

March 19, 2019

The meeting of the Board of Selectmen held on Tuesday, March 19, 2019 beginning at 6:00pm in the Selectmen's Conference Room, Town Hall.

Members Present: Chairman, Manny Silva, Derek DeBarge and Brian Mannix

Members Absent: Carmina Fernandes

First Order of Business: Pledge of Allegiance.

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TOWN OF LUDLOW

Visitations:

Transfer of Liquor License for Germano Inc to Andre & Andre – Public Hearing:

Moved by Mr. DeBarge seconded by Mr. Mannix to open the public hearing on Tuesday, March 19th at 6:02pm. Vote 3-0 all in favor.

Mr. Silva: Welcome Gentlemen. John.

Mr. DaCruz: Just to give you a brief overview Mr. Silva this is an application for a transfer of the Liquor License from Germano Inc. to Andre & Andre Inc. The premise is located at 328 East Street in Ludlow. It's Four Seasons Wines and Liquors. The applicant before you are Jose Andre and his son Dinis Andre. Mr. Andre has owned and operated Four Seasons Liquors in Longmeadow for the past 30 years, his son Dinis has worked there for the last 15 years. So, you've got an experienced operator of a package store license. I have submitted the application, we sent out the notices, one came back already signed, the other two we got the certificates to show that the notices were sent to the abutters. They also obviously as part of their having the other license they are both TIPS certified. I made a copy of their TIP Certifications for you, they go through 2021, um so that's for you. And I think the application should be in order, if there are any questions that the Selectmen have I would be more than happy to answer those questions for you.

Mr. Silva: Any questions from the Board? Is this ours John?

Mrs. Villano: Yes, the folder.

Mr. Mannix: No renovations of the building?

Mr. DaCruz: No everything will remain the same. It's as is.

Mr. DeBarge: Experience, name changes, everything in order, I'm good.

Mr. Silva: Did you separate? Are you leaving the business Germano? Or no? Just a transfer?

Mr. Germano: I am leaving the business.

Mr. Silva: Oh, you are leaving, that's what I figured. Ok we are all set. Just a motion then.

Moved by Mr. DeBarge seconded by Mr. Mannix to approve the transfer of the Liquor License from Germano Inc to Andre & Andre. Vote 3-0 all in favor.

Mr. Silva: Thank you gentlemen.

Mr. DaCruz: Thank you very much.

Moved by Mr. Mannix seconded by Mr. DeBarge to close the hearing at 6:05pm. Vote 3-0 all in favor.

Eric Segundo, Veteran's Agent – Article Discussion:

Mr. Segundo would like to present an Article for the Town Meeting regarding a Veteran's Tax Work-off Program. This is similar to the Senior Abatement, where they can work off a portion of their tax bill. The Veteran's can work up to 125 hours at the State Minimum Wage Rate up to \$1500. Property Tax Credit minus the withholdings will be applied to the participants real estate tax bill for the following fiscal year. This is only for the Veteran, nobody else can work on behalf of the Veteran, unless the Selectmen choose to do that. They will start with up to 10 positions. The property must be owner occupied, current on their property tax payments, complete an application, CORI check, interviewed by

the Veteran's Office and the by the department in which they will be working, all hours must be worked in Ludlow. They will have a probationary period of two weeks. Eligible seniors who are veteran's can elect to participate in either the Senior Abatement Program or the Veteran's Program but not both. Primary consideration will be given to first-time applicants. Participants will only be given credit for the hours worked. Individuals chosen for the program may re-apply in subsequent years. No application is guaranteed. There is no age limit for Veterans in this Program.

Moved by Mr. Mannix seconded by Mr. DeBarge to put the article on the town meeting floor for the Veteran Property Tax Work-off Program Chapter 59 Section 5N. Vote 3-0 all in favor.

BPW – Article Discussion:

The Sewer Enterprise Fund

Two bylaw changes;

Article 5 to see if the town will amend the by-laws of the Town of Ludlow Chapter 2 regulating the conduct of town business by deleting in its entirety Section 27.

Moved by Mr. Mannix seconded by Mr. DeBarge to put the Sewer Enterprise Article in for funds for the lower Cady Street sewer department project. Vote 3-0 all in favor.

Mr. Silva stated to take no action on the two articles for the DPW.

James Carvalho, Casa Pizzeria – Public Hearing – Liquor License Application:

Moved by Mr. DeBarge seconded by Mr. Mannix to open the public hearing at 7:00pm. Vote 3-0 all in favor.

Mr. Silva: Ok. Mr. Carvalho go ahead give us your info on what it is you are looking to do.

Mr. Carvalho: Um, I just basically thought my customers would like the convenience of having some nice wines. I am going to try to do something special with it. It's just a beer and wine license not a lot I can do, but I am going to try to take it a little seriously, maybe bring in some rare wines a couple of standard ones I am going to try to stay away from the cheaper stuff, and kind of get a classier environment going. Same thing with the beers. We sell a Margarita Pizza which is kind of a craft real high-end pizza that is kind of considered a little above, ok a lot above what normally we can get around here. I go out of my way to import ingredients so, I thought with the pizza, even though it is just pizza, it would be nice to let them serve a nice wine. Not anything flashy here, just. They bring in their own wine I guess because it is BYOB. But I always felt uncomfortable with that because you know they are walking around with bottles of wine. So, when I heard the license was available I thought this would probably be a courtesy to my customer. It is not going to make me a lot of money but, it is just a courtesy to the customers.

Mr. Silva: Ok thank you. Any questions?

Mr. DeBarge: Do you have a lot of customers bringing in their own?

Mr. Carvalho: Um, in the last few months it has been getting more and more, yeah.

Mr. Silva: I hope not. Can they bring their own?

Mrs. Villano: Yes, it is BYOB.

Mr. Silva: Oh. That's right. Never mind.

Mr. DeBarge: So lately last month

Mr. Carvalho: When we won the award last year we got extremely popular and so people started dining in the dining room because I made it nice and comfortable. TVs that are playing pictures of television shows about pizza only and Italian stuff. So, yeah to answer your question they have been bringing it in.

I like to kind of restrict that a little bit so, I think if I am selling it I can discourage them from bringing in an entire bottle of wine.

Mrs. Villano: If you have a license they can't.

Mr. Carvalho: They can't do that anymore. That's right. I like that. Oh, is that what you were getting at. I didn't get that.

Mr. DeBarge: Ok that is all I have.

Mr. Mannix: What church is involved here?

Mr. Silva: It's an abutter that's all

Mr. Carvalho: St. John's the Baptist over by um

Mr. Silva: Yeah that's the property next to...

Mr. Mannix: What's the distance of that from your shop.

Mrs. Villano: 500 Feet.

Mr. Silva: I don't have any questions for you. Ellie, we do have a license available obviously.

Mrs. Villano: Yes, we do.

Mr. Silva: Is that the last one we have available?

Mrs. Villano: Yes. The last sit down license.

Mr. Silva: Ok. If there are no more questions, anyone got a motion?

Moved by Mr. DeBarge seconded by Mr. Mannix to approve the liquor license for Mr. James Carvalho and Casa Pizzeria at 325 East Street. Vote 3-0 all in favor.

Moved by Mr. Mannix to adjourn the hearing at 7:06pm. Vote 3-0 all in favor.

Carrie Ribeiro, Human Resource Manager – Reclassification:

Mr. Silva stated that the Board tabled this because the Board needed a little more time and information on the Reclassification before making a motion.

Mrs. Ribeiro stated that the current position isn't a generalist or a coordinator of overseeing of benefits payroll position. This is compliance, labor relations, employee relations and a lot of planning and organizational development versus oversight of benefits administration and payroll.

Mr. Silva stated that this is a position issue has nothing to do with how well the job is being done, it has to do with the position itself, how it has grown, the responsibilities have grown the job itself has gone on to the next level. It should be something we look hard at and it has in fact gone to that level.

Mr. DeBarge stated that he is the one who asked for more time to decide about the reclassification. Mr. DeBarge stated that his goal is to see Human Resources Dept. grow by staff in the future. We must get creative over the next few years. His concern is numbers. A Human Resource Manager should have staff under them. He stated that Longmeadow, E. Longmeadow, Northampton, Andover all have similar number of town employees and their recommendation for the Human Resource Dept. is 4 full time and 4 part time employees with that number of employees in town. Mr. DeBarge stated that he would like Mrs. Ribeiro to have more staff. He would like to have staff added before reclassification.

Mrs. Ribeiro stated that this reclassification is not about the quantity of work it is about the quality and level of work. Those towns Mr. DeBarge mentioned have established Human Resource Depts and they oversee Payroll and Benefits except E. Longmeadow because they are brand new. Having more staff is a goal to work on. Mrs. Ribeiro also stated that one thing that was not in the job description when hired, was the Benefits Administration but she has been involved in the Benefits Administration. Mrs. Ribeiro does agree with Mr. DeBarge about growing the department and there is a plan they are working on.

Moved by Mr. Mannix seconded by Mr. Silva to change the grade level from Grade Level 4 to Grade Level 5 and with the position going from HR Manager to HR Director. Vote 2-1

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Carrie Ribeiro, Human Resource Manager and Ellie Villano, Town Administrator – Health Insurance Plan:

Mrs. Villano stated what she is presenting to the Board is a buy-up plan. Last year when there were design changes done through the PEC Committee there were requests from employees on the possibility of having an ability to have a buy-up added to a better plan. This plan would be strictly voluntary. There will be no increased cost to the town. Before this moves forward, we wanted to present it to the Board to make sure it was something that you are interested in providing for the town. Right now, it is a buy-up plan just for the HMO only.

Moved by Mr. DeBarge seconded by Mr. Mannix to allow this additional voluntary plan of Health Insurance and to move forward. Vote 3-0 all in favor.

Correspondence:

59. Peter M. Ostrowski Inc dba/ A.J. Auto Sales – application for a Class II Motor Vehicle License. Board to schedule a hearing.

Moved by Mr. Mannix seconded by Mr. DeBarge to schedule a hearing for Mr. Ostrowski dba/ A.J. Auto Sales. Vote 3-0 all in favor.

60. Deacon Thomas M. Rickson, St. Elizabeth Parish – requesting a Special One-Day Permit for the Marriage Dinner/Dance on Saturday, April 6, 2019 from 4:00pm- 11:00pm at St. John's Pastoral Center. Does the Board wish to waive the fee?

Moved by Mr. Mannix seconded by Mr. DeBarge to approve the Special One-Day Permit for the Marriage Dinner/Dance on Saturday, April 6, 2019 at St. John's Pastoral Center and to waive the fee. Vote 3-0 all in favor.

61. Charles D. Baker, Governor – MassDoT informing the Board that the Chapter 90 apportionment for FY20 for the Town of Ludlow is \$696,635.00.

Moved by Mr. Mannix seconded by Mr. DeBarge to file it with the numbers Mr. Haluch gave us. Vote 3-0 all in favor.

62. Sean McBride, Chairman Westover Golf Commission – requesting the Board to fill the open vacancy for a new commissioner on the Westover Golf Commission.

Moved by Mr. Mannix seconded by Mr. DeBarge to post the position of Golf Course Commissioner for Westover Golf Course and fill it as soon as possible. Vote 3-0 all in favor.

63. Melinda Kinney, Senior Director, Government Affairs Charter Communications – informing the Board of the Annual Form 500 (complaint/outage report) for 2018.

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

64. Melinda Kinney, Senior Director, Government Affairs Charter Communications – informing the Board of a change in the channel line-up.

Moved by Mr. Mannix seconded by Mr. DeBarge to file and also request that Ms. Kinney come in here and start explaining some of these things. Vote 3-0 all in favor.

65. Chief Paul Madera, Ludlow Police Dept – 2018 Monthly Crime Brief for the Months of June, July, August, Sept and Oct.

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

66. Kim M. Batista, Town Clerk – informing the Boards/Committees that they must reorganize after the Town Elections.

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

67. Steve Lottman, Divisional Controller, Charter Communications – Summary of the Annual Franchise Fee payment for January 1, 2018 – December 31, 2018 for Charter Communications.

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

68. Carrie Ribeiro, Human Resource Manager – requesting to charge off medical expenses and lost wages to Chapter 41 Sec 111F for an injury sustained to a firefighter on February 20, 2019 and a Police Officer on January 18, 2019.

Moved by Mr. DeBarge seconded by Mr. Mannix to approve the request to charge off medical bills and lost wages to Chapter 41 Sec 111F for an injury sustained to a firefighter on February 20, 2019 and a Police Officer on January 18, 2019. Vote 3-0 all in favor.

69. Louis Martin, Associate Director, Dept of Housing & Community Development – The Town of Ludlow Housing Production Plan has been approved effective March 8, 2019.

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

Unfinished Business:

Board to discuss and insert the Warrant Articles for the May 13th Special Town Meeting within the Annual.

Mrs. Villano stated that the articles are the unpaid bills, the Council on Aging Van, Police Chief is requesting an article to fund the short fall in his overtime budget. An article to amend the composition of the Senior Center Building Committee. They are looking to expand the size of the committee by two more citizens or to re-arrange the composition of that committee. There is also an article to transfer \$159,909.99 from the insurance line item to fund one of the capital projects. One of the items that is up in front of capital planning is a dump truck that was totaled, and the insurance paid it off and now in order to repurchase they need the funds to be transferred over. There is an article to fund the cost associated with the upgrade with the telephone and paging system for the central dispatch project.

Moved by Mr. DeBarge seconded by Mr. Mannix to insert the articles into the Special Town Meeting Warrant at the Annual Town Meeting. Vote 3-0 all in favor.

Board to close the Special Town Meeting Warrant and the Annual Town Meeting Warrant.

Moved by Mr. Mannix seconded by Mr. DeBarge to close the Special Town Meeting Warrant. Vote 3-0 all in favor.

Board to sign the Special One Day Permit for St. Elizabeth's Marriage Dinner Dance on April 6, 2019 from 4pm – 11pm at St. John's Pastoral Center, if approved.

Board to approve and sign the Selectmen's Meeting Minutes of January 22, 2019.

Moved by Mr. DeBarge seconded by Mr. Mannix to approve the Selectmen Minutes for the Board of Selectmen meeting on Tuesday, January 22, 2019 with all members present except for Mrs. Fernandes. Vote 3-0 all in favor.

Board to approve and sign the Selectmen's Meeting Minutes of February 5, 2019.

Moved by Mr. DeBarge seconded by Mr. Mannix to accept the meeting minutes for the Board of Selectmen Meeting held on Tuesday, February 5, 2019 with all members present except for Mr. Mannix.

Minutes will be tabled until the April 2nd meeting.

Board to approve and sign Selectmen's Executive Session Minutes of January 22, 2019.

Moved by Mr. DeBarge seconded by Mr. Mannix to accept the Executive Session Minutes held on Tuesday, January 22, 2019 with all members present except for Mrs. Fernandes. Vote 3-0 all in favor.

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Board to approve and sign Selectmen's Executive Session Minutes of February 19, 2019.

Moved by Mr. DeBarge seconded by Mr. Mannix to accept the Executive Session Minutes of the Board of Selectmen held on Tuesday, February 19, 2019 with all members present. Vote 3-0 all in favor.

New Business:

Board to approve and sign the Memorandum of Agreement between the Ludlow Police Supervisors and the Town of Ludlow.

Moved by Mr. DeBarge to approve and sign the Memorandum of Agreement between the Ludlow Police Supervisors and the Town of Ludlow. Vote 3-0 all in favor.

Board to approve and Chairman to sign the Ambulance Service License Application.

Moved by Mr. Mannix to have the Chairman sign and approve the Ambulance Service License Application. Vote 3-0 all in favor.

Board to approve the Amendment to the Expense Reimbursement Policy in the Personnel Policy Manual.

Moved by Mr. DeBarge seconded by Mr. Mannix to approve the Amendment to the Expense Reimbursement Policy in the Personnel Policy Manual. Vote 3-0 all in favor.

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

Board to peruse Selectmen's Executive Session Minutes of March 5, 2019

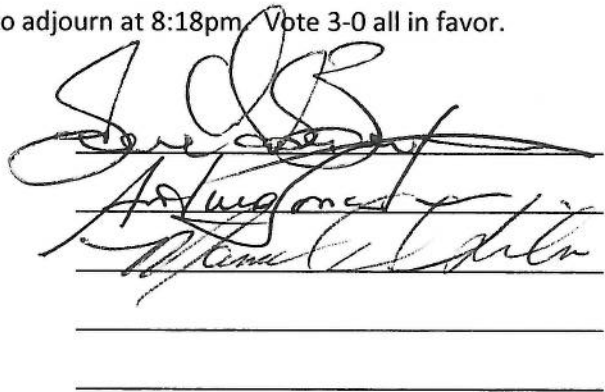
Closing Comments:

Mr. Silva thanked Mr. Mannix on behalf of the taxpayers of Ludlow. He has always looked out for their best interest. Mr. DeBarge wished Mr. Mannix the best of luck.

Mr. DeBarge wished Mr. Mannix the best on his travels. He also thanked Mr. Mannix for his service to the town for so many years as a Police Officer and his time as a Selectmen.

Mr. Mannix thanked his fellow Selectmen, the staff in the Selectmen's office and the Town Administrator. He also thanked the Town of Ludlow for their support.

Moved by Mr. Mannix seconded by Mr. DeBarge to adjourn at 8:18pm. Vote 3-0 all in favor.

The image shows three handwritten signatures in black ink, stacked vertically. The signatures are written over three horizontal lines. The first signature is the most prominent and appears to be 'J. DeBarge'. The second signature is 'Mr. Mannix'. The third signature is less legible but appears to be 'Mr. Silva'. Below the third signature, there are two more empty horizontal lines.

Ludlow Board of Selectmen

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