bargaining or litigating position of the public body, seconded by Mr. Silva. Vote 4-0. 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.

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