

Meeting of the Board of Selectmen, held on May 22, 2018 beginning at 6:00 pm at the Town Hall

Members present: Manuel Silva, Chairman; Derek DeBarge; Carmina Fernandes; William Rooney; Brian Mannix

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First Order of Business: Pledge of Allegiance.

#### Visitations

6:00 p.m. Fire Chief Ryan Pease to discuss Staffing and Civil Service and to request to change Paramedic Requirements

Chief Pease informed the Board of being down four positions at the Fire Department, due to attrition, mostly retirements. Just recently I had a resignation for medical reasons. I also have a few people out with injuries and surgeries, some work-related and some not. At the end of the day, I'm down almost an entire shift, but again, we have four vacant positions. I would like to fill two of them potentially with paramedics from the Civil Service list. The third I'm looking to fill is from the Basic list, the Civil Service list, basic EMT. And I come to you to ask for your permission to do that because it's been something that we have always done is fill them with paramedics. I'm looking not to deviate from hiring paramedics in the long run but rather a basic that is currently enrolled in paramedic school. Right now, there may be someone on our list who is a town resident who's already enrolled in paramedic school that we could potentially hire and I could have him affect our staffing now, and like I said, due to injuries and surgeries, I'm down almost an entire shift right now. There are four vacancies; I'm only looking to fill three of them at this time because I feel like we're not going to see more than that on the Civil Service list at this time. Right now, we are at the tail end of the list. It will be recertified in November, so at that point . . . There will be people upgrading along the way before November so I will probably be before you again very soon to hopefully fill a paramedic slot and go from there.

Mr. Mannix: When do you anticipate another academy of people starting work?

Chief Pease: These folks we are going to hire right now, I'm actually going to have them actually take the role of the dispatch position while we still have it; and then we'll hopefully be able to affect our staffing in July. As far as going to the academy, if I hire a paramedic, I will send him to the academy, probably in the fall, the September class. But with hiring this basic that's in paramedic school, I would like him to finish paramedic school first because it's very in depth and I don't feel that they could go to the academy at the same time. Second reason for having them finish paramedic school is that if we send them to the academy before they finish medical school, they could potentially become certified fire fighter 1 & 2 and go somewhere that wouldn't require them to become a paramedic. I'm also looking for them to sign a Condition for Employment giving them a certain amount of time to become a paramedic; if they don't, it will be the means for termination at that point. Again, we are not going to pay for their training per se, but will probably give them time off from their scheduled work shifts if their classes are scheduled on those days, but we're not looking to pay them overtime to get their paramedic. We have not paid anybody who currently works for us to get their paramedic because I don't think it would be fair.

Mr. Mannix: On both lists, the Civil Service list and the Basic list, we still have to follow the Civil Service rules for one, two, and three to come out and evaluate all that, correct? How does the Human Resource feel about that?

Chief Pease: We have both talked to Civil Service about that, and obviously, there will be a bypass, but unless one and two meet the qualifications and the standards that they are already enrolled in class and by having them sign a Condition of Employment which gives them an allotted amount of time. If they cannot sign that agreement, they will not be qualified for that position. Civil Service has agreed that as long as we list our reasons and have them in order, we should not have a problem.

Mr. Rooney: When you talked about the person who is a basic EMT currently but is in the paramedic school, how much longer does he or she have in that school?

Chief Pease: He told me that he's probably about one-third of the way through, this particular person, and will be done, anticipated in March 2019, finished with school. Again, they will affect staffing by working in the dispatch position and I will be able to train them on the ambulance. As soon as they go to fire school, they will be fully trained and will affect a full position as a fire fighter paramedic.

Mr. Rooney: The two who are paramedics would be when?

Chief Pease: I'm looking to call for that list immediately if the Board gives permission and then we'll have to put it out there to sign and hopefully we get two qualified applicants on that list. I know of one at this point.

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Mr. Rooney: Are there any issues that you need to negotiate with the Union?

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Chief Pease: Not at this point; there is nothing in writing between us and the Union that says we have to hire paramedics. And, they understand the need for staffing right now as we do, so, not that we need them to sign off on it, but I've talked with ranking members of the Union, and they agree. In this sort of situation that we're in, I would sort of love to do this all the time, but we're kind of between a rock and a hard place right now. It's one way of dealing with our staffing situation.

Mr. Rooney: I certainly give you credit for coming up with something a little out of the ordinary. Thank you.

Mr. DeBarge: Chief, just one thing, did you say anything about the contingency on whether they finished the paramedic school?

Chief Pease: Yes. They'll be signing a Condition of Employment which Human Resources; the Board and legal counsel will see before we have them sign it. And, it's been done in other civil service departments; I've talked to a few other chiefs who have done this in the past. We're not re-inventing the wheel here but it's the first time we've had to deal with this situation here in Ludlow.

Again, I'm calling for a motion to call for a list for two positions from the Paramedic Civil Service Fire Fighter list and one position for the Basic Civil Service list.

Mr. Mannix made a motion, seconded by Mrs. Fernandes, to request for a list for two positions from the Paramedic Civil Service Fire Fighter list and one position for the Basic Civil Service list. Vote 5-0 in favor.

#### Correspondence

134. Board Reorganizations – Hubbard Memorial Library Board of Trustees, Safety Committee, Council on Aging.

Moved by Mr. Rooney, seconded by Mr. DeBarge, to reorganize. Vote 5-0 in favor.

135. Kathleen Houle – informing the Board that she will be resigning from the Long Range Planning Committee.

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to accept Ms. Houle's resignation. Vote 5-0 in favor.

136. Craig Spice – informing the Board that he will be resigning from the Community Preservation Committee.

Moved by Mr. Rooney, seconded by Mr. DeBarge, to accept Mr. Spice's resignation and to advertise the open position. Vote 5-0 in favor.

137. Anna Lucey, Director, Government Affairs Charter Communications – informing the Board of changes to the channel lineup.

Moved by Mrs. Fernandes, seconded by Mr. Mannix, to file. Vote 5-0 in favor.

138. Chief Madera, Police Department – informing the Board that Lt. Joseph Metcalf will be retiring on June 30, 2018 after 38 years of service.

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to accept the retirement and look into the possibility of presenting a Letter of Commendation from the Board of Selectmen for all the years of service he put in. Vote 5-0 in favor.

139. Chief Madera, Police Department – request for the Board to call for both the Lieutenants and Sergeants Active Civil Service Promotional Lists.

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to call for both promotional lists. Vote 5-0 in favor.

140. Sean Carroll, Presiding Officer – informing the Board that the Department of Telecommunications and Cable will hold a public evidentiary hearing to investigate the proposed basic service tier programming, equipment and installation rates in rate-regulated communities. Hearing will be held at 10:00 a.m. on Wednesday, May 30, 2018.

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Moved by Mr. Mannix, seconded by Mrs. Fernandes, to file. Vote 5-0 in favor.

141. Chief Desmarais, Chicopee Fire Department – letter of thanks to the Ludlow Fire Department for their donation of the compressed air fill station for the SCBA bottles.

Moved by Mr. Mannix, seconded by Mrs. Fernandes to file. Vote 5-0 in favor.

142. Celebrate Ludlow donations – Bill's Tire & Trailer Service, \$25.00; Dr. Theodore Gordon, \$100.00; Cash Register Solutions, Inc., \$100.00; Ludlow Construction Co., Inc., \$400.00; Marta Law Offices, \$100.00; Steve McDaniel, \$100.00; Joe's Auto Body, Inc., \$50.00. Grand Total: \$875.00.

Moved by Mr. Rooney, seconded by Mr. DeBarge, to accept the donations from those different individuals and businesses and to send them a letter of thanks, and if we could post those on cable. Vote 5-0 in favor.

143. Mike Rodrigues – informing the Board that the "Spring Fest" for Vanished Valley Brewery which should have been held on Saturday, May 19<sup>th</sup> has been postponed to June 23, 2018, due to the weather.

Moved by Mrs. Fernandes, seconded by Mr. Mannix, to approve the new date of June 23, 2018 and to file. Vote 5-0 in favor.

144. Wendy Nightingale, Certification Officer – informing the Board that Kimberly Collins, Town Accountant, has passed examinations and met all the education and experience requirements necessary to be recognized as a Certified Governmental Accountant by the Massachusetts Municipal Auditors' & Accountants' Association.

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to file. Vote 5-0 in favor

145. Department of Environmental Protection – MassPike M.M. 55.7 WB Service Plaza Release of Diesel Fuel RTN 1-20543 Release Notification and Notice of Responsibility

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to file. Vote 5-0 in favor.

146. Chief Madera, Police Department – made request to charge off medical bills and lost wages to Chapter 41, Section 111F for injuries sustained by a Police Officer on May 9, 2018.

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to charge off medical bills and lost wages to Chapter 41, Section 111F. Vote 5-0 in favor.

147. Joe Fernandes – informing the Board of the Classic Car Run for the Holyoke Soldiers Home to be held on June 2, 2018 with a rain date of June 3, 2018, sponsored by Come e Calate. The route entering Ludlow will be West Street down Holyoke Street, left onto Chapin Street to East Street, left on Hampden Street to Ludlow Mills on State Street.

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to approve route for June 2, 2018 upon approval by Police Department. Vote 4-0 in favor, Mrs. Fernandes abstained.

- 147a. Joe Fernandes, Come e Calate – Music & Dance application for the Classic Car run to be held on June 2, 2018 with a rain date of June 3, 2018, to be Ludlow Mills, 191 State Street. A discussion was held to clarify where exactly on the property the dance would be held. A tent would be set up in the parking lot where the classic cars had been displayed; WestMass has approved these plans.

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to approve request of permit. Vote 4-0 in favor, Mrs. Fernandes abstained.

148. Lt. Brennan, Police Department – request to charge off medical bill and lost wages to Chapter 41, Section 111F for injuries sustained by a Police Officer on May 18, 2018.

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to approve and charge costs and lost wages as submitted by Lt. Brennan to Chapter 41, Section 111F. Vote 5-0 in favor.

149. Lt. Brennan, Police Department – request to charge off medical bill and lost wages to Chapter 41, Section 111 F for injuries sustained by a Police Officer on May 18, 2018.

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to approve and charge costs and lost wages as submitted by Lt. Brennan to Chapter 41, Section 111F. Vote 5-0 in favor.

#### Unfinished Business

Board to appoint Penny Lebel to the Dog Park Committee (re-appointment as the Conservation Commission representative)

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to approve and re-appoint Penny Lebel to the Dog Park Committee as the Conservation Committee representative. Vote 5-0 in favor.

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Board to appoint Tammy Turcotte as an Animal Control Volunteer.

Moved by Mr. Rooney, seconded by Mrs. Fernandes, to appoint Tammy Turcotte as the Animal Control Volunteer. Vote 5-0 in favor.

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Board to review and approve the Opioid Litigation Agreement (engagement to represent) between the Town and Levin, Papantonio, Thomas, Mitchell, Rafferty & Procter, PA Law Firm. Mr. Rooney asked Mrs. Villano, the Town Administrator, to clarify steps taken to review the agreement.

Moved by Mr. Rooney, seconded by Mrs. Fernandes, to approve the agreement and have the Chairman sign the Opioid Litigation Agreement between the Town and Levin, Papantonio, Thomas, Mitchell, Rafferty & Procter. Vote 5-0 in favor.

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Board to approve and sign the Selectmen minutes of February 20, 2018

Moved by Mr. Rooney, seconded by Mr. DeBarge, to approve the Selectmen minutes of February 20, 2018 with all members present. Vote 5-0 in favor.

#### New Business

Board to vote to schedule a Special Town Meeting for June 11, 2018.

Mr. Rooney asked to hear from the Town Administrator, Mrs. Ellie Villano, as to the reason why a special town meeting is necessary and whether there are plans, from our end or the school committee's end, to send a special notification or letter urging town members to appear for that special town meeting.

Mrs. Villano: As part of the Chapin Street Elementary project, there is a Project Scope and Budget document that needs to be signed by someone who is authorized within the Town to do it as well as a Project Funding Agreement.

A part of the process with the MSBA and the reimbursement program requires a legal certification from our Town Council attesting to the fact that all of the appropriate votes have been taken, that all of the appropriate signatures have been taken care of and that the appropriate individuals are duly authorized to sign any of the contracts pertaining to the project and bind the Town to that whole process. Town Council feels that it should be a requirement of a town meeting to authorize the Board of Selectmen, and further authorize the Chairman, to be the authorized signatory on this.

There are actually four articles, one is to sign the Project Scope and Budget Agreement and to sign the Project Funding Agreement and to bind the Town to the terms. This really is a note to dotting our "I's,"

and crossing our "T's," and to move forward with every appropriate step of this project in light of the fact that there will be a \$30 million reimbursement from the MSBA and the State for this school project. In order for them to certify appropriately, they are requiring the particular articles be voted on. That is for the MSBA portion.

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There is one more article about the radio infrastructure. It was brought to our attention, after the Town meeting, that the individual who presented the motion for the radio infrastructure article was not a precinct member, and as such, should not have made that motion. The article is going to be placed back on this particular warrant to correct that error.

The purpose of the June 11 town meeting is that MSBA requires that the Town has 120 days from February 14 to take and ensure that all the proper votes are taken and certified which brings us to June 14. In order to comply with the laws, the earliest posting of notice with which we could comply is June 11, the latest, June 13.

In the background, we are putting a whole notification as to why we are calling this meeting, and also a notification as to why we are putting the infrastructure back on. It is my intent to do an all call to the precinct members, probably a couple of days before town meeting. If the Board approves all of this, notification to the precinct members will be mailed by this Friday. The members will receive their packets over the weekend.

Moved by Mr. Rooney, seconded by Mr. DeBarge, to schedule a special town meeting on June 11, 2018. Vote 5-0 in favor.

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Board to open the warrant for the June 11, 2018 Special Town Meeting, insert the articles into the warrant.

Articles for insertion into the warrant.

1. Town authorizes the Board to enter into the Project Scope and Budget Agreement Chairman is identified as the person authorized to execute the PSBA.
2. Town authorizes Board to make final binding decisions on the project as described in PFA.
3. Town authorizes Board to enter into the Project Funding Agreement. Chairman is identified as the authorized to execute the agreement.
4. Town authorizes Board to make final binding decisions with respect to the project described in PFA.
5. Town votes to ratify and confirm any previous actions taken with respect to the project.
6. Town to authorize the borrowing of \$4.8 million for the Radio Communications Infrastructure (correct error from May 14 STM Article).

Moved by Mr. Rooney, seconded by Mr. DeBarge, to open the warrant for the June 11 meeting to include the articles as printed in our agenda. Vote 5-0 in favor.

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Board to close the warrant.

Moved by Mr. Rooney, seconded by Mr. DeBarge, to close the warrant for the June 11, 2018 Special Town Meeting. Vote 5-0 in favor.

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Board to sign ten copies of the warrant for the June 11, 2018 Special Town Meeting.

Moved by Mr. Mannix, seconded by Mrs. Fernandes, to sign the ten copies of the warrant for the June 11, 2018 Special Town Meeting. Vote 5-0 in favor.

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Board to ratify the Memorandum of Agreement between the Town and LATOSS.

Moved by Mr. Mannix, seconded by Mr. DeBarge, to ratify the Memorandum of Agreement between the Town and LATOSS. Vote 5-0 in favor.

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Board perused the Executive Session minutes of May 8, 2018.

Closing Comments

Mr. DeBarge offered his deepest condolences to the Santos family for such a tragic and senseless loss.

I also want to commend the Ludlow Police Department and all the police officers within that building for these last couple of weeks, probably more, and especially this last week alone. To say that they have answered the call to a busy week is to go without, is just an understatement.

We had the unattended death of Whitney Park, the issue in our own Town Hall where a public official was threatened that led to a speedy arrest, we also had a threat to our schools which through an investigation led to an arrest, and again, the heinous act at the Ludlow Bakery. And, this is surrounded by call after call after call of regular police work, also adding the work of the paramedics and all this and the fire fighters as well.

Without bringing any politics involved into this with school security and all that, which I will save for another time, I will say that all of these events have to be treated and remembered as the kind of environment in which we live. For the Police Department, the Fire Department, the Paramedics, this may not be an average week for them but rather the average speed that they run. And we have to realize that in all of our buildings, in all of ourselves, we have to "up our preparedness" because it is just the kind of environment that we are in. Again, I offer my condolences for all who have lost in this tragic, tragic couple of weeks.

Mr. Rooney offered these thoughts.

I would re-iterate most everything that Mr. DeBarge said. I certainly offer my condolences to the Santos family. I didn't know the victim but it is a senseless tragedy. The other person I just wanted to mention, I wasn't here at the last meeting and I wanted to pay special note for the passing of Alda Grimes, who was certainly, a long-time employee of this Town Hall and passed unexpectedly and certainly, condolences to her family. I agree with everything that Mr. DeBarge said relative to, kudos to the Police Department. I would also add the School Superintendent. I can tell you as a parent of a Junior in High School, obviously that is unsettling and to have the all call early in the evening from the Superintendent alerting us to an issue, but more importantly I think, that came in at 9:30 or 10:00 o'clock at night. I certainly want to commend the Superintendent and the Ludlow Police for the work they did in making our schools safe.

Mrs. Fernandes offered these thoughts.

I'm repeating the same thing. People are saying that this is Ludlow changing, and unfortunately, this is just in Ludlow but this is happening all around the nation. There is a certain instability with people. I just cannot fathom in a small town where for years you leave your door open but now you have to worry about school shootings, overdose deaths, knifings with people who have worked together for years. It's just, an official being threatened, I mean, all in the matter of one week and it just shows there is so much instability out there I don't know what we can do. The only thing we can do is obviously, thank goodness, we have a great police and fire crew and our schools that are on top of things and people think we have too many police and fire employees. I don't think we have enough. It's just probably going to get worse.

I hope we find the way to get to these people who are suffering. Obviously, they are not there mentally for people to do things like this. It's a sad state of affairs. There are just no words for how a small town like ours confronted all of this in such a short time.

My condolences go out to all the families, to all the victims, the family of the perpetrators; it's a no win-win situation for anybody. It is just a horrible, horrible state of affairs; I think we need to plant more positive reactions. There is so much hate in this world. I think we have to change that because this is happening in our little town and I don't know what to say.

Thank you to all the people who were involved yesterday in school. I stopped my son from going because they say they got him but you don't know if there is somebody out there and they got the wrong person; it's just terrible that we have to in these times.

Mr. Mannix offered these thoughts.

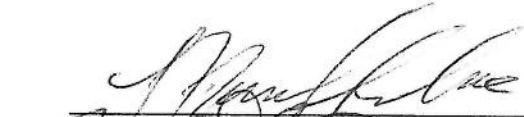

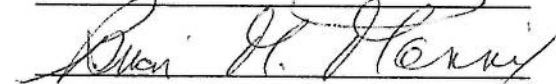
I just quickly want to say that 99% of our Town is very, very good, the people are very, very good, and the tragedy which happened to us over the last three to four months, not just a couple of weeks has been horrific for all of us, not only for the families directly involved, it is worse, but for all of us. Your heart and soul is in the Town and just stop, look, and listen to this. My only request is that we need to people to get involved with their families and I don't care if it's youngsters, the elderly, or those in between. People

need to get involved with their families. The family tradition is something we have lost over the last 40 or 50 years and it is showing more and more. If we can get the families back involved with everyone there: son, daughter, father, mother, brother, sister, uncle or aunt, it does not make any difference. Family can make the difference. Emphasis really needs to be put with a lot of things we have seen lately in town. Please get involved.

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Moved by Mr. Mannix, seconded by Mr. DeBarge, to adjourn.

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Chairman  
  
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Ludlow Board of Selectmen

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