The Meeting of the Board of Selectmen held on Tuesday, September 5, 2023, began at 5:30 p.m. in the Board of Selectmen's Conference Room.

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

First Order of Business: The Pledge of Allegiance

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VISITATIONS:

5:30 p.m. – Judy Breault – Pond Committee – Ponds Update

Ms. Breault explained that Harris Pond had one treatment of the water chestnut. This is going to take years to complete but step one has been done. She spoke with Jamie from the DPW regarding the dam at Harris Pond as well because the water level needs to come up. It looks like the stop boards may have rotted out, which is preventing the dam from working properly. The committee decided not to treat Haviland Pond this year because the treatment should be done in the Spring, not the summer. Also, the activity in the pond this summer is helping with the issue there. The Minnechoag Pond has some plants that are protected under the Natural Heritage Endangered Species, and they don't know what those plants are or how long ago they were registered. The Department of Environmental Protection is requiring them to do a survey over the growing season to identify these plants. Then they would come back and either give a suggestion of how or what they can treat or that they can't treat at all. The survey could cost upwards of $50,000 plus.

Mr. Gennette asked if Minnechoag was the pond adjacent to the country club?

Ms. Breault stated that it is. She also checked with the country club to see if they used that water for irrigation, but they did not. They are going to try and speak with conservation and see if there is any help that they can give the committee. They would have to have a botanist come out to do this type of survey and it's going to cost a lot of money and take a lot of time. They cannot do anything until the survey is complete.

Mr. Silva suggested using a smart phone to identify the plants to save some money.

A resident stated that there would be thousands of plants. He lives on the pond and it's a mess. He has watched wildlife get stuck in the pond. There are three inlets coming from the street that are dumping city water. When he moved in 40 years ago, you could swim in the pond, and it was crystal clear. Now, it's disgusting.

Mr. Goncalves asked if the endangered species gets them into a different category for grants?

Ms. Breault stated that she was told that there must be no impact on rare species. The Environmental Protection Agency would rather see the pond dry up to protect those plants.

Mr. Rosenblum suggested looking into the Mass Wildlife Habitat Management Grant Program. Applications are due at the end of October.

Mr. Gennette asked what feeds this pond?

Resident said he believes it is spring fed.

Mr. Goncalves suggested putting in a screen and some rock where the pipe is dumped into it. He would like to go out to the residents' home to see where the pipe dumps onto his property.

Ms. Breault stated that they delayed the permitting process for Alden and Murphy Pond because they wanted to make some progress with Haviland, Harris and Minnechoag. Both Alden and Murphy will need treatment in the spring. They still have some 40R funds available to pay for the permitting for both Alden and Murphy. Then all ponds except for Minnechoag will be permitted and ready for treatment. The permits are approximately $5,000 each. After the permits, they will still have $1,167 that were approved by the Selectmen. The treatments for calendar year 2024 will be approximately

$45,000. A lot of it is due up front because of the April/May timeline. The second water chestnut treatment to Harris would be done in July/August of next year, which is the next fiscal year. They are requesting an additional $45,000 in order to do these treatments.

Mr. Gennette confirmed that he would also come out of the 40R.

Ms. Breault is going to continue pursuing grants and she is also going to talk to Jake Oliveria, Aaron Saunders and Richie Neal to see if they can help at all.

Mr. Gennette asked if MVP grant money could be used towards it.

Mr. Strange stated that it is a possibility.

Mr. Goncalves suggested Ms. Breault speak with Pioneer Valley Planning as well.

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Moved by Mr. Rosenblum to approve $45,000 out of the 40R funds to go towards 2024 treatments of Haviland, Harris, Alden and Murphy Ponds, seconded by Mr. Goncalves. Vote 5-0. All in favor.

5:45 p.m. Sandra Fidalgo – 95 Letendre Ave. – Sewer Lateral Issue

Ms. Fidalgo explained that back in June they had a sewer back up issue and called Fletcher and Roto Rooter and whoever got back to them first they went with because they couldn't flush or run water. Roto Rooter was first to call back and then they came out and attempted to clear it but couldn't reach it because it was too far out into the street. They then sent out a second technician and said he had to have special equipment because it needed to be jetted. The technician wrote on her paperwork that he jetted from the cleanout in her basement to the city sewer to cut out heavy roots on the connection of the new city sewer pipe to an old customer sewer pipe. Roots will grow back at this connection, needs repair to fix the connection. The professionals are telling them that the only breach in the system is where the town upgraded the sewer system. Roto-Rooter is stating that it will reoccur, and they are retired on a fixed income and if this is going to reoccur for nothing that they did, it's not right and needs to be repaired.

Mr. Goncalves asked how far away from the house it is.

Ms. Fidalgo stated that it is over 48 feet.

Mr. Fidalgo stated it's almost 49 feet and right at the lip of the tar on the road according to the video from Roto-Rooter.

Mr. Goncalves confirmed that it is definitely in the town's right away and off their property.

Mr. Tomas stated that he spoke with Ms. Fidalgo several times over the past few weeks, and he went out on the 16th to look at it and did not see any trees that would pose a problem, but he needed to see the video. He spoke with Roto-Rooter several times and could not get any answers from them regarding a video. They could not produce a video. On July 3rd, he had Fletcher go out and video the line and he saw the concern that Ms. Fidalgo had, and they also saw a separation in the middle of her yard.

Ms. Fidalgo stated that was not a separation, it was a buildup of grease or something.

Mr. Tomas stated that Fletcher told them it was a separation, but it has nothing to do with this particular issue. The DPW took care of the bill from Fletcher. He did see the root infiltration. On July 23rd he went out to meet with Ms. Fidalgo and gave her a copy of the video from Fletcher, as well as the sewer regulations that the BPW implemented back in March before they were disbanded. The sewer regulation is a little vague as to what the owner owns and what the town owns. Three weeks later Roto-Rooter finally produced the video, and he watched it. He saw the root infiltration, but he did not see the separation on the pipe. We will not know if it will happen again. It is a very common thing with root infiltration in town. He believes the sewer regulation needs to be revisited.

Mr. Fidalgo agreed that Roto-Rooter could not tell them when the root infiltration would reoccur, but they did say it would reoccur.

Mr. Gennette asked Mr. Tomas what his recommendation would be for them, and they will revisit the regulations at a later time.

Mr. Tomas stated that the regulations need to be addressed.

Mr. Strange explained that the problem is the policy that was put in by the BPW reads that the owner owns and shall operate, maintain and repair the building sewer from the building drain to the main of the sewer and the main of the sewer is in the middle of the road.

Mr. Goncalves asked if it's the main line or an extension?

Mr. Tomas stated that they usually run the main and then they sub each house. He did reach out to the surrounding communities and there were mixed emotions about this issue.

Mr. Rosenblum confirmed that the Board did approve another homeowner's to be paid because it was at the main.

Mr. Strange stated that it was paid because there was a work order that indicated that it was the town's responsibility.

Mr. Tomas stated that there was no work order for this particular one because Mr. & Mrs. Fidalgo did not know they had to contact the DPW first.

Ms. Fidalgo stated that they should be grandfathered because the bylaw was only changed last year, and the connection was upgraded before that and obviously the breach took longer than a year before it caused a blockage. This should be the town's responsibility and should be repaired accurately.

Mr. Fidalgo stated that it is not fair to the residents of this town to be responsible for a pipe under the road.

Mr. Tomas stated that Springfield puts all of the responsibility on the homeowner.

Mr. Gennette asked how long ago the main was repaired or upgraded?

Mr. Tomas stated that he heard it was 08' and Ms. Fidalgo heard 2011.

Ms. Fidalgo explained that it took these roots years to grow but now that they are there, they are going to grow right back. They have only lived in this house for two years.

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Mr. Tomas explained that they did not see any trees in the area that would cause the problem and the Fidalgo's, or their neighbors did not know if there were any trees that were cut down in the past.

Mr. Goncalves asked if there is a chemical that they could use to treat these roots.

Mr. Tomas stated that there is a chemical that is used to treat numerous sewer lines around town annually.

Mr. Gennette asked the Fidalgo's what they are looking for today.

Ms. Fidalgo stated they would like reimbursement for the bills from Roto-Rooter in the amount of $2,484.06 and repairs so that it will not happen again.

Mr. DeBarge stated that he would like to see Mr. Tomas' proposal for the new sewer policy.

Mr. Gennette read Mr. Tomas' proposal for the sewer lines responsibility.

Mr. Goncalves stated that if there's trees on the tree belt, that should not be the homeowner's responsibility.

Mr. Tomas agrees that, however, if it's a blockage and not a break, it should be the homeowner's responsibility.

Mr. Gennette asked if the DPW has money in their budget to cover the expenses for the Fidalgo's?

Mr. Tomas said he would look into it.

Mr. DeBarge asked what the two different amounts on the receipts were for.

Ms. Fidalgo stated that the $685.00 was the first technician who couldn't solve the problem. The next technician came out and charged them an additional $1,799.

Mr. DeBarge asked why Roto-Rooter did not tell the Fidalgo's to contact the DPW once they realized it went out onto the road.

Ms. Fidalgo stated that she has no idea why they weren't told to contact the DPW.

Mr. Tomas stated that it's typically a snake that is in a commercial van that goes out 100 feet. This particular line dumps into a 'chimney'.

Mr. DeBarge stated that this is the second time they've had to deal with this and usually this is not an issue.

Mr. Goncalves suggested putting information into the sewer bills so that residents understand they should call the DPW first.

Mr. Tomas stated they are going to make a robo-call as well.

Mr. DeBarge explained that they cannot keep putting these types of bills on the taxpayers either. He asked what Mr. Tomas would have done if they contacted the DPW first.

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Mr. Tomas stated they would check the main and then they would have told the homeowners to contact a plumber, which they would be responsible for the cost of that.

Ms. Fidalgo stated that the town upgrading the system, which broke the integrity. The fair thing should be for the town to pay this and repair the break.

Mr. Gennette asked if the drain is compromised and needs to be repaired.

Mr. Tomas stated that he does not think it is compromised. It is a metal strap that is screwed down and tightened between the two pipes. The biggest compromise was the separation in the Fidalgo's yard.

Mr. Gennette asked if Mr. Tomas believes the town should pay the bill.

Mr. Tomas stated that because they were never aware of the situation, he does not feel that it is fair to the taxpayers to pay for all of these bills. If Ms. Fidalgo continues to believe that she has a problem with the pipe, the only other thing would be to dig it up and see what is going on with it.

Mr. DeBarge believes that the Board should approve Mr. Tomas' proposal for the new sewer regulation and that the town should reimburse the Fidalgo's for the $1,799 but not the $685.

Mr. Silva is going to abstain from the vote because his is a distant relation to the Fidalgo's.

Ms. Fidalgo asked about the issue recurring and how they are going to remedy the situation.

Mr. Gennette stated that he is going to go with the DPW Director's recommendations.

Moved by Mr. DeBarge to reimburse the Fidalgo Family for $1,799 for the sewer bills from Roto-Rooter, seconded by Mr. Goncalves. Vote 4-0-1. One abstention.

6:00 p.m. David Eisenthal – UniBank – Upcoming Bond Issue

Mr. Eisenthal explained that the Board is being asked to approve and execute bond anticipation notes in the amount of $10,780,237.00. This renews about $4.9 million for the Harris Brook School project, about $4.5 million for the radio communications project, and it raises new money of $1.4 million for the public safety HVAC. It's a one-year note that will mature in September 2024. The original plan was to finance the radio communications with a bond issue and the issue bans for other purposes. There was an issue because the town's fiscal year 2022 audit was not completed. S & P global ratings were not willing to proceed with a rating on this issue. So, the town issued anticipation notes without a rating. Next year, it will be important to have fiscal year 2023 audit in place so that the town can get a bond rating or a note rating as the case may be. They are also hoping that by next year the project audit for Harris Brook will be completed so that you can do permanent financing of that project and perhaps the public safety HVAC also, so you can do bonds for the whole thing. The town took the bids on August 30th, received two full bids. We're recommending that Oppenheimer and Co. be awarded at a net interest cost of 3.9598%. Jeffries was the other full bidder at 4.0360%. People's Bank submitted a bid for $2 million at 5.5234%.

Mr. Gennette asked what the radio communications portion was.

Mr. Eisenthal stated that it is $4,456,666.00 this year. That reflects a principal pay down. Harris Brook is $4,923,571.00 also reflecting principal paydown. Public Safety HVAC is $1.4 million even, new money, no paydowns.

Mr. DeBarge asked if the town was already paying for the radio communication project.

Mr. Eisenthal explained that we are paying principal on it but it's at the annual maturity of the notes. The hope was to do a permanent financing this year so that you wouldn't be rolling it. That's why it will be important next year to have a fiscal 23 audit in hand as early as possible.

Mr. Silva asked if Melanson is still doing the audit.

Ms. Barros explained that it is, but their name is Markum now.

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Mr. Strange explained with all of the turnover in the accounting office, it has caused some delays, but they are close to being finished. The radio communications project has been financing the amount year to year through bands and now we are looking at permanently financing it.

Mr. Eisenthal stated that if all goes well with the audit next year, he would hope that the town would issue bonds for that and also for the remaining Harris Brook and possibly the public safety HVAC.

Mr. Gennette asked if this project would make a difference if we were centralized or not.

Mr. Strange said it would not make a difference.

Moved by Mr. DeBarge I, the Clerk of the Board of Selectmen of the Town of Ludlow, Massachusetts, certify that at a meeting of the board held September 5, 2023, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: We hereby determine, in accordance with G.L. c.70B, that the cost of the Chapin Street Elementary School project authorized by vote of the Town passed on January 22, 2018 (Article 2) being refinanced with proceeds of a portion of the Notes defined below, together with all other bonds and notes of the Town previously issued to pay costs of this project, does not exceed the portion of the total cost of the project that is not being paid by the school facilities grant and we hereby approve the issuance of notes and bonds to finance this project under G.L. c.70B.

Further Voted: to approve the sale of $10,780,237 at 4.75 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated September 13, 2023, and payable September 12, 2024, to Oppenheimer & Co., Inc. at par and accrued interest, if any, plus a premium of $84,948.27.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated August 23, 2023, and a final Official Statement dated August 30, 2023, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended, seconded by Mr. Silva. Vote 5-0. All in favor.

6:45 p.m. Chris Mason – DOER Green Communities Coordinator – Stretch Code

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Mr. Silva asked if they already voted to become a green community.

Mr. Mason is the Western Mass Regional Coordinator, and he stated that some tasks may have come before the Board, but Ludlow is not a green community as of yet. A right to zoning requirements for renewable energy or alternative energy, expedited permitting for that, an adoption of a fuel-efficient vehicle policy. The stretch code has to be passed at town meeting and then you need a plan to reduce energy use by 20% over five years. That takes time for communities.

Mr. Footer is on the phone, and he is from Performance Systems Development, and he has been doing training for the Stretch Code all over the state.

Mr. Mason explained that by adopting a stretch code to have residents reduce their operating costs or build really good quality homes, you may focus on reducing greenhouse gas emissions or becoming a green community.

Mr. Silva stated that this creates a lot of paperwork and costs for the homeowners. The consumer is getting bombarded with all kinds of things with these codes.

Mr. Mason stated that if Ludlow becomes a green community, you will automatically get a designation grant, which is based on population and the per capita income formula. Once Ludlow gets the money, you will need to tell DOER how you are going to use it and it will need to be approved by them. Once you spend the designation grant, you can apply for a competitive grant every year and it can be up to $200,000 a year. The deadline is to meet the 5 green communities' criteria and submit a designation application if December 29, 2023. The 5 criteria are as follows:

1.) Adopt as-of-right siting for RE/AE generation, R&D, or manufacturing.
2.) Adopt expedited permitting process.
3.) Create and Energy Reduction Plan to reduce energy by 20% in 5 years.
4.) Adopt Fuel Efficient Vehicle Purchase Policy.
5.) Minimize life cycle cost in new construction = adopt the Stretch Code.

Mr. Mason explained the HERS rating is a way of measuring how efficient a house is before it is completely built. The lower the number, the more efficient the house is and the less greenhouse gas emissions there are. HERS Raters is provided by a third party. There are three building codes currently. In January 2023, the HERS ratings changed for residential and in July 2023 for commercial.

Mr. Goncalves asked if he was building a house in the community he was in and it was not a green community, does he still get the Mass Save credits.

Mr. Mason stated that he would.

Mr. Strange explained that in order for the stretch code to be passed, it has to be approved at town meeting.

Ms. Ward, Building Inspector, has some concerns because the stretch code affects existing buildings as well as new construction. They are seeing HERS ratings less than their current base code. Some of the older homes in towns are never going to pass a leakage test because they are so old.

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Mr. Footer stated that the HERS rating has to be on the entire home, not just the addition, and this has been a question coming up since the beginning. Most communities are only doing the stretch code on the addition and leaving the rest of the home to the base code. An addition under 1000 square feet will not trigger a HERS rating. Repairing damage from a fire does not trigger the HERS rating either.

Ms. Ward explained that any time you have to open a wall, you have to bring everything in there up to code.

Mr. Footer stated to look at section 504.1 for more information about that.

Moved by Mr. Goncalves to table this to study it further and possibly put it on the annual town meeting in May or another Special that could show up in the interim, seconded by Mr. Rosenblum. Vote 5-0. All in favor.

7:00 p.m. Matt Cosimini, Technician Eversource – Petition for Pole & Wire Locations on Church Street.

Moved by Mr. Rosenblum to open the Eversource Pole Hearing at 6:38 p.m., seconded by Mr. Goncalves. Vote 5-0. All in favor.

Mr. Cosimini: I'm Matt Cosimini, Field Engineer who came from the overhead, I was a lineman. So, out on Church Street it's a pretty long span between the two poles, they have just electric on it. We need to put a pole right in the middle to kind of raise that span up. That's about it.

Mr. Goncalves: I go by there a lot of times during the day, I know exactly what you're talking about.

Mr. Cosimini: Yeah. Dips down pretty low.

Mr. Goncalves: And there's no driveway there,

Mr. Cosimini: There nothing, no.

Mr. Goncalves: that first ranch is probably going to be up 30, 40 feet from there. There's a house facing Rood Street, Fuller and then there's one up the hill, further up on Church. Quite a bit from that pole.

Mr. Cosimini: So, we're trying to alleviate that sag over there.

Mr. Gennette: And we're not moving any closer or away from the road, right? Is it staying in the same position?

Mr. Cosimini: Oh yeah, everything stays, it's going to be exactly where it is. It's just going up high.

Mr. Gennette: Straight forward.

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Mr. Silva: There's been several issues and we had one just a little while ago and one of the issues I have to say is every time we have a pole hearing we have somebody new come sitting over here, you know, in front of us. So, whatever we relay sometimes gets miscommunicated. We have a couple of residents that are very irate.

Mr. Cosimini: Okay.

Mr. Silva: The poles were moved; things were done and now it's interfering with their livelihood. I have one that I just got actually yesterday. No, the day before. You did your work, your new pole, old pole is still there, big pile of dirt right in front, right by his driveway and it's been there for months. I mean, is that something that should happen?

Mr. Cosimini: So, what usually happens in a pole transfer or anything like that, like I said I was a lineman for years, typically Eversource goes out, we do our thing first. We start top down, however long it takes Verizon or cable to get out there to move their stuff before we can remove everything who even knows and this is, Ludlow is a Verizon town. So, all the poles here, for the most part with the exception of like, this one's going to be our pole because nobody else is going to be on it. For the most part these are all Verizon's.

Mr. Silva: So, that issue might be part of Verizon's issue, but the dirt certainly is not going to be Verizon or whoever because you're the one that if,

Mr. Cosimini: Well, I mean like I said typically Verizon sets the poles. In Ludlow you guys are all Verizon owned with the exception of like, I don't know, there's maybe 10 poles in Ludlow that Eversource owns, but other than that, yes, it's all Verizon set. They show up with us or like if you saw everything that happened, shoot what is that street over there? All the pole lines that are getting fully changed out. That's all, those are all Verizon set. They're showing up before we get there, putting their poles in. Then we go out there, transfer our stuff and that's it. The rest of the poles, for the most part, every chunk of pole belongs to Verizon.

Mr. Silva: Okay.

Mr. Gennette: Why don't we see a Verizon rep? We see Eversource in here every week.

Mr. Strange: That's a good point.

Mr. Gennette: Alright, I need a motion or any discussion or conversation?

Moved by Mr. Goncalves to approve the additional pole as per the petition from Eversource and the reference of drawing number 145, seconded by Mr. DeBarge. Vote 5-0. All in favor.

Moved by Mr. DeBarge to close the Eversource Pole Hearing at 7:59 p.m., seconded by Mr. Silva. Vote 5-0. All in favor.

7:15 p.m. – Carlos Chaves – Western United Pioneers – Community Center Field Request

Mr. Chaves explained that he is with the Western United Pioneers, and they have been around for over 30 years and provide the kids of the community an opportunity to play competitive soccer and develop their skills to take to higher levels. It is a wholly owned subsidiary of the Gremio Lusitano Club, which is the Portuguese club in town. They are a non-profit organization. There are about 600 players in the program and the majority are from town.

Mr. Anselmo explained that he was just informed from Josue the new CEO of the Boys and Girls Club informed him that Monday, Tuesday & Wednesdays are no longer available to them, even though the Board of Selectmen approved LYSA to use the field at least one day during the week.

Mr. Strange explained that the Boys and Girls Club would get priority of the use of the facilities per the lease with the town.

Mr. DeBarge does not feel the Board of Selectmen should be involved in this. He believes the Boys and Girls Club should make the decision about who gets use of the fields and be able to make some money from that.

Mr. Anselmo stated that in the past they always took care of it with the club but last year they are started putting stipends on everything and then they were told this year that they had to go through the Selectmen. LYSA fertilizes the fields at Harris Brook, Veterans Park and Baird and it costs them approximately $15,000 to do and they have been doing this for over 10 years.

Mr. Strange explained that this started because there was a conflict between the Boys & Girls Club and LYSA and LYSA came to him and asked for help. The lease states that the Board of Selectmen approves the use of the fields. Town counsel is currently putting together a more formal lease agreement with some different provisions. They can certainly take that provision out that the Board of Selectmen decides use of the fields.

Mr. Silva does not want that provision taken out and it should not be entirely the Boys & Girls Club's decision who uses the fields. The town helps the Boys & Girls Club out a lot. He believes that the different organizations should be able to work this out with the club.

Mr. Gennette asked how far in advance does LYSA give the Boys and Girls Club their requests?

Mr. Anselmo stated that he gives them their entire schedule the first week of September because that's usually when he gets it. The seasons are basically the same every year.

Mr. Goncalves suggested that Mr. Silva meet with the Boys & Girls Club and the clubs wanting to use the facilities and work something out.

Mr. Silva agreed to do that.

CORRESPONDENCE:

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111. Ludlow Cares Coalition informing the Board of their annual fundraising campaign.

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

112. Stephen Rourke, Resident requesting to be a member of the Pond Management Committee.

Moved by Mr. Silva to accept Mr. Stephen Rourke's request to be a member of the Pond Management Committee, seconded by Mr. DeBarge. Vote 5-0. All in favor.

113. Kevin McAndrews, Manager Clean Soils Environmental, Ltd – informing the Board of the Massachusetts Contingency Plan notifying of the submittal of a Release Notification Form (BWSC-103) to the Massachusetts Department of Environmental Protection (MassDEP) and the completion and availability of a Permanent Solution with No Conditions Statement associated with West Street Under I-90.

Moved by Mr. Goncalves to send a copy to conservation and to file, seconded by Mr. Silva. Vote 5-0. All in favor.

114. Louis Gilli, EH&S Engineer Massachusetts Municipal Wholesale Electric Company (MMWEC) informing the Board of the 21-day notice of MMWEC's intent to use herbicides scheduled for September 9-29, 2023, 5.6-mile transmission line from the Stony Brook Energy Center, Moody Street to the Northeast Utilities 19S substation on Center Street.

Moved by Mr. Silva to file, seconded by Mr. DeBarge. Vote 4-0-1. One abstention.

115. Angela Kramer, Public Health Nurse – Town of Ludlow – requesting to be a member of the 250th Celebration Committee.

Moved by Mr. DeBarge to appoint Angela Kramer to the 250th Celebration Committee, seconded by Mr. Silva. Vote 5-0. All in favor.

116. Scott "Gutter" – Bikers Against Child Abuse – requesting permission from the Board for a fundraiser motorcycle run "Run Like an Animal" to be held on September 9th beginning at 11 am to raise funds for the TJ O'Connor Animal Shelter. They are also requesting assistance from the LPD for this event.

Moved by Mr. Rosenblum to approve the Biker's Against Child Abuse for September 9th beginning at 11:00 am contingent on meeting and approval from the Police Chief, seconded by Mr. DeBarge. Vote 4-0. All in favor.

117. Laurie Smith, Chair – Celebrate Ludlow – requesting permission from the Board to hang a banner at the bridge for the event two weeks prior.

Moved by Mr. DeBarge to approve the Celebrate Ludlow Committee requested by Laurie Smith the Chair to hang a banner at the bridge two weeks prior to the event of Celebrate Ludlow, seconded by Mr. Silva. Vote 4-0. All in favor.

118. Laurie Smith, Chair – Celebrate Ludlow – application for One Day Beer & Wine for Celebrate Ludlow to be held on October 14, 2023.

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Moved by Mr. DeBarge to approve the application for a One Day Beer & Wine permit for Celebrate Ludlow to be held on October 14, 2023, seconded by Mr. Rosenblum. Vote 4-0. All in favor.

119. Beverly Landers, Resident – requesting to be a member of the Agricultural Committee.

Moved by Mr. Silva to accept Beverly Landers as a member of the Agricultural Committee, seconded by Mr. DeBarge. Vote 5-0. All in favor.

120. Christina Yacono, Resident – requesting to be a member of the Ludlow 250th Semi-Quincentennial Committee.

Moved by Mr. DeBarge to approve the request of Ms. Christina Yacono to be a member of the Ludlow 150th Semi-Quincentennial Committee, seconded by Mr. Silva. Vote 5-0. All in favor.

UNFINISHED BUINESS

Moved by Mr. Goncalves to approve to waive fees and sign the One Day permit for the Beer & Wine for Celebrate Ludlow to be held October 14, 2023, seconded by Mr. DeBarge. Vote 5-0. All in favor.

Moved by Mr. Silva to sign the liquor license transfer for Cady Street Market, Inc. to Alexandre A. De Carvalho, seconded by Mr. DeBarge. Vote 4-0-1. One abstention.

Moved by Mr. Goncalves to approve and sign the Selectmen Meeting Minutes of August 15, 2023, with all members present, seconded by Mr. DeBarge. Vote 5-0. All in favor.

Moved by Mr. Goncalves to approve and sign the Selectmen Meeting Minutes of August 22, 2023, with all members present, seconded by Mr. DeBarge. Vote 5-0. All in favor.

Moved by Mr. Goncalves to approve and sign the Selectmen Meeting Minutes of August 23, 2023, with all members present, seconded by Mr. DeBarge. Vote 5-0. All in favor.

Board to discuss strategic plan for the town, including waste disposal services, Whitney Park improvements, Vets Park post-demolition and 5-year street repair plan.

Moved by Mr. DeBarge to table, seconded by Mr. Rosenblum. Vote 5-0. All in favor.

Moved by Mr. DeBarge to ratify the Police Patrol Union contract for 2022-2025, seconded by Mr. Rosenblum. Vote 5-0. All in favor.

NEW BUSINESS

Board to acknowledge and approve the citation for the upcoming 110th Anniversary for St. Peter & Paul Ukrainian Catholic Church located on Winsor Street.

Mr. Goncalves read the citation.

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Board to discuss and possibly to make changes to the Classification Plan.

Mr. Rosenblum read a letter from Sean McBride, Chairman of the Recreation Committee. (Tabled)

Board to discuss and possibly approve the sale of municipal bond notes. (Done during Visitations)

Board to review and possibly close the Special Town Meeting warrant.

Moved by Mr. Goncalves to accept Article 1, seconded by Mr. Rosenblum. Vote 5-0. All in favor.
Moved by Mr. Goncalves to accept Article 2, seconded by Mr. Rosenblum. Vote 5-0. All in favor.
Moved by Mr. Goncalves to accept Article 3, seconded by Mr. DeBarge. Vote 5-0. All in favor.
Moved by Mr. Goncalves to accept Article 5, seconded by Mr. Rosenblum. Vote 5-0. All in favor.
Moved by Mr. Goncalves to accept Article 6, seconded by Mr. Rosenblum. Vote 5-0. All in favor.
Moved by Mr. Rosenblum to withdraw Article 7 from the STM Warrant, seconded by Mr. Goncalves. Vote 5-0. All in favor.
Moved by Mr. Goncalves to submit Article 8 to the STM, seconded by Mr. Rosenblum. Vote 5-0. All in favor.
Moved by Mr. DeBarge to submit Article 9 to the STM, seconded by Mr. Goncalves. Vote 5-0. All in favor.
Moved by Mr. DeBarge to submit Article 10 to STM, seconded by Mr. Silva. Vote 5-0. All in favor.
Moved by Mr. DeBarge to submit Article 11 to STM, seconded by Mr. Goncalves. Vote 5-0. All in favor.
Moved by Mr. DeBarge to submit Article 12 to STM, seconded by Mr. Silva. Vote 5-0. All in favor.
Moved by Mr. Silva to accept the changes to Article 13 of the Bylaws, seconded by Mr. DeBarge. Vote 5-0. All in favor.
Moved by Mr. Goncalves to accept Article 14 of the Bylaws, seconded by Mr. DeBarge. Vote 5-0. All in favor.
Moved by Mr. DeBarge to accept Article 15 of the Bylaws, seconded by Mr. Silva. Vote 5-0. All in favor.
Moved by Mr. Goncalves to accept Article 16 as submitted, seconded by Mr. Silva. Vote 5-0. All in favor.
Moved by Mr. Rosenblum to accept Article 17, seconded by Mr. Silva. Vote 5-0. All in favor.
Moved by Mr. Goncalves to accept Article 18, seconded by Mr. DeBarge. Vote 5-0. All in favor.
Moved by Mr. Silva to accept Article 19, seconded by Mr. Goncalves. Vote 5-0. All in favor.
Moved by Mr. DeBarge to accept Article 20, seconded by Mr. Rosenblum. Vote 5-0. All in favor.
Moved by Mr. Silva to accept Article 21, seconded by Mr. DeBarge. Vote 4-1.
Moved by Mr. Rosenblum to accept Article 22, seconded by Mr. DeBarge. Vote 5-0. All in favor.
Moved by Mr. Rosenblum to include Article 23 in the STM, seconded by Mr. DeBarge. Vote 5-0. All in favor.
Moved by Mr. Goncalves to include Article 24 in the STM, seconded by Mr. Silva. Vote 5-0. All in favor.

BOARD UPDATES/MISC.

Mr. Rosenblum stated that open space committee had a tent at Festa on Friday from 5:00 – 7:00 p.m. and they got a lot of surveys done, over 500 surveys completed. They did a raffle. He thanked Randalls for the donations for the raffle.

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

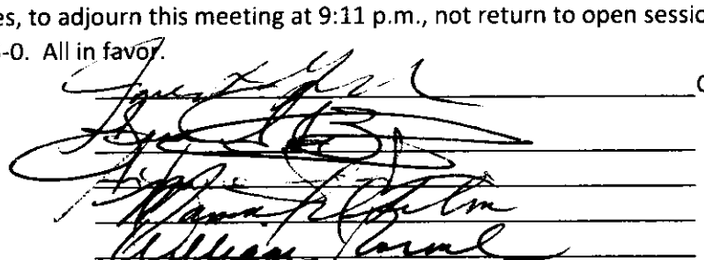
Mr. Rosenblum reminded residents to be cognizant of the schools being back in session and kids on the streets and to obey the speed limits and buses. Festa had a great turnout and great weather. Thanked Our Lady of Fatima and all of their volunteers.

Mr. Silva stated that he worked Festa all 5 days and was very impressed by the way everything was run. He thanked everyone for all of their hard work. He also thanked Mr. DeBarge for all his volunteer work that he does throughout the year.

Mr. Goncalves said he had a great time at Festa also. He did say that their was a lot of complaints on social media about the prices for Festa. He stated that you would spend 4x that amount at the Big E. This event brings in a ton of money for our community and all of the companies that supply everything for them. They would have to shut their doors if they weren't able to do this. The fencing alone was $16,000.

Mr. Gennette stated that he also went to Festa two days this year and had a great time. He didn't think the $3.00 to get in was that big of a deal.

Moved by Mr. Goncalves, to adjourn this meeting at 9:11 p.m., not return to open session, seconded by Mr. Rosenblum. 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.

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