

PRELIMINARY MINUTES

**VILLAGE OF LUDLOW
BOARD OF TRUSTEES**

REGULAR MEETING

6:00 PM

Tuesday January 8, 2019

BOARD MEMBERS PRESENT:

Bob Gilmore, Chairman

David Rose,

Earl Washburn

STAFF:

Scott Murphy

OTHERS PRESENT:

Chuck Craig

Alan Isaacson

Wayne Elliott, by phone

Rose Goings

Eric Chatterjee – Okemo Valley TV

NOTE: AGENDA ITEM #5 – PUBLIC HEARING FOR PROPOSED AMENDED VILLAGE ZONING & FLOOD HAZARD REGULATIONS WAS OPENED AT THIS TIME.

1. Bob Gilmore opened the public hearing for the proposed amended zoning regulations at 6:00 p.m. He advised that this has been discussed at previous board meetings and sufficient proper warning was made for this hearing. He said that board members have had time to review the changes. He asked board members if there were any further comments. There were none.
2. **MOTION by David Rose and seconded by Earl Washburn to close the public hearing for proposed amended Village Zoning & Flood Hazard Regulations. Motion passed unanimously.**
3. Public hearing closed at 6:01 p.m. Bob Gilmore thanked the Planning Commission for the work put in on the regulations.

REGULAR MEETING

1. **Call to Order**

- A. Bob Gilmore called the meeting to order at 6:02 p.m., all members present.

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

- A. Scott Murphy said no changes are needed.

3. **Approve Minutes from Previous Meetings**

- A. Bob Gilmore advised that minutes to be reviewed are from the Regular Meeting of December

4, 2018.

- B. **MOTION by Earl Washburn and seconded by Bob Gilmore to approve minutes from the meetings listed above as submitted. Motion passed unanimously.**

4. **Comments From Citizens**

- A. There were none.

5. **Public Hearing for Comments RE: Proposed Amended Village Zoning & Flood Hazard Regulations & Possibly Approve**

- A. **MOTION by Earl Washburn and seconded by Bob Gilmore to approve the proposed amended Village Zoning & Flood Hazard Regulations as presented. Motion passed unanimously.**

6. **Execute 2019 Certificate of Highway Mileage**

- A. Scott Murphy advised that this is an annual certificate required by the State. There have been no changes to the Village highways in the past year. The mileage is the same. The board needs to sign the certificate and Ulla Cook will sign it. It will then go to the state.
- B. **MOTION by David Rose and seconded by Earl Washburn to execute and sign the 2019 Certificate of Highway Mileage. Motion passed unanimously.**

7. **Possibly Authorize Municipal Manager to Sign Contract for Municipal Planning Grant with SWCRPC**

- A. Scott Murphy advised that this is a contract with the Southern Windsor County Regional Planning Commission for services for the Municipal Planning Grant that the town received from the state. The grant application was for downtown improvements, including parking map, signage, development of concept for Way finding plan and parking improvements. The request was for \$10,660, with the town receiving \$9,691 and matching with \$969.00.
- B. David Rose clarified that we would be receiving \$9,691.00 and that would be for parking improvements.
- C. Scott Murphy said it would include a parking map, signage, parking improvement and concepts for way finding plan. It is free money to help improve the downtown.
- D. **MOTION by Bob Gilmore and seconded by David Rose to authorize the Municipal Manager to sign the contract for the Municipal Planning grant. Motion passed unanimously.**

8. **Review of Structural Engineer's Findings on the Stone House at 83 Main Street**

- A. Scott Murphy advised that the report had been received from the structural engineer regarding the inspection of the stone house at 83 Main. The following items were highlighted:

- i. Collapse of a portion of the structure (walls) or parts thereof (large stones) is a possibility. The risk of injury to the public, when passing the structure, is considerably higher than that posed by other typical structures adjacent to the sidewalk...
- ii. Based on exhibits and his observation at the site, it is his opinion that the building meets the definition of a Vacant structure.
- iii. It is his opinion that this structure is structurally unsafe due to the findings listed about and hazardous.
- iv. It is his opinion that it is appropriate for the Director to proceed with the administration and enforcement of the Vacant and Dangerous Buildings Ordinance for this structure
- v. The structure is not reasonably safe for entry by police or fire fighters in time of exigent circumstances or emergency. The structure is not safe for entry by the public. It is recommended that the Director affix a notice of dangerousness in a conspicuous place on large signs across the sidewalk entrances in advance of the two main entry doors and notify the fire and police departments accordingly.
- vi. It is recommended that reasonable protection for the public against falling debris be installed
- vii. It is recommended that the structure be removed

Scott Murphy continued, saying that the police, fire and ambulance department have been notified. He will talk to the owners about this report and its findings. It is time for us to move on this building.

- B. David Rose said we had given the owners the opportunity to respond, but they didn't. Who pays for the demolition?
- C. Scott Murphy said we do and then would put a lien on the property,
- D. Bob Gilmore asked if we do put a lien on the property, would we be reimbursed.
- E. Scott Murphy said it is a viable property.
- F. David Rose asked if there is any recourse, such as fines.
- G. Scott Murphy said we could fence it and impose daily fines, but the owner doesn't have the money to pay the fines.
- H. Earl Washburn said the village would still end up tearing it down.
- I. Scott Murphy said we will put out an RFP for demolition in the spring.
- J. Bob Gilmore asked about liability.
- K. Scott Murphy said if we haven't done anything, we would be liable, but we are taking precautions. We have followed the procedure recommended by the town attorney.

9. **Discuss Possible Inclusion of New Chemical Distribution System to WWTF Upgrade**

- A. Scott Murphy said we had met the 60% design update a week ago. It was realized that the Chemical Distribution System had not been included in the final plans. Chuck Craig thinks that it is best to include this. The State inspected the facility last year and on page 5 of their report, suggested that the town should consider moving the stored chemicals to the new building with adequate ventilation or upgrading the existing building to make the space safer. This upgrade was not included in the bond and would run about \$250,000 to \$300,000.
- B. Wayne Elliott said this would include engineering and construction.
- C. David Rose asked how this was missed and can money be taken out of other parts of the project to cover this.
- D. Scott Murphy said only small items could be removed and it would only minimally cover these costs. He said that they could use money from the Capital Fund (over \$700,000) to cover this. He said they are not using the Capital Fund with the bond.

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- E. David Rose said we also have other work to be done around the system that we will use Capital Fund money for. When initially designed, we were just going to leave the Chemical Distribution System where it is and upgrade it.
 - F. Bob Gilmore said that would be included in the existing project costs. He asked what is included in the cost for that. He also asked if that would be acceptable to the State.
 - G. Wayne Elliott said there are some limitations and challenges. Chuck Craig would like more storage and we need a secondary containment, double walled.
 - H. David Rose asked if that is already included.
 - I. Wayne Elliott said we missed it. There were 3 different layouts for the new building. We know about the odor issues in the Chemical Building. We were always sensitive to the cost of the project. Chuck Craig raised the issues back then. Then, the State brought it up. Doing the new Chemical Distribution System is a better long-term solution. The chemicals would all be in one place with a separate entrance.
 - J. Bob Gilmore said he is concerned about the additional cost.
 - K. Earl Washburn said that there were costs included in the original price to cure the problem, can those costs be subtracted out and then add the new cost.
 - L. Bob Gilmore asked the ballpark guess for that.
 - M. Wayne Elliott said it was only about \$25,000 to \$35,000. He said the tanks are already about 12 to 13 years old and at about 60% into their useful life. He asked is it worth moving them and then have to move them again down the road. He said he would continue to look for other cost saving possibilities.
 - N. Bob Gilmore asked Chuck Craig if he needs more space.
 - O. Chuck Craig said this would cure the secondary containment issue. If the chemicals mix, it is dangerous.
 - P. David Rose asked if double-walled tanks were included in the original price.
 - Q. Wayne Elliott said yes.
 - R. Chuck Craig said they are 150 feet away from the application point and the tubing is in underground conduit. This has been problematic with the chemical dosage.
 - S. Wayne Elliott said that nothing had been included to address that.
 - T. David Rose asked an approximate cost to change the feed lines.
 - U. Wayne Elliott said the length is challenging and would only address that one issue.
 - V. David Rose said it has been that way since the building was constructed.
 - W. Chuck Craig said before the building was built, the old way was with gas in that room.
 - X. Wayne Elliott said that gas is easier to use with water flow.
 - Y. Chuck Craig said there are other facilities that do it with liquid.
 - Z. Bob Gilmore asked if there are any other points to consider.
 - AA. Wayne Elliott said he can't think of anything.
 - BB. David Rose asked about ultraviolet.
 - CC. Chuck Craig said there are other towns that use that method.
 - DD. Wayne Elliott said it is expensive and has higher operating costs.
 - EE. Bob Gilmore asked if they anticipate that, down the road, ultraviolet would be mandatory.
 - FF. Wayne Elliott said no.
 - GG. Bob Gilmore asked what the time line to decide on this addition would be.
 - HH. Scott Murphy said we are at the 60% mark and Wayne Elliott needs an answer.
 - II. Wayne Elliott said we have been sitting for a week and a half on this and it is easier to incorporate it now and not as easy weeks from now. We plan to put it out to bid as soon as possible.
 - JJ. David Rose said that he cannot support the additional costs. That is what we bonded for.
 - KK. Earl Washburn said that he agrees with David Rose and added that is an awful lot to add at the 11th hour.

- LL. Bob Gilmore asked if we decide no, will it put a hardship on the operations.
- MM. Chuck Craig said he would have to work with what he has. He added that it wasn't well thought out in the beginning. The proposal as it stands is as much as can be done without the addition.
- NN. **MOTION by David Rose and seconded by Earl Washburn deny the inclusion of a New Chemical Distribution System to the WWTF Upgrade and to stay with the original proposal with no alteration to the bond. Motion passed unanimously.**
- OO. David Rose asked Chuck Craig they will be camera-ing in the summer.
- PP. Chuck Craig said yes. He asked that he be given a heads up regarding plans to repair roads.
- QQ. David Rose asked if Chuck Craig has any small projects planned for the summer.
- RR. Scott Murphy said they will try to get High Street more manageable.

10. **FY2020 Budget Workshop**

- A. Scott Murphy advised that on page 5 of the draft, it shows budgeted expenditures of \$560,343.098, an 11% increase and revenues at \$303,745.00 a 55% increase. These numbers project a decrease in the amount to be raised in taxes of 16.6%. These numbers include costs for the village portion of the Commonwealth Avenue project and revenues from the possible grant for the project. The village portion is \$113,569.00. If we receive the grant, the village would pay 20% of this cost - \$90,854. He added that he has spoken with people at the state level and there is a good possibility that we will receive the grant. If we do not receive the grant, we will not do the project. Scott Murphy said that Ron Tarbell does not want to just pave over the road, he wants to take it down and do it right.
- B. David Rose asked if there are water and sewer lines there.
- C. Scott Murphy said part way.
- D. David Rose asked what the sewer and water costs would be on that, including storm drains. He said if we are going to repave, we need to get ahead of the paving with the water/sewer lines.
- E. Scott Murphy said that is included in the grant funding. He said without the project, the amount to be raised in taxes increase about 5%.
- F. David Rose asked if we could take out the village cost share from the budget and if we do get the grant, use the 3/5 Highway funds to pay the village share.
- G. Scott Murphy said that could be done.
- H. David Rose asked about available sidewalk money.
- I. Scott Murphy said we haven't used all of it from the current fiscal year, but he does not have the numbers available.
- J. David Rose asked about the increase in the Municipal Manager's car allowance, noting that in the past the highest was about \$1,500.
- K. Scott Murphy said he would check on it.
- L. David Rose asked about Legal fees and asked if that includes the Stone House.
- M. Scott Murphy said yes.
- N. David Rose asked about the expense to demolish the house.
- O. Scott Murphy said he would like to try to tear it down before July 1st, so it would be in FY2019. He said that he had demolished a house in the past, and the cost was about \$30,000, but it wasn't a stone house.
- P. David Rose said he had heard the number to be about \$50,000. He added that, for the meeting next month, they need to look at the Municipal Manager's car allowance.
- Q. Scott Murphy added that he will also take the Commonwealth share out of the expenditures.
- R. David Rose said that should lower the amount to be raised in taxes. He asked about the note for the sweeper that had been recently purchased.

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- S. Scott Murphy said he will make sure we are carrying the money.
 - T. Bob Gilmore asked the bottom line.
 - U. David Rose said if we get the grant, the amount to be raised in taxes will decrease about 16.6%, if we do not get the grant, the amount to be raised in taxes will increase about 5%.
 - V. Scott Murphy said he will check on the items questioned.
 - W. David Rose asked Chuck Craig if he needs any tools.
 - X. Chuck Craig said nothing major.
 - Y. David Rose asked if Chuck Craig had used the jetter.
 - Z. Chuck Craig said only once as an emergency.
 - AA. David Rose referred to the Waste Water budget and asked about the increase in User Fees.
 - BB. Scott Murphy said it's because of the bond payment for the project.
 - CC. David Rose said if there is a line replacement, it would come out of Capital.
 - DD. Earl Washburn noted the 2675% number in the amount to be raised in taxes.
 - EE. Scott Murphy said that is an error and would check on it.
 - FF. David Rose noted that the Waste Water budget looks fairly flat.
 - GG. Bob Gilmore tabled this discussion for their meeting next month.
 - HH. Scott Murphy said he would make changes and get answers to the questions asked for the next meeting.
 - II. Bob Gilmore asked the date of Village Meeting.
 - JJ. Scott Murphy said March 26, 2019.
 - KK. Warning for Village Meeting
 - i. Scott Murphy said that there will be an article for a 3-year tax exemption for Gill Home. It has been petitioned.
 - ii. Scott Murphy asked the board if they want an article to merge the town and village. The Select Board has said they will not consider it unless the Village trustees come to them and do the voters want to do it.
 - iii. David Rose asked where this comes from.
 - iv. Scott Murphy said some people on some boards occasionally mention it. It would be a potential savings.
 - v. Bob Gilmore said he has mixed feelings and some of the voters may not even be aware of the separation.
 - vi. David Rose said if the voters want it, let them petition it. He said the village has the water, sewer and electric departments.
 - vii. Earl Washburn said that the electric department is a separate entity. He added that user fees are not taxed. He said there are only about 1,900 residents in the town and having 2 board, 2 separate audits and separate agents may not be necessary. The town is small. He said he thinks the Select Board could handle both. He added that should anything happen to the village, the liability ultimately rests with the town. He said that it is hard to get candidates to fill all of the board positions.
 - viii. David Rose said the people have the right to petition and he doesn't think we should start it.
 - ix. Scott Murphy asked the board if they want an article to consider electronic town reports for next year. This is moot because the Select Board voted it down last night. It would save money in printing costs. We would still have copies for people who prefer hard copies, but it would be available online.
 - x. Bob Gilmore asked how many copies we print.
 - xi. Scott Murphy said 500.
 - xii. David Rose said we should stay with paper copies.
 - xiii. Earl Washburn said we should keep the paper copies.

- xiv. Scott Murphy noted that they have has difficulties accessing the Village Clerk over the last year. He has spoken to the town and village clerks and the village clerk is not opposed to change. He would the village residents to authorize the Village Trustees to appoint a Village clerk, rather than having one elected. They could appoint the town clerk to this position.
- xv. David Rose said it makes sense to appoint the town clerk.
- xvi. Earl Washburn was in favor of this.
- xvii. Scott Murphy said he would add it as an article for Village meeting.

11. **Municipal Manager Updates**

A. **Coolidge Solar Project**

- i. Scott Murphy advised that the project is closed up for the winter. The project is up and active and that Blattner Energy has left town. They will be back in the spring to put in storm water swales and landscaping. The town should be receiving a check from Blattner this week for \$100,000.

B. **Vail Bridge**

- i. Scott Murphy advised that the work is complete. A hold was fixed, but work is needed on the underside of the bridge. It is scheduled for 2021. He said that the Regional Planning Commission is helping with this. He hopes we can get the bridge done sooner.

C. **Jewel Brook Hotel**

- i. Scott Murphy said that the ACT 250 site visit has been postponed, because the State Historical Department requested the postponement.

D. **Commonwealth Avenue/FEMA Project**

- i. Scott Murphy advised that the project has now been split into two projects; Project 1 would be design and engineering and Project 2 would be construction and implementation. He said we will need new BCA's.
- ii. David Rose asked if the Regional Planning Commission is assisting us with this.
- iii. Scott Murphy said yes and State Mitigation.
- iv. Bob Gilmore asked the time line.
- v. Scott Murphy said 3 to 4 years.

12. **Other Business**

A. **Walk-Bridge by La Mere Square**

- i. Bob Gilmore said he noticed the yellow tape on the bridge.
- ii. Scott Murphy said the decking is unsafe. He said that the town owns the bridge. He said they will look into repairs in the spring.

B. **Stop Sign at Pleasant and Andover Streets**

- i. David Rose asked about the stop sign.
- ii. Scott Murphy advised that there is a temporary sign there. They will place a bollard in the spring.

13. **Set Date for Next Meeting**

- A. Meeting set for Tuesday, February 5, 2019 at 6:00 p.m.

14. **Possible Agenda Items for Next Meeting**

- A. Conflict of Interest Policy
 - i. Bob Gilmore asked if there were any feedback from other towns.
 - ii. Scott Murphy said some towns are going to the max, while others are doing ask little as necessary.
 - iii. David Rose asked about the Select Board.
 - iv. Scott Murphy said they have decided to push it off as long as possible. It is required by to be done by June.
 - v. Bob Gilmore said he thinks the town and village should have the same policy.
- B. Review & Clarify Sewer Allocation Fees
 - i. Scott Murphy said there is some confusion about assessing fees and they needs to be standardized.

15. **Sign Warrant Orders**

- A. Warrant orders were signed.

16. **Possible Executive Session/Personnel/Contracts**

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

17. **Adjourn**

- A. **MOTION to adjourn by Earl Washburn and seconded by David Rose. Motion passed unanimously.**
- B. Meeting adjourned at 7:24 p.m.

Respectfully submitted,

Lisha Klaiber

Robert Gilmore, Chairman

David Rose

Earl Washburn