

***PRELIMINARY MINUTES***

**TOWN OF LUDLOW  
BOARD OF SELECTMEN**

**REGULAR MEETING**

September 3, 2018

**BOARD MEMBERS PRESENT:**

Bruce Schmidt	Logan Nicoll	Heather Tucker
John Neal	Brett Sanderson	

**STAFF PRESENT:**

Scott Murphy	Ulla Cook
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**OTHERS PRESENT:**

Ted Reeves	Herb Van Guilder	Ed Mc Eneaney Okemo Valley TV
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**1. Call to Order**

- A. Bruce Schmidt called the regular meeting to order at 7:00 p.m. He welcomed Heather Tucker to the board.

**2. Select Board Reorganization**

- A. Elect Chair of the Board
- i. **MOTION by Logan Nicoll and seconded by Brett Sanderson to elect Bruce Schmidt as Board Chair. Motion passed unanimously.**
- B. Elect Vice Chair
- ii. **MOTION by Bruce Schmidt and seconded by Logan Nicoll to elect Brett Sanderson as Vice Chair. Motion passed unanimously.**
- C. Elect Clerk of the Board
- i. **MOTION by Logan Nicoll and seconded by Brett Sanderson to elect John Neal as Clerk of the Board. Motion passed unanimously.**
- D. Appoint Ludlow Enterprise Fund Members (previously Brett Sanderson and Howard Barton, Jr.)
- i. **MOTION by Logan Nicoll and seconded by Brett Sanderson to appoint Brett Sanderson and Heather Tucker as Enterprise Fund Members. Motion passed unanimously.**
  - ii. Scott Murphy advised the board that there is approximately \$11,000 in the fund at this time.

**3. Consideration of any Changes, Additions or Removals to the Agenda**

- A. Scott Murphy said that we will remove Item 7 – Regarding the FEMA buyouts. IMERYS has asked for a delay.
- B. **MOTION by Logan Nicoll and seconded by Brett Sanderson to remove Item 7 from the agenda. Motion passed unanimously.**

4. **Approve Minutes of Previous Meetings**

- A. Bruce Schmidt advised that the minutes to be reviewed are from the meeting on August 6, 2018.
- B. **MOTION by Brett Sanderson and seconded by Logan Nicoll to approve the minutes from August 6, 2018 as presented. Motion passed unanimously.**

5. **Comments from Citizens**

- A. There were none.

6. **Designate VLCT Annual Business Meeting Delegate**

- A. Scott Murphy said in that past, this has been the town manager. We will need board signatures. There are no major changes in the policies. They are discussing changing the Open Meeting Law to change the posting date on the website from 5 to 10 calendar days.
- B. **MOTION by Brett Sanderson and seconded by Logan Nicoll to appoint Scott Murphy as delegate to the Annual VLCT Business meeting and to authorize Bruce Schmidt to sign the forms. Motion passed unanimously.**

7. **Possibly Sign Voluntary Transaction Agreements for FEMA Buyouts**

- A. **Removed from the agenda.**

8. **Possibly Adopt Town Vacant & Dangerous Buildings Ordinance**

- A. Scott Murphy advised that this is the same as the one adopted by the Village, with the wording made appropriate for the town. This came up pursuant to the Stone House. If adopted tonight, it will become effective November 1, 2018.
- B. Herb Van Guilder asked if it deals with unsightly buildings.
- C. Bruce Schmidt said no. There is a Junkyard Ordinance. He said this structure is unsafe and the ordinance will give us “teeth” to deal with it. He said if there are other buildings that are of concern, please talk to the town manager who will communicate with the property owners.
- D. There was general consensus.
- E. Scott Murphy said that all board members would need to sign the ordinance.

9. **Possibly Adopt Conflict of Interest Policy**

- A. Scott Murphy advised that the state has passed a law requiring all towns to adopt a Conflict of Interest Policy by July 1, 2019. The policy must include the following definitions:
  - i. Definition of “conflict of interest”
  - ii. List of the elected and appointed officials covered by such prohibition
  - iii. Method to determine whether a conflict of interest exists
  - iv. Actions that must be taken if a conflict of interest is determined to exist
  - v. Method of enforcement against individuals violating such prohibitionScott Murphy continued, saying that there have been previous discussions about this. If adopted now, it would be effective immediately. This proposed policy is based on the VLCT boilerplate.

- B. Herb Van Guilder asked if this would prevent a board member, who may be in the construction business, from bidding on a job.
- C. Bruce Schmidt said no.
- D. Logan Nicoll said the person would recuse himself from the bid. He added that most board members already do that. It would not be a big change for Ludlow.
- E. Bruce Schmidt advised that he would like to table this for a while. He thinks it could be used against some people and it has never been supported in the past.
- F. Scott Murphy said the league is just trying to protect towns, not restrict them.
- G. Bruce Schmidt said he would like to table this until the full board is present.
- H. Logan Nicoll said he would like to see what other towns do.
- I. Bruce Schmidt tabled this item.

10. **Possibly Approve Municipal Planning Grant Application**

- A. Scott Murphy said the Planning Commission applies for grants on a regular basis and works with the Planning & Zoning Office. The Planning Commission has been working with the Regional Planning Commission. This application is a rough draft, but they needed to be able to file the application by the October 1, 2018 deadline.
- B. Logan Nicoll said he is in favor of the application. He did note that the application lists Phil Carter as chair of the Planning Commission and it is Alan Couch.
- C. Bruce Schmidt asked where they got the language.
- D. Scott Murphy said the Planning Commission and Jason Rasmussen. He said that he would like to see work on the downtown.
- E. Bruce Schmidt asked about the addition of the comments at the end about the surge of visitors, especially in the winter. He would like to see summer added to that.
- F. Scott Murphy said he felt it important to add reference to Okemo Mountain.
- G. **MOTION by Logan Nicoll and seconded by Brett Sanderson to approve the application for the Municipal Planning Grant. Motion passed unanimously.**

11. **Possibly Approve Coolidge Road Crossing Plan**

- A. Scott Murphy said that the project is going great guns and very active. Part of the original proposal that the Select Board approved in October, 2017, was for a road crossing of overhead utility lines, pursuant to the conditions set in the agreement. The town has received a check for \$7,500 for this. A sketch was provided of the location. He said that he and Ron Tarbell went out and looked at the proposed location and Ron posed a few questions and was comfortable with the answers he was given. They need this okay to move forward. He showed the location, on a drawing, to the board. He said it is about 200 yards down from the intersection. He said that Ron Tarbell asked them to make sure the poles are far enough back from the road.
- B. Bruce Schmidt said the town requires concrete.
- C. Board consensus to approve the Coolidge Road Crossing Plan.

12. **Update on Andover Street Tractor-Trailer Accident**

- A. Scott Murphy said that the building is a safety issue. He advised that there are 2 insurance companies involved: one for the homeowner and the other for the trucker. He has been in contact with the homeowner. Their insurance company has to decide whether to fund the demolition or rebuild. He hopes to hear from the insurance company soon.

- B. Brett Sanderson asked if we have all of our bills out.
- C. Scott Murphy said yes.
- D. Herb Van Guilder voiced his concerns about Route 100 South and the need for more and better signs coming down from the top. Even with the lowered speed limit, there is still a serious problem with trucks. He asked the Select Board to communicate with the state for more signs. We have been lucky that no one has been killed at that location.
- E. Brett Sanderson said that is already in progress.
- F. Scott Murphy said that after the last meeting, he wrote a letter to Secretary Flynn of the Agency of Transportation and received a response from Wayne Symonds a Chief Engineer. In his letter, Mr. Symonds advised that the state is aware of the situation. He said that he received a phone call from the state on Friday afternoon and was told that a work order has been signed to replace all of the signs coming down the mountain and add more, one will be STEEP GRADE NEXT 5 MILES. The orange signs will be replaced with neon yellow and there may possibly be a blinking light. Hopefully work will begin within the next few weeks.
- G. Bruce Schmidt suggested that at the town line, we put up a sign to indicate entering town with warning for vehicles.
- H. Scott Murphy said he would like to see what the state does put up first.
- I. Herb Van Guilder said the police department should have more presence up there as people are speeding.
- J. Bruce Schmidt asked Scott Murphy to mention that to Chief Billings.

### 13. Department Heads Reports

- A. Bruce Schmidt advised that all reports are in, except Ambulance.
- B. Scott Murphy distributed copies of the Ambulance report.
- C. Ambulance Department
  - i. Scott Murphy advised that there was a meeting of key players in the ambulance departments from Ludlow, Chester, representatives from the state, and people from Cavendish, Mount Holly and Plymouth. The meeting went well. He distributed copies of the minutes of that meeting. There is mutual concern for ambulance service and they will not let this communication die out. It will be a big budget issue.
  - ii. Bruce Schmidt said there is a shortage of volunteers. He said we have 3 paid employees and we created a place for them to sleep at night when on duty. We are looking to see if there is interest in a regional service. He said Ludlow covers Cavendish and ½ of Plymouth.
  - iii. Scott Murphy said we have a reciprocal agreement with Chester.
  - iv. Bruce Schmidt said we should have a member of the Select Board on the committee.
  - v. Scott Murphy said he will get back to the board on the next step.
  - vi. Bruce Schmidt asked how long Carl Matteson will be out.
  - vii. Scott Murphy said at least another 2 weeks, but he is in doing desk work. He agreed that we definitely need Select Board support.

### 14. Municipal Manager Updates

- A. Scott Murphy advised that an agreement was reached between the school and town for use of the Community Center gym in inclement weather while the school gym is being worked on.
- B. Other updates covered under other agenda items.

**15. Other Business**

A. Planning Commission

- i. Logan Nicoll advised that the Planning Commission is working on the town plan. He said that there have been a lot of comments regarding connectivity and broad band access and the Planning Commission would like to work it into the town plan. He said that some towns have started to join together to start telecom companies. We can't do this without other towns and Cavendish may want to do this in the future. We are not allowed to use taxpayer money. TDS is an issue and COMCAST has no incentive to install lines that far.

B. Scott Murphy Review

- i. Bruce Schmidt noted that all 3 boards agreed to a 6-month review for Scott Murphy. He said it would be a joint meeting and Executive Session. He said that the Trustees and Water Commissioners will also have to discuss this.
- ii. Scott Murphy said it would be in October.

C. Recreation Committee

- i. Bruce Schmidt asked Heather Tucker to keep this board up to speed on the Recreation Committee.

D. Firemen's Auction

- i. Brett Sanderson advised that there was a good turn out and it was very successful. They had a lot of help and the numbers are up from last year.

**16. Set Date for Next Meeting**

- A. Next regular meeting will be October 1, 2018 at 7:00 p.m.

**17. Possibly Agenda Items for Next Meeting**

A. Okemo/Stearn's Pit MOU

B. Schedule FY 2020 Budget Workshops

- i. Bruce Schmidt said he would like to do the first run-through in November and to get by without having special meetings, if possible. He said that he really feels that we should make it clear to the school boards what the Select Board will continue to do. We will continue the Municipal Transit system. Other items, that Ludlow has funded in the past and to which Mount Holly has not contributed, will be shared between the towns in the future.
- ii. Scott Murphy said that he has, and will continue in the future, to advise the school boards about this.

**18. Sign Warrant Orders**

- A. Warrant orders have been signed.

**19. Possible Executive Session/Personnel/Contracts/Legal Issues**

- A. Scott Murphy advised that an Executive Session is not needed.

20. **Adjourn**

- A. **MOTION by Brett Sanderson and seconded by Logan Nicoll to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 7:47 p.m.

Respectfully submitted,

Lisha Klaiber

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Bruce Schmidt, Vice Chairman

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Brett Sanderson

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John Neal

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Heather Tucker

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Logan Nicoll