

MINUTES OF THE MEETING
SPECIAL TOWN MEETING
NOVEMBER 12, 2019

Number in attendance: 119

The meeting was called to order by Chairman of the Select Board Bruce Schmidt at 7:00PM who then had the audience stand and recite the pledge of allegiance. He then asked for nominations for moderator. Brett Sanderson made a motion to nominate George Thomson. The nomination was seconded. There were no other nominations. The motion was voted and passed.

Moderator Thomson then opened the meeting introducing the head table Select Board members Justin Hyjek, Heather Tucker, John Neal, Brett Sanderson, Bruce Schmidt, our Town Manager Scott Murphy and Ulla Cook, Town Clerk.

Moderator Thomson stated there is new information that our Town Manager would like to discuss. Scott Murphy stated the Select Board has the authority without voter approval to purchase assets for the Town. We reached out to the League of Cities and Towns attorneys and how to proceed with having a vote. The answer was if the town wanted to have an informational meeting and vote, it is the same process as the Town Meeting. We talked about it at the informational meeting last week. In the meantime, more information from the League attorney came back stating that since the select board already has the authority to make a decision on the purchase of the high school building, that it does not require voter approval. Therefore this vote we have been talking about having is considered a non-binding vote, therefore the recession and reconsideration statute does not apply. The voters do not have the authority to petition for a revote on this issue. The Select Board has the authority to make a decision but would like your input on how they make that decision.

Moderator Thomson stated we will conduct a meeting to have the opportunity to ask questions, discussion and vote and understanding it will be a non-binding vote. That means the Select Board will be making a decision in the future. We will be following Roberts Rules of Order. He then asked for anyone who is not a voter in Ludlow to identify themselves.

Article 1: Shall the voters of the Town of Ludlow vote to purchase the former high school building, located at 43 Main Street in Ludlow, Vermont from the Two Rivers Supervisory Union School District for the sum of one dollar (\$1.00)?

- a. Motion to adopt the article made by Joanna Bombadil, second by John Boehrer. Discussion followed.
- b. Dan Buckley – Member of the LMHUUSD wanted to verify ownership of the building is the LMHUUSD and not Two Rivers Supervisory Union.
- c. Robert Kottkamp – There are two organizations involved, one the school board the other the select board. Neither one seems to have had time to think this through. I went away mulling and this afternoon I came up with what struck me. The legal framing of the question is shall the town buy the school. I would frame it this way, which of the two bodies has the resources available and able to apply that will result in the best future of the town. I do not have an answer to my question.
- d. Dan Buckley – from the merger agreement we have to offer the building to the town for a dollar. If the town does not accept the building, we will then sell it to the highest bidder. Then neither entity would have control over it.
- e. Alan Isaacson – We need a plan for the building if the Town does purchase it. We need a committee to develop a plan.
- f. Bruce Schmidt – Totally agrees with Mr. Kottkamp and Alan Isaacson. We need to begin to plan what to do with the building and come up with options.

- g. Linda Thomson – Asked if the Town does not buy the building and the school is sold to the highest bidder where does the money go?
- h. Dan Buckley – Since the building is owned by the LMHUUSD the proceeds would go to the school district and TRSU.
- i. Bill Tucker – This is a real opportunity for the town. There are many memories and it is also the gateway to this town. It would be a great asset to the town. We all need to pitch in and make something happen.
- j. Mary O’Hare – I need clarification on couple is issues. Last week there was talk of the town buying the property and possibly renting it out. Mr. Murphy stated at that time a municipality cannot be a landlord, Mr. Murphy responded if we bought the building we in fact would be landlords by leasing space. We cannot develop for profit.
- k. Colleen Palmer – She stated she moved to town to live full time this past summer. She has read the municipal plan and she feels the town should purchase the building and see how this amazing piece of architecture can fit into our community and harmony whether it is a school or other space. It fits in with two other assets the community center and the elementary school. We have to be careful what you put in there to maintain the integrity of that whole area. The piece of property comes with land. Every Friday the elementary kids scamper up there for Forest Friday.
- l. Dean Alexander – He is disappointed in our town leaders bringing us here under false pretense. They have not properly looked into what we are talking about tonight. There is a potential of many dollars of expense to this town. I think the reason we are here tonight originally to vote is to provide a place for the Black River Independent School. They cannot apply to the state for a charter until they show they have a place to meet. The school has not closed yet, we have time. He stated he feels the board has not done their homework and we are here prematurely.
- m. Bruce Schmidt responded as chair of the board, we did not bring anyone here on false pretenses. More information came, we would have been remiss not to mention this to anyone. We work under transparency, trust and there can be an opinion and I respect that as long as I am chair of the board you will never see us bring anything under false pretenses to the towns’ people of the Town of Ludlow.
- n. Phil Stratman stated his biggest fear is the cost figures. What the implication is to our tax base.
- o. Justin Hyjek responded we did a walk through a few months ago and found the building to be in great shape. If we purchase the building for a dollar and we can then formulate a plan.
- p. Dan Buckley stated we used numbers from the U39 Budget which was before the LMHUUSD. Our total maintenance cost was \$341,000. Custodial services were \$150,000. If the building is empty, you would not have to have custodians on a daily basis that would drop it down to about \$200,000. Oil cost was about \$40,000, electricity about \$10,000, now the cost is \$150,000. I would estimate the cost to be about \$200,000. Rough estimate you need oil, electricity and minimal custodial help. Not a huge amount of money when the building is assessed at about 1.8 million. If Ludlow buys the building, they will have control of it and can then sell if later if they wish and get their money back.
- q. Dean Alexander asked has the town formulated any plan regarding Black River Independent School as to how the building would be rented as far as responsibilities for maintenance.
- r. Scott Murphy stated we have not gotten that far yet as far as a lease. We are just going through the first step of purchasing the building if in fact we do. We do have some elementary figures that we have written down into a preliminary budget which we will start discussing next week. Nothing is finalized yet. There has been a number of \$340,000 originally, in our budgetary numbers we have narrowed it down to \$300,000 and we are also funding a municipal transit system that is going to go away and that is about \$220,000.
- s. Dean Alexander hopes the town slows down on this. I don’t think you have to buy it tonight. The more information he hears the more he believes we are unprepared to make this commitment. I am not sure I am against buying the building but we do not have enough information.
- t. Joanna Bombadil encouraged people to attend select board meetings.
- u. Bruce Schmidt stated we as a select board will not be voting on this tonight without proper warning. We do whatever we can to keep our tax rate down.
- v. John Neal stated when we purchased the armory, we brought in community members and put together an interesting plan that engaged the entire community. We put together a really great project. Everyone on this board is fully engaged in this. Do we have all the details yet? No not yet. Do we want it to cost us more money? Absolutely not.

- w. Linda Thomson asked when Black River closes in June and the town does not buy it, the school board sells it for \$1,000,000 is that money equally divided between Ludlow and Mount Holly and the second part if the town buys it for \$0 and sells it after 5 years. Does that million dollars just go to Ludlow?
- x. Bruce Schmidt responded if the school is sold by the school board the money goes to the Ludlow Mount Holly School board for the school. If sold by the town of Ludlow before 5 years, we have to pay back the capital that has been done to the building since the formation of the LMUUSD. If the town sells it after 5 years, the money goes to the town.
- y. Otis Nelson asked about safety issues for children in the elementary school.
- z. Scott Murphy responded regarding that there are restrictions on the building as to permitted uses and conditional uses such as professional services, business offices, day care centers, multifamily dwellings, senior housing, financial institutions, municipal government building and transitional housing are just some examples. In fact when we talk about possible tenants CTV, Adult learning, Castleton University annex, community organizations, nonprofit, visiting nurses, Council on Aging, Senior Center and of course the school district might want to bring the supervisory union office back into town. There is no specific language according to our attorneys except smoking within 100 feet.
- aa. Otis Nelson has concerns using the same entrance as the elementary school.
- bb. Dean Alexander asked if the sale of the building can be separated from the 40 acres.
- cc. Bruce Schmidt responded we are not looking at that as an option at this time.
- dd. Jerry Tucker stated that the Paul Pullinen Field is part of the 40 acres which is used by the youth of our area and also surrounding towns. Also the rec department uses it. In the summer, separate from the school, summer Babe Ruth ages 12-16 and 16-19 use that field. This is just not Ludlow/Mount Holly kids it is also Chester, Cavendish, and Londonderry. There are 20 kids and the fees they pay goes to Ludlow.
- ee. Dan Buckley stated that originally the LMUUSD was going to just sell the building and half of the parking lot between the Building and the gymnasium. At the request of the select board we added in the ball field and the land under the condition that the land and the ball field can be used by the students.
- ff. Phil Stratman asked if the building is sold after 5 years, we will get something back in return for the money we had invested.
- gg. Bruce Schmidt assured that whenever we have a surplus, it is used to take down the tax rate.
- hh. Judy Pullinen wanted to call the question second by Harry Butts.
- ii. The article was voted and passed.
- jj. Motion to adjourn made by Dan Buckley, second Bruce Schmidt.
- kk. Meeting adjourned at 8:10PM.

Respectfully submitted,

Ulla Cook, Town Clerk

George Thompson, Moderator

Jean Strong, Justice of the Peace