

BOARD OF PUBLIC WORKS
MEETING MINUTES
REMOTE PARTICIPATION – CONFERENCE CALL
April 21, 2020

RECEIVED
TOWN CLERK'S OFFICE
2020 JUN 22 P 2:38
TOWN OF LUDLOW

*Please be advised that by Order of the Governor – Order suspending certain provisions of the open meeting law, G.L. c.30A, § 20 which limits public access and allows remote participation.

Members Present: Thomas Haluch, Barry Linton, Bill Rodrigues, Alex Simao, John Davis

Members Absent: None

Also Present: Mike Suprenant, Derek Debarge

Mr. Haluch called the meeting to order at 5:00 P.M. Pledge of Allegiance.

APPOINTMENTS: Derek Debarge to discuss purple bag program. In July we will be starting the new recycling. Amy looked into the purple bag program costs. Mr. Suprenant did a survey into the cost of the surrounding towns, Belchertown, Granby, South Hadley and Wilbraham. Those towns require all trash be in the approved bags. In Belchertown and Wilbraham it is brought to the Transfer Station. Their fees are \$120 & \$150 (reduction to \$100 for senior citizen). Granby and South Hadley have curbside pickup. Granby charges \$3.30 for a large bag, \$1.65 for smaller bags. South Hadley charges \$2.00 for a large bag, \$1.00 for smaller bags. Every household is also charged \$75/year. If they get pick up by a private hauler, they get an abatement. Ludlow is currently \$2.25 for large bags, and we will be getting the smaller bags. Because of Covid-19 we have not been able to get the information out that we would have liked. It might be a good thing to put it off until we can gather the rest of the information. Mr. Debarge asked who would set the price of the kitchen sized bags. Mr. Suprenant said the BPW. Mr. Debarge said since the press release robo call that has been a hot bed question. Putting off the purple bag program until October 1 is a very prudent decision. He said all the information Mr. Suprenant has provided him has been helpful. The weekly schedule for trash and recycling and the reasoning behind it all. That this is to lead up to purchasing barrels for residents, ultimately leading up to it being fully automated and eventually the dissolution of purple bags entirely. This is the most important information for all of our residents to have and understand, which I think will get them to make this whole program a little bit easier. He is optimistic that once we get all this information out it will ease the tension a little bit more. Extending the time frame will

help that out. Mr. Linton said that when we discussed this back in January, this was the fastest fix because we are looking at \$200,000-\$250,000 shortage because we are not getting paid for recycling anymore. We have to pay \$90/ton. With a trash fee we can have half a million dollars to buy these bins. The purple bags may generate some of this money but most of it is going to pay for the contract. If it was put to a Town vote, the people have to know that the trash fee is not going to be \$100/year like Springfield. It's going to be \$200 or \$250/year to cover the expenses. The rubbish contract keeps going up. Mr. Debarge said he understands all that but he asked for the information that was put out on Friday because no one knew what was going on. Mr. Linton said there should have been some education, but there has been no meetings or outreach available. Mr. Debarge said anyone can get in to do a robo call or get into LCTV to do a 10 minute spot, flyers can be made online. He said he may have been naïve when he asked for the information to get something out there Friday because he did not expect this kind of backlash maybe due to the social and emotional strife that our townsfolk are in. Mr. Linton said he would not mind not changing the system at all but we would have to add \$250,000 to our budget for disposal. But Ellie, Kim Collins and everyone at the meeting said there was no way we could come up with that money. Mr. Debarge said there is no doubt we have to come up with the money. The dual stream recycling program is saving us \$100,000 off of the \$200,000 that we have to pay for the recycling. Mr. Linton said it is actually saving \$50,000 off of \$250,000. Mr. Suprenant said it's closer to \$100,000. Mr. Debarge said we are still at a large shortfall that still has to be made up. Mr. Haluch said you will only pay depending on what you use so it is a fair proposal. Mr. Debarge said he does not agree. He will continue to harp on that we need to get the information out. Mr. Suprenant said we worked on some of that today. We got the schedule together, will put information in the Register, putting together a video. Mr. Haluch asked if we wanted to set the price for the small bags. Mr. Simao said not yet. Mr. Suprenant said he would recommend holding off on the pricing if it is going to be delayed. Mr. Debarge asked why. Mr. Simao said he would like to get the prices we have now together. Mr. Suprenant said he does not know of any problems collecting the money from the national vendor. There was a clerical error by that company that is being corrected. Mr. Simao said he understands we are having problem collecting the money and he wants it corrected before we go any farther. Mr. Debarge has nothing further. He is going to stay on the call.

DIRECTOR'S REPORT: Continued operation of the Public Works Department. We have 1 employee under self-quarantine, another out because he is high risk and a 3rd employee was told after the meeting of March 30 that he would be excused from the rotation. It appears things have changed and this employee is expected to be on the rotation. Mr. Suprenant recommends that the BPW vote to confirm the status of all of these employees. Also, in particular the 3rd employee, any time he missed a rotation he would have to take vacation or personal time. Mr. Simao asked if this is the employee that was not in the rotation and was supposed to bring info over to Human Resources. Mr. Suprenant said yes. Mr. Simao asked if he previously took any time for sick, personal, vacation or if he just refused to come in. Mr. Suprenant said he didn't refuse, he was told that he didn't have to. Mr. Debarge said this sounds like preferential treatment of individuals because the information he has is completely different. He was told the individual refused to come in and was told to take his own time, of which he does not have. No vacation, comp, sick or personal. The correspondence between the HR Director and Mr. Suprenant was that if all the criteria was not there and the qualifying reasons for Covid-19 are as stated "if the employee does not fall within these criteria which is subject to Federal, State or Local quarantine or isolation order related to Covid-19 or has been advised by healthcare provider to self-quarantine related to Covid-19 or has experienced Covid-19 symptoms and is seeking a medical diagnosis or is caring for an individual subject to an order described in #1 or in self quarantine described in #2 or is caring for his/her child whose school or place of care is closed or childcare provider is unavailable due to Covid-19 related reasons or finally is experiencing any other substantially similar conditions specified by the US Department of Health and Human Service". It is our understanding that none of those criteria have been met. According to our labor attorney, the departmentally approved payroll is given to the Town Accountant for review. Not the BPW. The statute states that the "Town Accountant may disallow and refuse to approve payment in whole or in part any claim that is fraudulent, unlawful or excessive and in such case he/she shall file to the Treasurer in a written statement the reason for such refusal". Finally after the Accountant draws up a warrant for payment, the Selectmen must sign off before the Treasurer can issue payment. Thus, if the authorizing department, the Accountant or the Selectmen feel there is something wrong with the payroll, they should withhold their approval for that portion until they can be satisfied that it is correct or has been corrected. This would involve going back to the original authorization and verifying with the authorizing party the underlying facts and basis. If the Accountant finds a payment should not be made they should document the reasons for refusal to Treasurer. So it is our understanding that none of the criteria with the time and Covid-19 has been met. You can't just say that he was left off of the rotation. Mr. Suprenant said the Operation's Supervisor set up the rotation and he gave that information to the Town Accountant. Mr. Debarge said that doesn't make any sense. The DPW are essential

workers. You personally have made it a point to be added to the first responder list, which I agree with and acknowledge. Why are certain individuals left off the rotation? Mr. Simao said that this individual was talked about 2 weeks ago and nothing was said about him being off the list. If he is an essential employee he should be on the rotation, unless he comes up with the correct paperwork. Mr. Debarge said we cannot set a precedent with any employee in this town with this circumstance. Mr. Haluch said the paperwork has not come in yet, but this individual has a family member that had 9 heart surgeries. Mr. Suprenant said the reason this individual was not put in the rotation was because we were of the understanding that we would receive documentation. We are still waiting for paperwork from the person that is self-quarantined. Mr. Debarge said there has to be a timeline. We can't keep paying someone that doesn't want to come to work while waiting for a doctor's note that may never come.

2020 sewer project proposals for survey base plans were received on April 14. Heritage Survey submitted the lowest price for \$25,900. Today we received a copy of the proposal in the amount of \$114,500 from Mott MacDonald addressed to the Assistant Town Engineer dated March 23 in conjunction with the sewer expansion project but the proposal does not include Tower Road and Motyka Street. Recommendation is to accept the proposal from Heritage Survey and looking into clarifying scope of the design proposal. Mr. Linton said the \$25,000 is just for survey not for plans. Plans cost \$114,500. Mr. Simao said last year we got \$200,000 for Grimard, Cady, W. Belmont, W. Orchard, Fairview and Glenwood, and we need to use the money for those streets. Mr. Suprenant said that is correct. Mr. Linton motion to get the surveys done for all of the streets listed above. Mr. Simao second. All in favor. We did get a proposal from Mott MacDonald for MS-4 year 2 permitting for \$95,000. Mr. Suprenant asked the Assistant Town Engineer to go over it and get done everything he can do. He is working on it now. Once we get that done he will ask for a revised proposal. \$95,000 is about the total amount the Town should be spending in storm water (maintenance and compliance). Mr. Simao asked about the status of intern for engineering department. Mr. Suprenant said he will check with Human Resources to see if he can find out the name of the one person interested in the position. Mr. Haluch asked if there was a reason the Assistant Town Engineer could not come in and work on it. Mr. Suprenant said some of the work can be done from home. He said he was told that he could not work from home. Mr. Suprenant will check with Human Resources about that. Mr. Suprenant said regarding the Fuller Street mill and overlay question from last meeting, the Operations Supervisor and Director did preliminary estimates and cold in place recycling is just under \$500,000, mill and overlay would cost \$391,000. Difference is \$4/sq. yd. Advantage for cold in place recycling is that we should be able to get a much longer life out of the pavement. We could hopefully get 20 years out of it. Mr. Linton asked if there were any warranties. Mr. Suprenant said he would find out. Mr. Simao asked about the status of summer help. Mr. Suprenant said we received 1 or 2 more applications then we have

open positions. Most will be filled by people that were here last year. Mr. Suprenant said he will get the information together and by the next board meeting he will have recommendations. Mr. Simao asked if pot holes next to Dunkin Donuts and Cumby's could be touched up. Mr. Suprenant said we will have to get some hot mix over there. Mr. Haluch said the plants are open. Mr. Simao asked when we can expect a full crew. Mr. Suprenant said the guidelines from Governor Baker are to step up the crew gradually. He will continue to await orders. Mr. Linton said Governor said they were essential employees, but their union said they weren't. Mr. Simao motion to accept Director's report. Mr. Davis second. All in favor.

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NEW BUSINESS: Use of vacation time in place of assigned work schedule. Mr. Suprenant said this was discussed with the Chairman of Board of Selectmen. Mr. Suprenant asked if the employee discussed above would be able to use vacation time in place of work assignments if there is a hardship at home. Mr. Haluch said we will await verification paperwork. Mr. Linton said the parking lot at Nick Silva Field is a mud bowl. Can we get that hydroseeded this spring while the kids are off of it until the fall. Mr. Suprenant said we have an annual bid contractor for hydroseeding but if it's that muddy we won't be able to do it. Mr. Haluch said let things dry out. Mr. Suprenant agreed. Mr. Davis asked about the water service boxes on Rood Street. Mr. Suprenant said Springfield Water was supposed to have taken care of milling and replacing the surface. Mr. Haluch said maybe we should not allow any water hookups until we get a commitment. Mr. Suprenant said OK. Mr. Haluch asked about a curb inlet on Vienna Street that was hit in the winter. Mr. Suprenant said he wrote a work order. He will check on it.

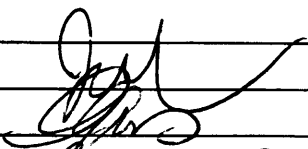
Mr. Linton motion to adjourn at 6:08 P.M. Mr. Davis second. All in favor

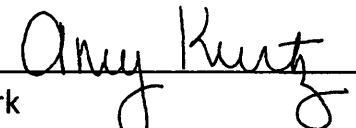
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By:  _____


Clerk

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NOTES ACCEPTED:

Clerk *Amy Kurtz*