

March 5, 2019

The Meeting of the Board of Selectmen held on Tuesday, March 5, 2019 beginning at 6:00pm in the Selectmen's Conference Room, Town Hall.

Members Present: Chairman, Manuel Silva, Derek DeBarge, Brian Mannix.

Members Absent: Carmina Fernandes

First Order of Business: The Pledge of Allegiance

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TOWN OF LUDLOW
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Visitations:

Golden Cane Award Recipient Stan Forys

Kathleen Leitao Bernardo – Bill's Garden, Change of Manager:

Moved by Mr. Mannix seconded by Mr. DeBarge to change manager of Bill's Garden to Karen Randall effective immediately. Vote 3-0 all in favor.

Verizon – Public Hearing – Harding Avenue and Center Street Joint Pole Location:

Moved by Mr. DeBarge seconded by Mr. Mannix to open the public hearing at 6:30pm. Vote 3-0 all in favor.

Mr. Reisenger: Good Evening everyone my name is Paul Reisenger, I am a representative from Verizon. We have two hearings tonight. Would you like to do them both at once? Or one at a time?

Mrs. Villano: They were scheduled to be together. If I might Mr. Chairman, the folder is next to you.

Mr. Reisenger: Ok. So, Verizon New England and NSTAR Electric Company dba/ Eversource Energy request permission to locate poles, wires, cables and fixtures, including the necessary anchors, guides and other such sustaining and protecting fixtures to be owned and used in common by your petitioners along and across the following public way or ways:

Center Street relocate one jointly owned pole numbered telephone 275 electric 43 to a point on the Northwesterly side of Center Street approximately 64 feet Northeasterly from the center line of Harding Avenue. Center Street place one jointly owned pole numbered 274 ½ electric 43m on the Northwesterly side of Center Street at a point approximately 36 feet Southwesterly from the center line of Harding Avenue. Reason to place one jointly owned pole and to relocate one jointly owned pole on Center Street is to accommodate a road re-construction project and to provide support and to provide for the distribution of intelligence and telecommunications and the transmission of high and low voltage electric current.

On Harding Avenue place one jointly owned pole numbered ½ on the Northerly side of Harding Avenue to a point approximately 52 feet Westerly of the center line of Center Street. Reason to place one jointly owned pole on Harding Avenue to accommodate a road re-construction project and to provide support and to provide for the distribution of intelligence and telecommunications and the transmission of high and low voltage electric current. I will be happy to answer any questions.

Mr. Silva: Any questions from the Board?

Mr. Mannix: The intersection needs a lot of help.

Mr. DeBarge: I have none.

Moved by Mr. Mannix seconded by Mr. DeBarge to approve the relocation of pole 275 and 43 as well as 274 ½ and 43 ½ on Center Street and pole ½ on Harding to support the safety and support the construction work being done in the area and relocation of all power sources. Vote 3-0 all in favor.

Moved by Mr. Mannix seconded by Mr. DeBarge to close the hearing at 6:33pm. Vote 3-0 all in favor.

Elaine Hodgman – Conservation Restriction:

Mrs. Villano stated that basically, she is requesting a letter of support from the Board of Selectmen saying they are willing to accept the restriction.

Ms. Hodgman stated that she does not want any more building there and wants to preserve it as much as she can. She is working with Kestrel Land Trust to help her get the land preserved.

Mrs. Villano stated that conservation voted to accept the restriction.

Moved by Mr. Mannix seconded by Mr. DeBarge that the town accept the changes and request on the permit, so Mrs. Hodgman can continue to pursue her goal of preserving open land for future use and to send a letter of support. Vote 3-0 all in favor.

Board to enter into Executive Session for the purpose of strategy for a pending grievance and negotiations for the Local 98 DPW. * To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the Chair so declares.

Moved by Mr. DeBarge seconded by Mr. Mannix to go into Executive Session at 6:43pm for the purpose of strategy for a pending grievance and negotiations and return to open session. Vote 3-0 all in favor.

Carrie Ribeiro, Human Resource Manager – Reclassification:

Mrs. Ribeiro stated the reason why she is coming in front of the Board of Selectmen is to ask for their support in the reclassification of the current position of HR Manager from a Grade Level 4 to a Grade Level 5 with a change in title as well, from Human Resource Manager to Human Resource Director.

Mrs. Ribeiro stated that her job responsibilities have expanded a lot in five years, due to many factors including new policies and procedures that are constantly being added or changed.

Mr. DeBarge would like to have more time to review the information provided to him and to revisit for further discussion.

FY20 Budget Discussion:

Mrs. Villano stated to the Board this is what the FY2020 Budget should be. What is being outlined is the department budget and then its comparison to what our revenues, our tax re-cap sheet. So that it can give you an estimated tax rate and average increase. The budget was done not utilizing the debt exclusion so, this budget is without the debt exclusion included.

The town accountant stated that the debt inside the tax rate will be a little bit higher, probably another \$50,000 being added to the debt amount of \$2.5 million. The Towns budget is \$67,624,988 which is a 3 ½% increase, compared to a 2% last year. The School and Fringe Benefits is the largest increase. The town is increasing the budget by \$500,000 and when you consider what that is, the majority of it is salaries and those already have been determined so there is nothing we can do about that. This amount is the least that the town can get by on going forward, we have reduced it. Last year it was a \$300,000 increase and it will get to the point where we will have no free cash. We need free cash. It is how we pay for our capital projects, it is how we will put money into our stabilization, which we have drained over the past 10-15 years.

Moved by Mr. Mannix seconded by Mr. DeBarge to approve the tentative budget as we see it. Vote 3-0 all in favor.

Correspondence:

48. Jean E. Christy, P.E., Senior Engineer, Tighe & Bond – Post Closure Use Landfill Quarterly Inspection Report Holyoke Street Landfill.

Moved by Mr. DeBarge seconded by Mr. Mannix to file. Vote 3-0 all in favor.

49. Natalina Tulik, LDAA – requesting approval for the 3rd Annual Baird Color Run to benefit the Go Green Club at Baird and the Lenore Paul Community Garden to be held on Saturday, May 18th from 10am – 12:30pm. They are also requesting use of the Town Hall parking lot and the front and back parking lots of the High School to be used as color locations. Also requesting police coverage for the day of the event to help with traffic.

Moved by Mr. Mannix seconded by Mr. DeBarge to accept the request of Mrs. Tulik for everything other than the police coverage. Vote 3-0 all in favor.

50. Geoffrey C. Beckwith, Executive Director & CEO, Massachusetts Municipal Association – informing the Board of the MMAs Annual Spring Legislative Breakfast series on March 22, 29 and April 5.

Moved by Mr. DeBarge seconded by Mr. Mannix to file. Vote 3-0 all in favor.

51. Joel A. Zimmerman, Regional Planner, DCR Division of Water Supply Protection – informing the Board of the FY19 payment made to the Town of Ludlow under the Department of Conservation and Recreation Office of Watershed Management's in Lieu of Tax (Pilot) Program.

Moved by Mr. DeBarge seconded by Mr. Mannix to file. Vote 3-0 all in favor.

52. Jaimye Bartek, Communications Manager, Springfield Water & Sewer Commission – informing the Board that during the week of March 4th water pressure will be restored to normal levels in Electric Park.

Moved by Mr. DeBarge seconded by Mr. Mannix to file. Vote 3-0 all in favor.

53. Richard J. Burkot, Christ the King Church – requesting a Special One Day Permit for Christ the King Church Picnic on June 23, 2019 from 11:00am – 9:00pm. Does the Board wish to waive the fee?

Moved by Mr. DeBarge seconded by Mr. Mannix to approve the Special One Day Permit for Christ the King Church on June 23, 2019 from 11:00am – 9:00pm and also to waive the fee. Vote 3-0 all in favor.

54. Jaimye Bartek, Communications Manager, Springfield Water & Sewer Commission – informing the Board that starting March 1st the Northern portion of Ludlow Reservoir will be closed to the public for Forest Management Activities until further notice.

Moved by Mr. Mannix seconded by Mr. DeBarge to file. Vote 3-0 all in favor.

55. John P. DaCruz, Attorney at Law – Transfer of Liquor License from Germano Inc to Andre & Andre Inc for Four Seasons Wines and Liquors. Board to schedule a public hearing.

Moved by Mr. Mannix seconded by Mr. DeBarge to schedule a public hearing for the transfer of license for Germano Inc to Andre & Andre Inc for Four Seasons Wines and Liquors. Vote 3-0 all in favor.

56. Douglas J. Stefancik, Town Planner – Planning Board voted to approve the site sketch for Mid-America Properties LLC for the Gandara Center.

Moved by Mr. DeBarge seconded by Mr. Mannix to File. Vote 3-0 all in favor.

57. Douglas J. Stefancik, Town Planner – Planning Board voted to approve the site plan for the proposed 4.4 MW Ground Mounted Solar Photovoltaic System at 0 Lyon Street.

Moved by Mr. Mannix seconded by Mr. DeBarge to file. Vote 3-0 all in favor.

58. James Carvalho, Casa Pizzeria – application for new Wine and Malt Liquor License for Casa Pizzeria. Board to schedule public hearing.

Moved by Mr. DeBarge seconded by Mr. Mannix to schedule a public hearing for James Carvalho, Casa Pizzeria for an application for a new Wine and Malt Liquor License at 325 East Street. Vote 3-0 all in favor.

Unfinished Business:

Turnpike Package – Mr. Minnie has not sent the Board his 60-day update. Additionally, we have been informed by the Collector that the 2019 Liquor License has not been paid. How does the Board wish to proceed?

Moved by Mr. Mannix seconded by Mr. DeBarge to have a Revocation Hearing for Mr. Minnie's package store on Center Street. Vote 3-0 all in favor.

Board to sign ABCC Licensing Authority Certification for Bill's Garden Change of Manager, if approved.

Board to sign three (3) copies of the order for Center Street Joint Pole Location #4A0CL8M, also to sign three (3) copies of the order for Harding Avenue.

Chairman to sign Vendor's Certification Form for the DCRs Conservation and Recreation Office of Watershed Management in Lieu of Taxes Program, if approved.

Board to sign the Special One-Day Permit for Christ the King Picnic on June 23, 2019, if approved.

New Business:

Board to appoint Mr. DeBarge as the Board Representative for the Senior Center Building Committee.

Moved by Mr. Mannix seconded by Mr. Silva to appoint Mr. DeBarge as the Board of Selectmen Representative for the Senior Center Building Committee. Vote 2-0 1 abstention

Chairman to approve and sign the WestMass ElderCare FY20 Contract – Non-Federal Match for the Town of Ludlow.

Moved by Mr. DeBarge seconded by Mr. Mannix to approve and sign the WestMass ElderCare FY20 Contract Non-Federal Match for the Town of Ludlow. Vote 3-0 all in favor.

Board to appoint Gilles Turcotte, Ann Turcotte and Tammy Turcotte as the Animal Control Officers.

Moved by Mr. Mannix seconded by Mr. DeBarge to appoint Gilles Turcotte, Ann Turcotte and Tammy Turcotte as Animal Control Officers for the Town of Ludlow 2019. Vote 3-0 all in favor.

Board to approve and sign Mass State Lottery One Day Beano Application for the Designer Handbag Bingo to be held on March 24th at 3:00pm at the Polish American Citizens Club.

Moved by Mr. Mannix seconded by Mr. DeBarge to allow the One Day Lottery Beano Application for the Designer Handbag Bingo to be held on March 24th at the Polish American Citizens Club on East Street in Ludlow. Vote 3-0 all in favor.

Board to peruse Selectmen's Meeting Minutes of January 22, 2019

Board to peruse Selectmen's Meeting Minutes of February 5, 2019

Board to peruse Selectmen's Executive Session Meeting Minutes of January 22, 2019

Board to peruse Selectmen's Executive Session Meeting Minutes of February 19, 2019

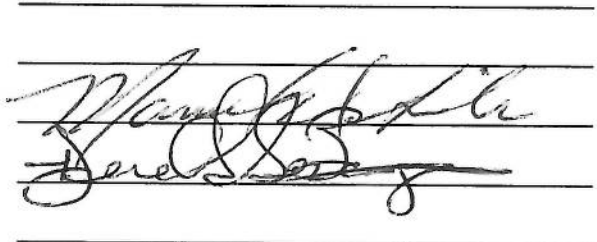
Closing Comments:

Mr. Mannix stated that Charter is taking channels off on-demand. The Board should call Charter in to explain what is going on.

Mr. DeBarge attended the mass for the Lamas Family. Very sorry for the entire family. Also, a friend of his, Kenny Vigneault passed away. He was a former Marine. To all of those who lost family, rest in peace.

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Moved by Mr. Mannix seconded by Mr. DeBarge to adjourn. Vote 3-0 all in favor.

Two handwritten signatures are written on a set of horizontal lines. The top signature is in cursive and appears to read 'Derek DeBarge'. The bottom signature is also in cursive and appears to read 'Derek DeBarge'.

Ludlow Board of Selectmen

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

