

The Meeting of the Board of Selectmen held on Tuesday, April 2, 2024, began at 5:30 p.m. in the Board of Selectmen's Conference Room.

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

First Order of Business: The Pledge of Allegiance

Board to Reorganize.

Mr. Gennette: I'm going to thank Mr. DeBarge for his strength and support this year. I appreciate everything you've done for me.

Motion made by Mr. Goncalves to nominate Derek DeBarge for Chairman of the Board of Selectmen. Mr. Rosenblum second. All in favor. Motion passed 5-0.

Motion made by Mr. Goncalves to nominate Manny Silva for Vice-Chairman of the Board of Selectmen. Mr. Gennette second. All in favor. Motion passed 5-0.

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CORRESPONDENCE

217. Steve Lottman, Senior Director, Revenue Accounting, Charter Communications – Check in the amount of \$305,852.16 for PEG Access Annual franchise fee pursuant to Section 13.4 of the License between the Town of Ludlow and Charter Communications from January 1, 2023 through December 31, 2023.

Mr. Gennette: Is this the same fee as normal? Unchanged?

Mr. Goncalves: It's X amount of dollars per subscriber based on just cable service. We don't get paid for internet or movies, HBO, Showtime, etc.

Motion made by Mr. Gennette to accept the check in the amount of \$305,852.16 for PEG Access Annual franchise fee pursuant to Section 13.4 of the License between the Town of Ludlow and Charter Communications from January 1, 2023 through December 31, 2023. Mr. Rosenblum second. All in favor. Motion passed 5-0.

218. Lily Canoa, Resident – Requesting the Board to appoint her as an Unenrolled Poll Worker, Kim Batista, Clerk, has recommended her approval.

Motion made by Mr. Rosenblum to appoint Lily Canoa as an Unenrolled Poll Worker as recommended by the Town Clerk. Mr. Silva second. All in favor. Motion passed 5-0.

VISITATIONS

5:35 p.m. – Ludlow Country Club – Change of Directors Approval – Public Hearing.

Motion made by Mr. Rosenblum to open the public hearing for the change of directors for the Ludlow Country Club at 5:35 p.m. Mr. Gennette second. All in favor. Motion passed 5-0.

Mr. DeBarge: I went through the paperwork and it looked like Directors, Managers, I don't have any questions. Do you have anything for us?

Mr. Ferris: No. I think it was getting everything in line.

Mr. Silva: Who is going to be the bar manager? He's ultimately the person responsible for the license.

Mr. Ferris: Tony Tavares. He owns the license for both the bar and the shack.

Motion made by Mr. Goncalves to approve and accept the change of managers as submitted by Mr. Ferris. Mr. Rosenblum second. All in favor. Motion passed 5-0.

Mr. Goncalves: For the viewing audience do you want us to read everybody?

Mr. Ferris: No, I think it was more important that you understand who is the Board and who holds the license.

Motion made by Mr. Rosenblum to close the public hearing for change of Directors at Ludlow Country Club at 5:36 p.m. **Mr. Silva second. All in favor. Motion passed 5-0.**

CORRESPONDENCE

219. Chief Pease – Request to charge off medical expenses and lost wages to Chapter 41, Section 111F for an injury sustained by a Firefighter/Paramedic as a result of an incident that occurred on March 20, 2024.

Motion made by Mr. Rosenblum to accept charging off medical expenses and lost wages to Chapter 41, Section 111F for an injury sustained by a Firefighter/Paramedic as a result of an incident that occurred on March 20, 2024. **Mr. Gennette second. All in favor. Motion passed 5-0.**

220. Chief Pease - Request to charge off medical expenses and lost wages to Chapter 41, Section 111F for an injury sustained by a Firefighter/Paramedic as a result of an incident that occurred on March 22, 2024.

Motion made by Mr. Rosenblum to accept charging off medical expenses and lost wages to Chapter 41, Section 111F for an injury sustained by a Firefighter/Paramedic as a result of an incident that occurred on March 22, 2024. **Mr. Goncalves second. All in favor. Motion passed 5-0.**

221. School Committee Reorganization.

Mr. DeBarge: The reorganization of the School Committee is as follows. Chair Sarah Bowler, Vice-Chair Jeff Laing, Secretary Jeff Stratton, Members Ron Saloio and Joao Dias. Thank you for serving and congratulations to the reorganization. I look forward to a dialogue with the Chair.

Motion made by Mr. Goncalves to file. **Mr. Silva second. All in favor. Motion passed 5-0.**

222. Board of Assessors Reorganization.

Mr. DeBarge: Michael O'Rourke Chairman, Antonio Rosa and John Urban Members.

Motion made by Mr. Goncalves to file. **Mr. Gennette second. All in favor. Motion passed 5-0.**

223. Planning Board Reorganization.

Mr. DeBarge: Ray Phoenix Chair, Joel Silva Vice Chair, Joe Queiroga Secretary, Josh Carpenter Member, Chris Coelho Member and Kathy Houle Associate Member.

Mr. Silva: We may want to go back to the Assessors. I believe they have to have a secretary. Maybe they dissolved that too.

Motion made by Mr. Rosenblum to file. **Mr. Silva second. All in favor. Motion passed 5-0.**

UNFINISHED BUSINESS

Board to sign the LLA Certification form for Ludlow Country Club, if approved.

Motion made by Mr. Goncalves to approve and sign the amended authority for Ludlow Country Club. **Mr. Gennette second. All in favor. Motion passed 5-0.**

Board to sign Town Administrator's contract extension.

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Mr. Silva: We have discussed this. We have gone back and forth and all parties including attorneys have agreed, Marc has agreed.

Motion made by Mr. Silva to sign the Town Administrator's contract. Mr. Goncalves second. All in favor. Motion passed 5-0.

Mr. DeBarge: For those watching, the contract extension was not only necessary but also very important to the process of the possible change in government through the Charter Committee change.

Board to approve and sign Selectmen Meeting Minutes for March 19, 2024.

Motion made by Mr. Goncalves to approve and sign the Selectmen minutes for the meeting of Tuesday March 19, 2024 with all members present. Mr. Gennette second. All in favor. Motion passed 5-0.

Board to approve and sign Executive Session Minutes for March 22, 2024.

Motion made by Mr. Goncalves to approve and sign Executive Session minutes with all members present. Mr. Silva second. All in favor. Motion passed 5-0.

Board to review and discuss Town Meeting and Special Town Meeting warrants.

Mr. Silva: It's been common practice that we have the Administrator give the articles that are cut and dry so if he gives us those numbers we can just check them off and approve them all at once.

Mr. Strange: For the record, I don't think we went over the Special Town Meeting warrant at the last meeting so this is the first time it's in front of you. Article 1 is unpaid bills. That's an annual article. Article 2 is the Police overtime. It's been in the last few Special Town Meeting articles. I did reach out to the Chief to get a number from him for what he's going to need for overtime. He's on vacation this week but we should have it sometime next week. Article 3 is fiscal year 23 snow and ice deficit. Typically, this is in the operating budget but in order to mitigate our budget deficit we plucked it out of the operating budget and we're paying it from free cash. This is one of those anomalous areas where the State does allow you to overspend on this particular line item and raise it on the recap.

Mr. Gennette: On the top of this isn't this the Annual Town Meeting not Special Town Meeting?

Mr. Strange: It's the Special Town Meeting within the Annual Town Meeting. The Annual starts at 7:30 and there's a break for the Special. Article 1 is the same as it is every year, the Town Officer reports. Article 2 is the Town Committee reports. Article 3 is the fiscal year 2025 budget, which we're still working on. Article 4 are the revolving funds. Article 4 is new. The \$500,000 appropriation from free cash for the park grant. This is a prerequisite for the Town to apply for the park grant. We need to show the State that the Town is committed to spending this money and once we get approved it gets spent. It's reimbursable. We get reimbursed \$500,000 assuming the project is going to cost more than \$500,000, which it probably will. Then that \$500,000 will get put back into free cash.

Mr. Goncalves: How do we make it certain that it goes to free cash?

Mr. Strange: We'd have to create an expense and revenue account. We'd have to deficit spend on the expense account and then there would be a surplus on the revenue account. As long as we don't touch it, it closes out the free cash.

Mr. DeBarge: What if we're not awarded the grant?

Mr. Strange: This is mute. The old article 5 was Celebrate Ludlow. We took that out because apparently it's not going on in fiscal 25 because of the 250th. Article 6 is the Commission on Disability. This is an annual article. Article 7 is Veteran's Park master planning. I got a call from Tony DaCruz as I was coming in here and we should be getting a proposal from Tighe & Bond.

Mr. Gennette: The Commission on Disability, we have to vote on this every year? This can't be part of the budget like every other department?

Mr. Strange: It's the way it was when I came in.

Mr. Gennette: It was brand new when you came in.

Mr. Strange: We could put it in the budget. It's really up to you guys.

Mr. Rosenblum: Could we put wording in this to say it is article 6 now but it will be permanently installed into the budget? That way we don't need to do it as an article.

Mr. Strange: We can just put it in the budget. We're already in \$450,000 deficit. Assuming we have a way to bridge that gap. We can just take this out and put it in the operating budget. We can do that if that's what you guys want to do.

Mr. Gennette: It seems ridiculous to do this every year. If they haven't been using \$4,900 then what they've been using is fine. I thought they used \$3,500 last year. If that's the case, leave it \$3,500. They're not going to need \$4,900.

Mr. DeBarge: I would assume if you want to take this out and put it in the operating budget you're going to need a motion for that.

Mr. Strange: I don't think so. Every year you guys have to vote to allocate free cash for this particular purpose. If you're not going to do that we'll take out the article and we'll pop into whatever that amount is to the operating budget.

Mr. Gennette: Perfect. Thank you.

Mr. Strange: Article 8 is appropriation of Chapter 90 funds. That's an annual article, as is article 9, to authorize the Board to enter into contracts with Mass DOT to do work on our public roads. Article 10 is our fiscal 25 capital improvement projects. Article 11 is our capital improvement projects for fiscal 25 for the Westover Golf Course. That was the first-time last year we separate them because the golf course is an enterprise fund. Article 12 is the FinCom Reserve Fund, again an annual article. Article 13 is also a repeater, the Building Infrastructure Fund. Article 14 as well, the Stabilization Fund. This year the appropriation is \$300,000 as opposed to a million as it's been in previous years because we finally hit our 7-9% target amount. I think we were at 6.4 million and this will put us at 6.7 million and then whatever interest we get. Article 15 is OPEB. There was \$100,000 in the operating budget in the Treasurer's Department. We took that \$100,000 as a nod to the budget deficit so there's \$200,000 coming out of free cash. We haven't been funding OPEB and the rating agencies like to see that. Article 16 is appropriation for the 250th Committee and celebration. Article 17 is the opioid funds. I tried to explain this last time. We had these funds we received from the settlement in fiscal 23 but there was nowhere to put them so they closed out the free cash and now we have a special revenue fund specifically for opioid funds and this would be a transfer from free cash in the amount we received to the special revenue fund.

Mr. Goncalves: My understanding is that everybody is in process of submitting their requests.

Mr. Strange: April 16.

Mr. Goncalves: So, we're going to be looking at that in a couple of weeks.

Mr. Strange: You already approved \$30,000 for CARES. On April 16th we have a proposal from Dias and the Department of Health will be in. Article 18 is the public safety HVAC project came in higher than expected so this would be an increase in the bond amount by \$400,000. Article 19 is the East Street solar PILOT with Ludlow Renewables. That would authorize the Board to enter into negotiations with Ludlow Renewables for the PILOT. Article 20 is the Center Street battery storage PILOT. This is a new one. This would be a 500-600-megawatt battery storage facility. The initial proposal was \$5,000/megawatt. That's 2.5 million/year in extra revenue for the Town which would be significant. They met with the Planning Board, Fire Department, Police Department and it sounds like they're ready to go. They want to get the PILOT signed and worked

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out by the end of this year with construction in 2026. There's a long permitting process with the State and ISO in terms of infrastructure but that's the plan right now.

Mr. Gennette: I did a little bit of research on the battery storage and they look like they're pretty safe and I think that's a consideration, what the safety would look like going forward. The reason they're putting it there is it's right across from the substation. They can tie in right across the street from the substation. The only thing I asked was if we had some kind of cataclysmic event right there, what would the impact be to the reservoir, which is really close. The answer I got back was the reservoir is higher than where they're putting it. They're not concerned about leaching and the safety elements that are put in place for these is pretty solid. I'd like to get some more information about it but it's encouraging.

Mr. Silva: I was at the meeting they had with the Planning Board and initially everybody had reservations but what they showed and how they explained everything, they had an answer for everything. There's no disadvantages right now that I heard and they were talking significant income to the community. This is exactly what we need to keep our tax rate down and hopefully 5 million dollars will reduce it a little bit. Unfortunately, this is one of the industries that not everybody would want but it's something. I believe they have 8 projects right now going at the same time and it's huge. I didn't see anything that would be detrimental.

Mr. Strange: Article 21 is the radio communications bond surplus transfer. The overall expenditures for the communications system came in \$469,000 under budget. The proposal right now is to reallocate those funds for Millside Drive. Millside Drive looks like it's going to be coming in close to budget. This might be a last minute unless we find something out in the next 2 weeks. This might be a last-minute change but we wanted to put it in there and have it tee'd up in case we need it.

Mr. Goncalves: Can we change this to include the track & field?

Mr. Strange: Yes.

Mr. Goncalves: If we don't need it there and our backs are against the wall here we'll be able to move it here and not have to go back to anybody.

Mr. DeBarge: And we're able to do that?

Mr. Strange: I think so. As long as the life expectancy of the project that's going to be receiving the funds is the same or longer than Millside Drive.

Mr. DeBarge: That will probably come up in conversation.

Mr. Rosenblum: Could it be coupled with Vets Park?

Mr. Strange: Yes.

Mr. Rosenblum: It could be a fund that goes into open space. With the track & field if it's something that goes towards maintenance and other things, for Vets Park if we're going for \$500,000 and it ends up being more this could be a fund that goes 2 ways.

Mr. Goncalves: Can it be worded towards Millside Drive and in the event it's not necessary to be used at our discretion for any public park or fields or open space in Town?

Mr. Strange: I can check with counsel. I don't see why not. There might be some language tweaks there but we can ask them.

Mr. Goncalves: Just so we're not going back and forth. So, it's as wide open as possible.

Mr. DeBarge: What would be the benefit to not use this money and turn it back?

Mr. Goncalves: Save \$15-\$20,000/year in interest payments.

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Mr. Strange: Article 22 after a long time we finally secured a weights & measures person. They're getting up to speed now. The allocation we had previously was for \$4,600 and that's part of the reason we lost our weights & measures person. The person in Chicopee was covering Ludlow but it didn't make financial sense for him to do that. We reached out to the consultant that does Wilbraham and Palmer and he's helped us out here in the interim when we've been without a weights & measures person. They do \$11,000 in Palmer so we bumped it up to \$18,000. The thought was increase the weights & measures fees, which typically come in around \$4,000 when we were doing them consistently. If we double that it will at least mitigate the cost of instead of \$12- \$16,000 out of pocket it would be \$8,000 out of pocket.

Mr. Goncalves: How much are we going to pay this person?

Mr. Strange: It's an \$18,000 stipend.

Mr. DeBarge: We're going to stop here as it is 6:00 and go into our Piney Lane public hearing.

VISITATIONS

6:00 p.m. - Board to consider the laying out of Piney Lane as a public way as shown on a plan entitled "Alteration Plan of Piney Lane in the Town of Ludlow, MA" prepared for the Town of Ludlow, prepared by C&C Consulting Engineers, LLC, and shown on a plan entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Piney Lane Bridge No. L-16-026 in the Town of Ludlow Hampden County, Preliminary Right of Way Plans", also prepared by C&C Consulting Engineers, LLC, comprised of seven (7) total sheets, originally dated March 11, 2022 and revised through February 8, 2024" **PUBLIC HEARING**

Motion made by Mr. Rosenblum to open the laying out of Piney Lane as a public way public hearing at 6:02 p.m. **Mr. Gennette second. All in favor. Motion passed 5-0.**

Mr. Silva: This is a hearing. Were the abutters all notified? And yet we have none? And we had quite a discussion last meeting because we had to postpone it.

Mr. Strange: That was for the liquor?

Mr. Silva: No, it was for Piney Lane and we had to postpone it and a couple residents were very upset that it was being postponed. We postponed because things weren't up to snuff yet with DOR and all that. I figured we'd have some people here with questions and making sure it does proceed. Everybody that goes over that road should be concerned.

Mr. DeBarge: The Planning Board voted 5-0 to approve this. That certificate of vote, that's what needs to be read?

Mr. Strange: No. You have to vote to approve the layout and sign the certificate of vote.

Mr. Silva: I believe this is a little more than we're used to, as far as the plans and all the things that have come forth. I believe the State is taking care of most of it.

Mr. Strange: It's a federally funded project so the bureaucracy kicks in quite a bit.

Mr. Silva: If the Planning Board is ok with it what can we do?

Motion made by Mr. Gennette to approve the layout of Piney Lane as shown on the plan entitled "Alteration Plan of Piney Lane in the Town of Ludlow, MA" prepared for the Town of Ludlow, prepared by C&C Consulting Engineers, LLC, and shown on a plan entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Piney Lane Bridge No. L-16-026 in the Town of Ludlow Hampden County, Preliminary Right of Way Plans", also prepared by C&C Consulting Engineers, LLC, comprised of seven (7) total sheets, originally dated March 11, 2022 and revised through February 8, 2024". **Mr. Rosenblum second. Mr. Goncalves abstain. Motion passed 4-0-1.**

Motion made by Mr. Rosenblum to close the hearing out of Piney Lane as a public way at 6:06 p.m. **Mr. Gennette second. All in favor. Motion passed 5-0.**

Mr. Silva: Can we go back to article 19? I still have an issue. If you read the article the way it's written, the Board of Selectmen is responsible for the negotiations and all of that with the PILOT and I don't recall anything coming before us other than the agreement. I used to make the agreement with the company but I would bring it to the Selectmen and say here's where we're at. We're going to receive this for so many years, is this something agreeable.

Mr. Goncalves: We're not accepting this.

Mr. Silva: I know. They're giving us the authority and I went back and read it again. We're getting the authority to negotiate unless we designate the Board of Assessors or somebody to negotiate for us.

Mr. Strange: I think you guys should negotiate it.

Mr. DeBarge: I'd love to have you 2 do that.

Mr. Silva: Sometimes we would discuss it and say we don't think this is enough. The article is fine. If the article is giving us authority to negotiate I think we should be a little more involved.

Mr. Strange: Article 23 is the Piney Lane bridge conveyance article. Lots of legalese there, hopefully you understand all of it. Town counsel will be at Town Meeting in case Article 24 is the amendment to the Senior Citizen property abatement program.

Mr. Gennette: The age of these participants, I believe right before I came on the Board went from 70 to 62. It seems to me people the age of 62 can still find other means to generate some revenue.

Mr. Strange: Are you saying propose to increase the age?

Mr. Gennette: Yes, at least to 65.

Mr. Silva: I've always been on the side of the senior citizens. Anything we can do for the seniors is crucial right now. Things are so expensive so if they get a little break...

Mr. Goncalves: The problem is there's an explanation in this article that they're not getting anywhere near the capacity, so maybe getting it to 62 we're going to open it up to other people if there's room in the program.

Mr. Silva: That was one of my contentions as well. We had 75, which was unheard of. I had 22 and other communities have 25. I came to Ludlow with 75. Let's not employ somebody to come in here and dust the furniture. We're supposed to employ somebody that is going to help with certain jobs. The Senior Center had a lottery and I came in and talked to you and it doesn't seem right to me that you have a lottery because if you need somebody to do something and you have a lottery and a person has no clue what they're doing. It's supposed to be specific. We would see what their previous work was and they'd really help out. It's not worth having them come in and you have to train them. I'm willing to give them what they need as far as the wages.

Mr. Strange: It's tied into the minimum wage. We increased the hours but I didn't put it in because the hours was not in the bylaw. The exemption cannot be more than minimum wage.

Mr. Silva: We also have to make sure the Assessors hold the overlay for it. They have to leave this money in the overlay and not get into a deficit.

Mr. Gennette: Just to clarify on this article, what we're talking about is dropping from 75 to 60 slots because they're not filled now and increasing from \$750 abatement to \$900. That's what the purpose of this is. I completely agree with that. I'm just asking at some point, maybe next year, we review what that age is and see if we have anybody participating at 62. It seems to me this is meant to help the senior curb their cost a little bit, not meant to drive labor in the Town. It seems it would benefit seniors at 65 and older rather than 62. At 62 most people are still able to work.

Mr. Silva: Most of these things come from the State. They give you limits and communities can go to the full limit allowed or they can adjust their own community.

Mr. Gennette: Let's get the information and see where we're at.

Mr. DeBarge: We had a similar article in 2019, lower the number and bump up the cost and it was defeated. When the seniors hear you're lowering the number of volunteers they get nervous. We're just going to have to explain it.

Mr. Goncalves: I think 62 is directed at the idea that the Federal Government allows people to retire at 62. Whether they can work or not work the idea would be that at 62 they can go on retirement and this gives anybody that is on retirement an opportunity to make a couple extra bucks and help out.

Mr. DeBarge: Income is taken into account too.

Mr. Silva: The other part is Chapter 41C and 17D, those are where they really need them.

Mr. Rosenblum: I would prefer to keep it where it is instead of jumping the number around. Then you give something but you're taking it away. There could be a person that's 63 that's getting it.

Mr. Gennette: There would have to be some kind of grandfather clause in it.

Mr. Rosenblum: I think fluctuating the number a lot, maybe it's reviewable every 3-5 years. I think it's jumping based on the numbers from year to year.

Mr. Strange: There's a committee made of up of the library director, senior center director, Town Accountant, and the school is represented. There was a discussion about this and this came from them because they're finding it very hard, putting people in a spot where they're going to contribute even though the point is to give them an opportunity to knock some money off of their tax bill. We still want to have a good match and it seems like in years past with 75 a lot of them get placed in the Senior Center and Jodi has a tough time employing everybody, as does Melissa.

VISITATIONS

6:15 p.m. – Liquor License transfer from Tahir Humayun dba E-Z Shop Convenience to USAVE Food Store, LLC (Awais Kamran) – **PUBLIC HEARING (Continuance)**

Mr. Rosenblum: This is a continuance so the hearing is already open.

Mr. DeBarge: The last time you were here we explained to you we could not do the transfer of the license for a few reasons. One was owner to owner transfer to you we could not do to you because you are not a US citizen. It can't be done. The abutters were not notified, which I see you do have some, and also a CORI check of the manager.

Mr. Kamran: I have 3, but only 2 came.

Mr. Silva: If there's one missing they didn't go get it but if he's got notification that it was sent that's all that's required. Proof of mailing is all you need.

Mr. Strange: We reached out to town counsel and asked them about this situation because last time the discussion was that even though the applicant is not a US citizen the manager is. Town counsel's opinion is even though the manager is a US citizen they cannot act as an agent for a non-citizen. We followed up with ABCC and they agreed. They said even if the Board approves the transfer they will deny it.

Mr. DeBarge: Do you understand that sir?

Mr. Kamran: Yes.

Mr. DeBarge: Are you in the process of trying to get your citizenship?

Mr. Kamran: I have a work permit.

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Mr. DeBarge: We're not able to transfer the ownership to you without you having your citizenship. Where you go from here I don't have the answer.

Mr. Goncalves: You're certainly welcome to file these applications anytime without legal counsel but I would advise you to get an attorney to help you out with this. There seems to be a disconnect on the legality of it vs what you're to accomplish.

Mr. Kamran: I talked to an attorney but he asked me for \$10,000.

Mr. Silva: You're a sole owner? Do you have a wife? Is your wife an owner?

Mr. Kamran: Just me.

Mr. Silva: If she was a citizen and she was part owner she could.

Mr. Kamran: She's not.

Mr. Strange: The other complicating factor is the existing owner of the license has recently passed away. I'm not sure how that impacts the ownership of the license. We have not had a chance to reach out to ABCC yet.

Mr. Kamran: It was last Thursday.

Mr. DeBarge: I'm sorry to hear that fee from the attorney is so high but I have to agree with Mr. Goncalves. I couldn't give any advice sitting where I'm sitting other than to have legal counsel direct you where to go. I wish we could help you in another way but we can't.

Mr. Goncalves: Maybe shop around and you can find somebody a little bit cheaper.

Mr. Kamran: I already talked to 2-3 lawyers. I've been recommended to John DaCruz in Ludlow and he said it's going to take 3-4 months. I can't pay \$10,000. It's too much money.

Mr. Gennette: Is there a time frame on this to act on before something happens to it? In terms of his license and everything?

Mr. Strange: We have to figure that out with the ABCC.

Mr. Goncalves: We're going to have to have town counsel talk to the ABCC and see where we are with this.

Mr. Rosenblum: If there's a will that bequeaths it to someone else or it goes to probate?

Mr. Goncalves: There's a reasonable period of time they're going to have to move it to somebody that's qualified to hold it.

Mr. Rosenblum: How far along are you in the citizenship? Do you have a time frame?

Mr. Goncalves: You have a work permit so that's going to take some time.

Mr. Gennette: That's your fastest way into this if you're not to get a lawyer is to become a US citizen. I agree with Mr. Goncalves. You need some kind of representation. We can't move. We're bound by law on our side too. We can only do so much work for you. We would love to be able to help you out, especially with the situation you're in but we're bound by law too.

Mr. Kamran: It's not going to transfer to her? She is a citizen. She's going to be manager for the license.

Mr. Gennette: You're the owner.

Mr. Silva: The only thing you can do in that case is transfer the ownership to her. If you transfer ownership to her, have some kind of agreement. I'm not a lawyer. You have to talk to a lawyer but

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I've seen it done before where you transfer ownership and there's a backup document in case it comes back to you.

Mr. Kamran: This is going to be too much for me. I already spent money there. It's not too much business. It's better if you work under somebody. I worked 5 years in Boston and the only reason I moved here was for kids. I have to go every day an hour and a half. I have to buy this one so we work together.

Mr. DeBarge: We're very sympathetic. So, citizenship or get some help that won't cost you that much. That's where we have to stop.

Mr. Goncalves: Even if we said OK, 2-3 months from now the State is going to say no and we would have gave you false hope.

Mr. Kamran: I talked to people who have a beer & wine license in Rockland and he told me I am going to be 100% owner but beer license if for manager that is US citizen. My lawyer told me the same thing. That's why I resubmitted the application and I can't afford to give money to the lawyer.

Mr. DeBarge: We're told by our attorneys that we cannot do this, nor by the State that holds the authority over the alcohol licenses that we cannot do this.

Mr. Gennette: Can the AG office help him?

Mr. Strange: No. I don't see the AG's office voluntarily trumping the ABCC. It literally says all this on the application.

Mr. Goncalves: Maybe the SBA will have some free counsel.

Mr. Kamran: I can call the brother because he already did a license.

Mr. DeBarge: Not now. We have other business. This isn't something we can remedy tonight.

Mr. Strange: You can have him call me tomorrow at the office. I'm happy to talk to him.

Mr. Gennette: Our Board is frozen where we are until you can figure out your way. If Marc is willing to answer questions that's up to him.

Mr. Silva: Instead of closing I think we should do a continuation for 6 months. Because of the death of the license holder, it's going to take that long.

Mr. Goncalves: As long as there's no automatic approval if we don't act.

Mr. Gennette: Why don't we keep it open?

Mr. Silva: Because he's going to have to recertify.

Mr. Strange: It would be a whole new application process regardless.

Motion made by Mr. Goncalves to close the public hearing at 6:30 on the USAVE liquor license transfer. Mr. Gennette second. All in favor. Motion passed 5-0.

Motion made by Mr. Goncalves to deny the transfer of license based on inadequate information on the transferees. Mr. Gennette second. All in favor. Motion passed 5-0.

6:30 p.m. – FY25 Budget Discussion – **PUBLIC HEARING.**

Motion made by Mr. Rosenblum to open the public hearing for FY25 budget discussion at 6:32 p.m. Mr. Gennette second. All in favor. Motion passed 5-0.

Mr. Strange: A public hearing isn't a statutory requirement but we thought it was a nod to transparency, to allow the public to come in if they have questions, comments, or concerns. To be able to have some type of discourse with them. There isn't much of an update since the last time

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we talked. We're still about \$450,000 in the hole. We've been working with Waste Management and they provided 3- & 5-year proposals starting July 1, 2024 and July 1, 2025. They provided every possible iteration of keeping it manual, dual stream going to single stream and the whole purpose of that is to try to find some savings for fiscal 25. They came back with \$100,000 savings for fiscal 25 but we would have to engage with them for the next 3-5 years. That will be a separate discussion later on. Friday we have Dowd coming in to give us the results from the health insurance evaluation to see if they would be able to save us money for fiscal 25. After Friday we'll have a little bit better idea where we're going to be with this. We've also offered an insurance buyback program for our employees. Any employee who has health insurance through the Town we've offered a buyback for them. If they have a spouse or another way to get verifiable health insurance then we would give them a buy back and that would save us quite a bit of money for each individual employee that's on the plans. Nothing has really changed.

Mr. Goncalves: The school was able to find their money I understand.

Mr. Rosenblum: Besides seeing it on social media, it hasn't been in the Register or anything, the School Department was able to find level funding this year. They found 1.3 million dollars to get them to level funding at 3%. I'd like to congratulate them on that. This is nothing towards their Board or School Department but I think if we didn't press them on the ESSR funding, that's probably where the \$400,000 was they found in a revolving fund. I'm cautious about next year. It's level funded this year, what's it going to be next year. I did see that question come up from one of their School Committee members. That ESSR funding was said at one point to be done at around 3 million dollars when they really had another 1.7. It wasn't there. They did find that it was spent. I think that was something that got lost in translation between administrations. Between Dr. Tiano coming in and that might have been something they didn't see at that point. At one of the meetings the School Committee had there was a question about budget to level funding, which they will be able to do.

Mr. Silva: What's level funding? They're getting 3% increase.

Mr. Rosenblum: I'm sorry, level services. Apparently there was a good amount of teachers that were let go but they gave back \$300,000. The question is why everyone looks at our Board and says give the schools money but no one asks how they spend it. It's the same with many school departments. By law they have certain ways they can move money. We can't be blind to that fact so when we get to a point with this new charter, there's going to be a City Councilor who will sit on the School Committee as a voting member. The transparency needs to be there. I don't want to say this Board or School Committee isn't transparent, Dr. Tiano has been extremely transparent. Moreso than past years. We can't put our hands in the air and say here's your money. Ryan Pease, our Fire Chief, comes in and says this is what I need and this is what it costs. I think the Police Chief came in and said I need X amount of dollars and we said what are you using it for. That's what we need to see when departments come in. When you're 45-50% of the budget you're going to be under a bigger microscope. I am happy they were able to find that to get them to level services. I think everyone is under the misconception that we want to stick it to the School Committee and School Department, which we don't. We want to keep teachers. I have a lot of friends that are teachers. It seems to have been swept under the rug and no one has really discussed it.

Mr. Gennette: I'm not going to go into too much because I'm happy they got to where they needed to be. Every year we challenge them and every year they find their money. It bothers me we have to do this and the community is told we're going to fire teachers before we even have a budget planned. Come to find out they've had this money the entire time so did they let teachers go that didn't need to be let go? Did they cut classes that didn't need to be cut? Was this a stage to get the community fired up so they could get more money? I don't know. We'll have to wait until next year when we have to do this again. After seeing this I'd love an independent audit. I'd also like the terminology on the law that says they can move line item from line item. I'd like to read the verbiage in that law. I want to know exactly what they can and can't do and how they're doing it. This is ludacris to do this every year. Every year we have this fight. All of us love the schools. We've all had our kids in the schools. We've all participated with the schools. We want to do great things for the school but if it's a big shell game how are we supposed to trust the school. We want to work with you but if you're shifty like this then how are we supposed to just accept what you're requesting.

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Mr. DeBarge: I think trash is a huge item. The school will always be an item. I'm very happy they found the \$400,000. I think all of us safely say we thought they would. I'm grateful that they did. With the information that you guys got that went to the meeting Waste Management and Marc sent us in the email. I'm looking at the possible numbers of 2025, 1.28 million. 2026, 1.45 million. 2027, 1.53 million. 2028, 1.58. 2029, 1.64. 2030, 1.69. Where is this going to come from? I talk to a lot of people in town in the circle that I run in and I usually give 3 options with trash. I'm interested in what seniors think and what other demographics in town think. The easiest thing for us to do is up the trash fee because these numbers I'm giving we have to make these numbers up if we're going to continue on with what we're doing. These numbers are going to continue to go up and if our new money doesn't come in that sustains this then we're going to have to find it. You either increase the trash fee or you find other ways to do it. Cancel collection completely and go just transfer station and have collection done by the individual residents or you start talking to Waste Management about options. Mr. Gennette has been very vocal about being in favor of going fully automated with the town buying totes for each resident, which I am not against as long as you show me the numbers that's going to save us a substantial amount of money. I don't think \$100,000 is substantial enough to get into a 5-year contract when savings looks like it could be somewhere else. We have some decent prospects on the horizon. The battery storage facility. I said before I would never vote for another solar array because I hate driving around town and seeing these massive solar areas in what used to be beautiful farmland but I also understand tax revenue and money we need. Manny sold me on the battery thing by going to Planning and their contingency plans for safety and all of that. When you hear battery station all you hear are horror stories about environmental killers, noise, and all kinds of stuff. You can't shy away from 2.5 million.

Mr. Strange: It's annual so after 2 years it would be 5 million.

Mr. DeBarge: That's game changing money. You're able to do quite a few things. A lot of good things on the way but a lot of decisions that have to be made.

Mr. Goncalves: It's no question on the rubbish situation we're in trouble. For those that are watching, the \$100 we get per resident doesn't cover half of the trash. It's becoming a real big problem. It's not going to get cheaper. We can mitigate and try to keep it going up too much with alternatives by going fully automated, etc. Maybe going out to bid if we need to. Waste Management is really excited about working with us and I think there's still more room there beyond the \$100,000 they offered up last week. I'd love to see if there's a way we could talk them into getting us the totes over a long period of time with the savings on the other end with the labor. Right now, the drivers are making \$47/hour because it's all prevailing wage. That's going to go up next year. I think we need to get to the table with these guys sooner rather than later and then if we have to open it up to go to bid then we go to bid. I've had the pleasure of having to deal with these people at a much smaller scale but the amount of meat that's left on the bone at the end of the day with these people is incredible. They throw around money like it's nothing and I think there's a ton of fat in what they're offering us right now. I think we can make it work if we press them or somebody else hard enough.

Mr. Silva: We have to go to bid.

Mr. Strange: It's exempt. We don't have to bid but we can still do an RFP and get quotes.

Mr. Silva: That might be something we want to look at because Casella is moving well. They've gotten quite a few communities now.

Mr. Goncalves: They have the capacity. I verified they are big enough. They can handle another community no problem. Republic no problem at all. I don't know about USA. I think we're going to do really well at the end of the day if we hold tight with the rubbish and continue to have the same service. The problem with every man for itself speaking to Jim and Jamie at the DPW is the amount of damage that 4-5 different trucks traveling the same routes everyday instead of just 1 is brutal on our roads. Just because everybody gets their own, these guys are just driving by houses instead of stopping. The amount of miles being traveled quadruples with every company that comes into town. As a Board I believe we're all committed to get the best deal for the town and we can continue to offer that service. We're one of the few in the area that still does.

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Mr. Gennette: One of my biggest concerns is that we're hitting everybody with \$100 and the only thing we have is a 16-gallon recycling bin. If you look at the recycling bin at \$100. As far as the trash goes, I think negotiating, there is a lot of room for us to be able to move. Derek, you're talking about CPI, which is computer pricing index, which is what they're trying to do with the gradual price increase over it. We're going to pay that no matter what service we have. It doesn't matter who we go with. We can probably work on them as far as the CPI goes.

Mr. DeBarge: I was just letting them know what the numbers are at.

Mr. Gennette: We're going to pay those increases even if we just stay with the service we have, or if we go to another service. That's something we're going to have to negotiate no matter who we go to. I'm not opposed to putting it out to bid. If they can come in and we get a better price that's all I'm looking to do. If we don't go automated I think it's a mistake. As far as the insurance goes, the buy back, the question is what are we paying them?

Mr. Strange: It's more about the budget for us. If any employee takes health insurance we immediately budget \$25,000. Family plans are just south of that. A single is \$5-\$6,000. If you're on a family plan and you choose to take a buyout the Town will give you \$6,000 over the course of fiscal 25 and we'll save \$19,000 in the budget per employee.

Mr. Gennette: If that's the case what happens if somebody receives that benefit and they opted out and all of a sudden they need it now? So, we've paid them and they want to get back on?

Mr. Strange: It would have to be a qualifying event.

Mr. Goncalves: Are you paying them in arrears or up front?

Mr. Strange: It's monthly. It would be 12 payments the last paycheck of each month.

Mr. Gennette: If they need to come back by State law we have to put them back.

Mr. Goncalves: With a qualifying event. They just can't want to. Something has to happen.

Mr. Gennette: If it's not a qualifying event and this person doesn't have insurance?

Mr. Strange: They can't. They have to certify they're going to another accepted health insurance policy.

Mr. Rosenblum: To go back to the trash, we've talked about before if you just eliminated the trash. 7,200 homes? I think in your regular taxes it's \$250 per household. You're adding in \$100 so you're at \$350. It's more about the service. I have friends in Belchertown paying \$50/month. You're paying \$600/year. Sure, you can put a couch out there every now and then but you're going to pay. As bad as it looks, you're trying to find the best RFP or person to come in with a good price. I'm not opposed to saying no trash at all either. That means instead of paying \$350 I'm going to pay \$600. I'm still going to go to the dump. In other communities the sticker is over \$100, here it's \$20. Years ago, we were making money on recycling, now we pay for it.

Mr. Gennette: What percentage of the community that can't afford that big so now they're acquiring trash, what happens with those people?

Mr. Rosenblum: It's going through the process. They get purple bags and get a \$20 dump sticker and they drive down here.

Mr. Strange: That's the most likely solution.

Mr. Rosenblum: Are the bag prices going to go up because they've got to produce more?

Mr. Goncalves: We're getting \$100 from these people and what they're getting for their \$100. It's getting them \$250 worth of service and if we didn't put that \$100 in place when we did we would have been in trouble to the tune of over \$550,000 over our levy. We sat here with DPW on the big screen at one of their meetings and pleaded with them to pass that and they voted \$35 and we were frantically texting over there telling them if you don't go to \$100 we need an override at Town

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Meeting. That \$100 was to put out a major fire. It wasn't an arbitrary number. We were short \$600,000. The problem is immediately thereafter the contracts with the vendors have gone through the roof. Where that \$700,000 was maybe \$200-\$300,000 off now it's 3 times that.

Mr. Gennette: That's where I am with an RFP. \$100,000 off of the existing contract, plus we're going to have our own barrels. They're going to maintain them. They're going to store them before deployment. They're going to fix them. They're going to replace them when they're busted. We don't have to hold the inventory. Our DPW has to do nothing.

Mr. Goncalves: I was told one day this week there's grant money available for those. That didn't come from Waste Management. That came from another carrier.

Mr. Gennette: The grant for the barrels is \$350,000.

Mr. Goncalves: It's only \$15/barrel.

Mr. Rosenblum: That's professional services if it goes through procurement, right?

Mr. Strange: The trash is exempt from 30B.

Mr. Rosenblum: Professional services you're not obligated to the lowest price. Construction is to the lowest price.

Motion made by Mr. Goncalves to close the public hearing at 6:55 p.m. Mr. Silva second. All in favor. Motion passed 5-0.

UNFINISHED BUSINESS

Board to discuss alleged violations of dangerous dog order (Morais) and possibly vote to amend the order.

Mr. Morais: Daniel Morais, 304 Ventura Street, Ludlow.

Mr. DeBarge: This initially was on for a visitation but it got changed. We asked for a report from our Animal Control Officer. I'm going to read her report and we'll discuss it with you here. The Morais dangerous dog order case had a first citation written for \$100 for town bylaw Chapter 9 Section 5 regarding the length of the leash. The 2nd citation was written for \$500 for breaking the hearing order from June 20, 2023 with regards to the dog not wearing a muzzle and having a lead longer than 3'. As the original order stated in Section 5 "when Nala is off her own property she must be securely and humanely muzzled and restrained with a leash or tethering device of having a minimum strength of 300 lbs. and not exceeding 3' in length". This makes the citation of \$100 still valid because even though she had a lightweight muzzle on she was still being walked on a long retractable lead. I suggest that we void the \$500 citation and update the order to read "when Nala is off her own property she must securely and humanely be muzzled with an a. well fitted basket muzzle made of either firm, plastic or metal basket and b. restrained with a leash tethering device of having a minimum strength of 300 lbs. and not exceeding 3' in length". This will help the Morais' situation because a basket muzzle is easily seen from a distance. I have seen them in black or tan. A tan model would be better seen on her as she has a dark face. See below for an example. My understanding is that Ms. Anderson was notified that your dog was outside your property. You were walking your dog outside your property without a muzzle and on a long lead. After her investigation, she found that Nala did have a muzzle on but the nose is open.

Mr. Morais: This was my first ever walk with the dog since the incident. She's a black dog wearing a black muzzle. I don't see why she would have to wear a cage. I wanted it to all be over. She's not a dangerous dog. She never bit the neighbor's dog. She just so happened to break in and got stabbed. There was no bite marks on that dog. She's not a dangerous dog. I just left for 2 weeks to Florida. The dog sitter, who I told the situation to and I told her not to have other dogs. She sent me pictures of my dog with other dogs. There's no harm because the dog was fine. After this situation I didn't know how my dog was going to react ever again because the situation she was put in. Before this situation we were a part of dog parks, not in Ludlow. She always took our dogs to a dog park. She's never been a dangerous dog.

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Mr. DeBarge: The last hearing we adjudicated your dog a dangerous dog. What Ms. Anderson is saying is she fined you \$600. She's suggesting to us that we remove the \$500, keep the \$100 and go with this muzzle. She is saying there is in fact a muzzle on.

Mr. Morais: I have 5 different muzzles at my house. I have one that's similar to a basket. Why would it have to be a cage?

Mr. DeBarge: The Board of Selectmen should not be in the business of assigning different types of restraints. This is something for our Animal Control Officer to do. I am not going to suggest a specific type of anything.

Mr. Silva: How did Octavia get this information? Did she go out there and see this?

Mr. Morais: The neighbor recorded me. I had to push and shove to get that recording. After I saw this recording I don't have any idea how an animal control person who deals with animals didn't see the muzzle on, which was very obvious.

Mr. Silva: The situation right now is neighborly. It's not the dogs, it's the neighbors not getting along. If Octavia is suggesting we eliminate the \$500, let's do that and go on from there.

Mr. Gennette: Were you notified what type of muzzle the dog was supposed to have?

Mr. Morais: I went through the whole book. Octavia went to the house and saw that I went above and beyond. I have an electric fence, I have an actual fence, I have everything I need. It just says muzzle 300 lb. strength.

Mr. Gennette: I'm trying to figure out if you had knowledge of what equipment you were supposed to get. Did Octavia give you the proper information for you to do that?

Mr. Morais: She just said muzzle.

Mr. Gennette: My vote is to void this because he wasn't properly notified.

Mr. Rosenblum: In the original correspondence we received Octavia said the reason for removing the \$500 was he had a muzzle on but wasn't told about a specific muzzle.

Mr. Gennette: You can't give the guy instructions to put a muzzle on and then fine him \$500 because he didn't get the muzzle you wanted.

Mr. DeBarge: I think she thought there wasn't a muzzle on. She couldn't see the muzzle was on. Neighbor disputes are terrible. Let's not forget the incident that got us here was a very scary incident for everybody. A suggestion was made and it looks like the Board is ready to take that suggestion.

Mr. Silva: Does the Animal Control Officer have the authority to abate that?

Mr. DeBarge: I suggest we void the citation.

Mr. Strange: If you look at the bylaw it authorizes the ACO to levy the fines. I don't think the Board that levy's the fines. She's already rescinded it.

Mr. Silva: Try your best to get along because it's a lifelong situation.

Mr. Goncalves: Can we finish on the fines with the ACO? I'm not a big fan of her issuing a \$500 fine to anybody without coming to this Board. \$100 ok, but \$500.

Mr. DeBarge: I think it's interesting you bring that up. There's some information written in articles by the ACO that I have questions for as well. Maybe that whole thing can be addressed.

Mr. Goncalves: I don't like the idea of throwing fines at anybody of \$500 without taking a hard look at it. Certainly not allowing anybody else to do that without coming to us.

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Mr. DeBarge: Are we all good with the article on the abatement program or was there any more discussion on that? Going from 75 to 60 and up to \$900.

Mr. Silva: We're good with that.

Mr. Strange: Article 25 would clarify, right now the bylaw states the constable of the town should post the Town Meeting warrants and as a practical matter the Town Clerk's office handles that. This would be cleaning up language. Article 26 is pretty significant changes to Chapter 9, which is our Animal Control bylaw. The first set of additions are definitions. Sections 1, 2, 3, 4 changes dogs to animals and incorporates there's a cross reference where the authority is provided in the Mass General Laws for regulating animals. She requested an animal control revolving fund so any fines or donations would go into a revolving fund. We have a series of revolving funds and we'd have to add it to that group. Section 5 expands on the leash law requirements but it incorporates animals instead of just dogs. 5B is the authorization to find the owner of the dog or cat that's not restrained. Subsection 1 is they have 10 days to pay the fine. If it happens 3 times the ACO can require the animal be surgically sterilized and microchipped. Subsection 3 the ACO can waive the sterilization requirement if she finds the animal's health may be endangered by the sterilization procedure. The ACO provided references in the West Springfield and Springfield ordinances so these are pretty much plucked out of those. Subsection 6 is changing dog to animal control officer fines. Same thing in section 7, changing dog officer to animal control. The next portion would require \$100 registration fee if the Board deems a dog dangerous. In addition to the annual registration fee there would be another \$100 on top of it.

Mr. Goncalves: I think this should be taken up with her at a meeting, especially if she's going to have access to a revolving account and fine money is going to be going in there. Her wish list since she came on has been pretty hefty between salaries, trucks, cars. I'm a little concerned.

Mr. DeBarge: I'm concerned about a vote with precinct members with something that's this large and this complex. Especially with a lot of things in there that I don't believe need to be in there. I see a lot of complaints lately about people not picking up after their dogs. The temperature is getting better and they're taking their dogs out walking on the riverwalk and around downtown. I've seen an overwhelming amount of people complaining about people not picking up after their dogs. You put something in there about a fine about not picking up after your dog and enhanced leash law and that's something your precinct member, myself included, are going to get behind. I think there's a lot of stuff in here I would like to pull back and maybe have her in or have somebody from the Board work with her.

Mr. Goncalves: When the riverwalk was done there was some big cases put in there with plastic bags for that purpose and it's never been refilled. If you do take your dog down there and you see that from the road expecting to get a bag. I've had people tell me that if we were to supply the bags he would make sure that it's always full.

Mr. Silva: With fining, who's going to monitor that?

Mr. Gennette: I agree with everything Tony said. I'm happy she's putting the work in. She's putting it together and I like to see that but at the same time it looks like you're going to get charged \$300 for not sterilizing your animal. This has to be revisited. I'm not seeing a fine for an unregistered dog.

Mr. Goncalves: Anything really big it scares me to have anybody fining anybody for \$500.

Mr. Gennette: The other thing I see is the Animal Control Officer may waive the sterilization requirement if he/she feels the animal's health may be in danger by the sterilizing procedure. She's not a veterinarian. As much as I appreciate all of this she may be overstepping a little.

Mr. DeBarge: Section 9 the noise restriction. 150' from a building at 10 minutes I'd like to know if that's common in other communities needing to be the norm for noise complaints. 150' in 10 minutes is a daily occurrence.

Mr. Rosenblum: It's about 40' to my back neighbor. Those numbers might be something that is being used in other towns.

Mr. Strange: The only word of caution to the Board is you have to close the warrant at the next meeting. I'm going to be out of town. It's the first meeting I'm missing. Carrie will be here. If you want to bring Octavia in, unless you want to do a special meeting for it. If you put all this together there's a lot of places where people can object and unless someone does an amendment on the floor they're just going to get rid of the whole thing. It's probably more feasible to do it piece meal.

Mr. Gennette: One or two at every special meeting.

Mr. Rosenblum: This is a lot.

Mr. DeBarge: I would stick to supplies, leash and picking up after your pets. Keep it simple. Do what the people have been complaining about.

Mr. Strange: If you want to take some time with this, go through it and X out what you don't want.

Mr. Gennette: I'm ok with what Derek just said.

Mr. DeBarge: I would keep it simple.

Mr. Silva: We've had people come in here for a dog continuously barking and we say you have to bring them inside so if they're inside barking that's ok, right?

Mr. Goncalves: Which is why I said something to begin with. Maybe we look at this together, X out what we don't like, come up with a couple of things that are important and put something together more condensed.

Mr. Silva: Like Derek said, do these, strike everything else. At least there will be an article in there.

Mr. Strange: Do you want to keep the definitions?

Mr. Gennette: Keep the definitions in.

Mr. DeBarge: What would constitute the animal control center?

Mr. Gennette: Any facility or shelter operating by the Town of Ludlow or its successor or operated by a humane society for the purpose of impounding animals.

Mr. DeBarge: That means if the ACO's office is inside the Town Hall, does that make the Town Hall the animal control center and if it does, does that make it ok to have animals inside the animal control center?

Mr. Goncalves: For the purpose of impounding or caring for animals.

Mr. Rosenblum: It also says operated by or for.

Mr. Strange: There's 2, we use Wilbraham and there's another facility she uses. Often times it's ambiguous as to who owes who what money so I think that's what this purpose is. If a Ludlow dog gets confined...

Mr. Rosenblum: This is a move towards us having one.

Mr. Strange: That's the hope or plan.

Mr. Rosenblum: She did mention it once before. This is in here with the hope that we have one.

Mr. Gennette: I'm still ok with the definitions.

Mr. Strange: So, you guys will let me know. Definitions. Section 5 leash/restraints. Section 10 removal of waste. Are you ok with changing dog to animal control officer?

Mr. DeBarge: Yes.

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Mr. Strange: Definitions, 5A, 10.

Mr. Gennette: Under section 8 impoundment under E for redemption fees, has she changed these fees to cover the cost of Wilbraham? That changes things for me a little on the impoundment.

Mr. Strange: I think our bylaw is silent on the impound fees. I can ask her for clarification. Article 27 will authorize a 5-year contract for the license plate readers for the police department. Article 28 is the financing component of the district improvement financing plan. There's a whole background packet with estimated costs, the schedule for repayment and all the various projects. This is the last piece of the DIF and once Town Meeting approves it then we can start accruing funds in the DIF account. The last ones are the Planning Boards. So just 26 to clean up and taking out Commission on Disability and put it in the operating budget. There's going to be one more. Fiscal 24 capital Town Meeting approved \$50,000 for a town vehicle. It came in at \$35,000 so we're going to ask Town Meeting to transfer that \$15,000 to the Pond Committee. They made an ask for \$15,000. You're going to have to close them out next meeting. Kim Batista has to send them out on Thursday.

NEW BUSINESS

Board to approve and appoint Annual Appointments.

Mr. Silva: ADA coordinator is vacant. Affirmative Action Officer Carrie Ribeiro; Agent of Record Anjo Pereira; Agricultural Commission 3-year Ann Chenier, John Chenier, William Edison, Michael Hogan, Betty Kibbe, Beverly Landers, Donald Roberts; Airport Master Plan Consulting Committee Joseph Queiroga; Board of Appeal 5-year Alan Aubin, Elaine Hodgman, Manual Lopes, Michael Parker, Valdemar Rodrigues, Joseph Wlodyka; Board of Registrars Paul T. Babin Jr, Kim Batista, Dana Cormier, Maria McSwain; Building Commissioner Paul Adzima Local Building Inspector; Cable Commission Michael Assaf, James Gennette, Thomas Ghazil, Michael Hill, Marc Strange; Capital Improvement Planning Committee Joshua Carpenter, James Gennette, Antonio Sanches, Ronald Saloio, Marc Strange Ex-Officio, Luis Vitorino; Celebrate Ludlow Committee Maureen Beauregard, Linda Collette, Derek DeBarge, Elaine Hodgman, Kara Jorge, Lisa Martin, Eric Segundo, Chris Smith, Laurie Smith, Melanie Trexler, Diane Walton; Commission on Disability Beverly Barry has recently passed away, Tara Bronner, Julie DiCesare, Christopher Harkins, Harry Mills, Joanne Odat-Staeb, Diane Shea Walton, Jennifer Wright; Communications/Information Officer Marc Strange; Conservation Commission Helder Cerqueira, Cameron Covill, Penny Lebel, Angela Tierney; Constables Detective Lieutenant David Kornacki, Detective Sergeant Stephen Ricardi; Constable for Tax Collector Reid Jeffrey Jr, Christine Jeffrey; Council on Aging Fernando Barroso, John DaCruz, Rosalind Forti, Helen Grabowski, Debora Johnson, Karen Martin, Robert Mishol, Diane Peacey, Robert Radowski, Kara Ribeiro, Deborah Potter; Custodian of Insurance Records Elsa Barros; Custodian of Tax Possession Elsa Barros; Director of Emergency Management Chief Ryan Pease; Dog Park Committee Melisa Dion, James Goodreau, Darelene Kennedy, Jesse Mendez, Sara Mendez, Steven Nicoll, Kara Ribeiro, Douglas Stefancik, Marc Strange; Economic Development Officer William Rosenblum; Equal Opportunity Employment Officer Carrie Ribeiro; Fair Housing Committee Joshua Carpenter, Marc Strange Ex-Officio; First Meeting House Committee Thomas Haluch, Jeremy Kavka, Agnes Betty Kibbe, Marilyn Paul-Lewis, Bert Ramage; Graves Registration Officer Eric Segundo, Steven Sawyer; Hazardous Material Coordinator Captain Seth Falconer; Historian Marilyn Paul-Lewis; Historical Commission Allison DeLong, James Chip Harrington, Agnes Kibbe, John Moll, Karen Pilon, Angela Tierney; Historic District Study Committee Sandra Stanek; Industrial Finance Authority John DeBarge; Insurance Advisory Committee Michelle Anecchiarico, Michael Bertini, Lieutenant Michael Brennan, Kathy Demetrius, Zachary Ellison, Kathleen Houle, Richard Kolodziej, Angela Kramer, Denise Kukla, Deputy Chief Jeffrey Lavoie, Amanda Lemieux, Sharon Martins, Marc Pasteris, Deborah Potter, Sergeant Stephen Ricardi, Melissa Rickson, Marc Strange Ex-Officio; Internal Safety Committee Dave Ritchie, Melissa Rickson, Sergeant Brian Shameklis, Michael Bertini, Deputy Chief Jeffrey Lavoie, Heather Jolicouer, Jamie Tomas, Kathy Demetrius; License Agent for the Board of Selectmen Detective Lieutenant David Kornacki, Detective Sergeant Stephen Ricardi, Detective Jordan Liszka; Local Emergency Planning Committee Ken Batista, Lieutenant Michael Brennan, Kathy Demetrius, Derek DeBarge, A J Donais, Louis Gilli, Helen Grabowski, Michael Hill, Kristen Jerome, Scott Kozak, Paulina Matusik, Bob McCormick, Joe Mitchell, Chief Ryan Pease, Dave Ritchie, Marc Strange, Mark Thomas, Chief Daniel Valadas; Long Range Planning Committee has been dissolved Jose Alves, Elsa Barros, James Gennette, James Goodreau, Kathleen Houle, Sean McBride, Marc Strange; Ludlow Cultural Council Grace

Barone, Margaret Bernand, Nira Flatley, Michelle Goncalves, Lawrence Goodreau, Pamela Hayes, Sharon Litourneau-Clark, Robert Radowski, Robert Roccanti, Janet Settembro; Ludlow Housing Authority Tenant Board Raymond Anderson; MMWEC Board of Directors James Gennette; Mobile Home Rent Control Board Mary Evangelista, Antonio Goncalves, Judith Krynicki, Michael Szlosek, Joseph Young; Municipal Hearing Officer Vacancy; Open Space Planning Committee John Archambeau, Joao Dias, William Bud Ellison, James Goodreau, Elaine Hodgman, Ryan Linton, William Rosenblum, Joel Silva, Douglas Stefancik, Angela Tierney, Jamie Tomas; Parking Hearing Officer Derek DeBarge; Permitting Authority Trench Regulations Ken Batista, Jim Goodreau, Jamie Tomas; Pioneer Valley Planning Commission Ray Phoenix, Joel Silva; Pioneer Valley Transit Authority Derek DeBarge; Pond Management Committee Judy Breault, Elaine Hodgman, Patricia Kwasiborski, Julie Markiewicz, Janis Santos, William Simons, Anna Vital, Tony Vital; Safety Committee Ryan Churchill, Christopher Coelho, Captain Seth Falconer, Peter Gallager, Melissa Graf, Deputy Chief Jeffrey Lavoie, Sergeant Shameklis, Jamie Tomas; Sealer of Weights & Measures Vacancy; Sworn Weigher Joanne Martins; Town Counsel Brian Winner Mead, Talerman & Costa, LLC; Town Labor Counsel Stanley L. Weinberg; Westover Municipal Development Corp Maureen Kim Downing.

Motion made by Mr. Silva to approve those as read. Mr. Goncalves second. All in favor. Motion passed 5-0.

Board to discuss the liaison positions.

Mr. DeBarge: Why don't we take a look and finalize that next time.

Mr. Gennette: I organized these so they just shift up. The only thing I would want is the

Board to approve and sign seasonal liquor licenses for 2024.

Motion made by Mr. Goncalves to approve and sign the seasonal licenses for Gremio Lusitano, Ludlow Fish & Game Club and Ludlow Country Club. Mr. Silva second. All in favor. Motion passed 5-0.

Board to approve and sign the ABCC Seasonal Renewal Certification for 2024.

Motion made by Mr. Goncalves to approve and sign the seasonal renewal certification for 2024. Mr. Silva second. All in favor. Motion passed 5-0.

Board to discuss and possibly appoint a Trash Advisory Committee.

Mr. Strange: If we are not going to sign a contract extension with Waste Management before July 1 the thought was to explore every option we have in terms of manual, automated, dual stream, single stream, other factors and iterations of trash hauling, tipping fees, recycling, it's a complex area. We got the grant for PVPC to help us navigate through that. The suggestion was to put together a 5-7-person committee. Initially it was 2 DPW, 2 Selectmen, a FinCom rep, myself and a resident. I think we only need 1 DPW rep, I don't think I need to be a voting member. I'd rather be an ex-officio member and help guide the committee through, I would like to see more than 1 resident. The primary question is do you guys want a committee, do you want a 5- or 7-person committee and the composition of what that committee is.

Mr. Goncalves: I think a couple of us, is there a reason you don't want 2 on the DPW?

Mr. Strange: They might duplicate their opinions. Jim is on the front line of the trash so I think they'd vote the same way.

Mr. Gennette: I think it's ridiculous. The last call I was on we had 2 Selectmen, Town Administrator, 2 people from the DPW so we could have these conversations right here and now. Bring people in and get the information in front of us. We can have as many residents as you want. It seems we're being very counterproductive when we're already doing this.

Mr. Strange: The meetings are going to be very long. You'd add an hour to every Select Board meeting. I think you want to have a resident that's a point person who wants to be involved because

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this is a big thing. To propose something to the community you at least want to say there was public participation on it.

Mr. Goncalves: From that standpoint, we had that meeting with them where it wasn't televised and no one to take minutes, etc. So, the idea of someone always having to come here it's televised and part of our meeting I don't think it's always going to work out. Because now we're assuming that everybody that's out there is going to talk to us on Tuesday nights.

Mr. Gennette: As long as it's on the agenda.

Mr. Goncalves: Now you're saying all these people have to come in on a Tuesday night vs our being more flexible.

Mr. Gennette: I said my piece. I don't think having more committees to do the same work over and over again.

Mr. Goncalves: That's what we had just add a couple of residents.

Mr. Silva: It might not be necessary anyway. Marc said if we don't extend the contract.

Mr. Strange: There's a lot of moving pieces to this. This would be a temporary thing. They want to try to get a report to the Board sometime in the fall or winter.

Mr. Rosenblum: I think the group you've had working on it is probably the best thing.

Mr. Gennette: If you want to formalize that group I'll participate no matter what happens. If Tony and I are the Selectmen and you want to create a committee so be it.

Mr. DeBarge: What kind of time frame are you talking about for getting together, starting your meetings. Getting information out to get somebody from the public takes time.

Mr. Strange: The thought is to have some sort of group decision together by the time we want to seek RFPs from different companies. We want to allow enough time to do that. Some towns have fees that are generated to take care of the disposal piece because the disposal is going to be different for every household. I think the goal is to explore all the options, put it into an RFP.

Mr. DeBarge: Before the dissolution of the Board of Public Works they did this so it is our responsibility to do this. I also agree that this burden shouldn't be put on a Board of Selectmen's meeting. Our meetings go too long. As soon as we hit 2 ½ - 3 hours the attention span is out the window. I think a dedicated committee is probably a good idea. I agree that DPW doesn't need 2. I think Jim is perfect for it. Jamie is too busy. I'd love to have someone from town involved in it.

Mr. Goncalves: I think we've got the committee in place and see how much we can get accomplished to bring back to this Board. We may have to get together a couple of times one week. We've got 60 days to have some kind of idea where we're going.

Mr. Gennette: I wanted to be able to take the presentation from Waste Management and have that available to at least discuss that amongst us. We could beat it up here. It's not the final negotiation to sign the contract but at least we all could have had our eyes on it.

Mr. Goncalves: I don't like that idea because now we let everybody know what Waste Management put on the table.

Mr. Gennette: That's true.

Motion made by Mr. Silva to develop the committee for trash with Mr. Goncalves and Mr. Gennette as the Board of Selectmen members as well as Mr. Strange Ex-Officio, a DPW member, recruit a citizen and a member of FinCom. **Mr. Goncalves second. All in favor. Motion passed 5-0.**

CLOSING COMMENTS

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Mr. Rosenblum: Congratulations to everyone that ran for public office. There was some heated and contested battles. It's good to see the community rallied around it. A little over 20% on a local, which is unheard of.

Mr. Silva: I want to thank the voters that went out and brought our numbers up. We doubled our numbers from the last election we had. I especially want to thank the voters that voted for me and put me back here. I want to thank you all very much.

Mr. Goncalves: Beverly Barry was an Assessor in town. She ran up low-moderate income housing. She was one of the people in the state that was qualified to help people when you've got a 40B project which is a low-moderate income project. There's a lottery involved at the state level. She was huge with Chicopee Housing and grants for first time homebuyers. ADA Committee. I don't think we've seen 20% since early 2000's. Congratulations to Manny and James. We have a lot of work to do if the Charter is going to happen. There's a lot of stuff we have to get done. Glad we signed the contract with Marc so he'll be here for the whole thing to take us over the finish line. Back to the School Committee. Mr. Tiano is new here. We've had a tremendous amount of transparency. We've met more with him in the last couple years than we probably met with everybody else put together over the last 8-10. It's good to have that open dialogue with him. The school website is incredible. Any of those numbers you want to see are all there.

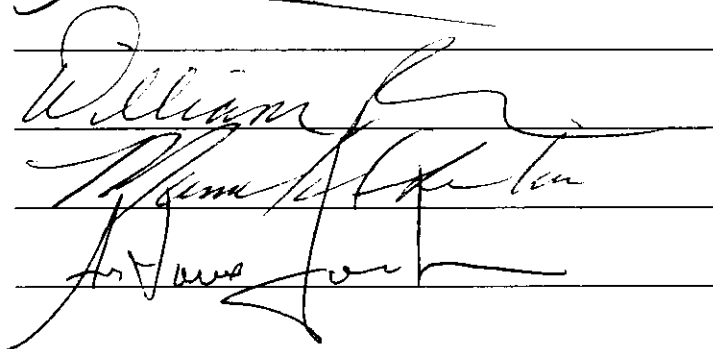
Mr. Gennette: Beverly Barry was part of the reason the Commission on Disability lasted so long. She was the one that reached out for assistance and I worked closely with her and they lost somebody special. Thanks to everybody on this board for giving me an opportunity to be a chairman. I hope I did a good job. I told everybody when I was running for re-election that I just wanted to do my civic duty and I'm glad everybody thought I was doing good enough job to put me back here.

Mr. DeBarge: James you did a good job as Chair. Congratulations to both you and Manny. I was glad to see people come out. It's nice to see people come out and help their government. You all got an invite from Josue, our Director at the Boys & Girls Club for the grand opening of the Boys & Girls Club sports court on Friday 4:30-5:30 p.m. April 13th Veterans Appreciation Dinner Ludlow Lodge of the Elks at 5:00 p.m. Monday April 15, Patriots Day, Town Hall closed, Saturday April 20 250th Committee Tag Sale at Ludlow High School. Friday April 26 Sgt. Joshua D. Desforges Pasta Dinner Fundraiser at the Polish American Citizen's Club 5:00-7:00 p.m. Saturday April 27 Sgt. Joshua D. Desforges Run Walk Challenge at Ludlow High School 9:00 a.m.

Motion made by Mr. Goncalves to adjourn the meeting at 8:08 p.m. Mr. Gennette second. All in favor. Motion passed 5-0.



Chairperson



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