

PRELIMINARY MINUTES

**VILLAGE OF LUDLOW
BOARD OF TRUSTEES**

REGULAR MEETING

6:00 PM

Tuesday, August 4, 2009

BOARD MEMBERS PRESENT:

Bob Gilmore, Chairman

Jim Fuller

David Rose

STAFF:

Frank Heald

OTHERS PRESENT:

Art Lynds (Able Waste)

Duncan Love – LPCTV

1. **Call to Order**

A. Chairman Bob Gilmore called the meeting to order at 6:00 p.m. All members present.

2. **Approve Minutes from Previous Meetings**

A. Bob Gilmore advised the minutes to be approved are from the regular meeting of July 7, 2009 and the special meeting of July 13, 2009.

B. **MOTION by David Rose and seconded by Jim Fuller to approve minutes from the regular meeting of July 7, 2009 and the special meeting of July 13, 2009 as submitted. Motion passed unanimously.**

3. **Comments From Citizens**

A. There were none.

4. **Open and Award Village Curbside Garbage & Rubbish Service**

A. Bob Gilmore advised that two bids (out of 5 sent out) were received. David Rose read the bids as follows:

Bidder	Base Weekly garbage and rubbish collection base price per month – 350 dwelling units	Monthly cost for each unit greater than 350
Able Waste	\$2,814.00	\$10.00
Gobin Disposal	\$2,698.00	\$7.71

B. David Rose said that Gobin appears to be the low bidder.

C. Bob Gilmore said that Gobin does a clean and great job.

D. **MOTION by Jim Fuller and seconded by David Rose to accept the bid by Gobin Disposal for the base price of \$2,698 and over 350 cost of \$7.71 and to authorize Frank Heald to execute the contract. Motion passed unanimously.**

5. **Village Water Project Update**

A. Frank Heald advised that they had the protest meeting and the protest was turned down by the state. The commissioner sustained the Village's position. The project contract was signed on August 3rd and the contractors are Markowsky and Preload. The gross cost will be \$3,400,000 and \$2,000,000 of that will be from the state. Of the \$2,000,000 from the

State, \$1,400,000 will be from grants. The Village will be the actual borrower and the trustees must sign off on the construction payments. He wants to make sure they will be available to sign off to avoid delays in payments to contractors.

- B. Bob Gilmore asked if payments would be bi-weekly.
- C. Frank Heald said no, monthly. He added that the construction sign would be posted by the fire station by the wastewater standpipe. They hope to have at least one state dignitary at the groundbreaking ceremony.
- D. Bob Gilmore asked if there would be a time line for the contractors and penalties for any delays.
- E. Frank Heald said the times are specified in the contract, but they need to work out how far into the fall they will work. The balance after Rural Development would be \$860,000 from the state for 20 years at 3% and the \$1.4 million will be 40 years at 2.75%. The original blended rate was projected at over 3.5%.
- F. Bob Gilmore asked about local publicity.
- G. Frank Heald said that Pam Cruickshank is working with the person from the USDA. Pam Cruickshank would like to have the Black River Marching band. This is a big project and we are replacing 100 year-old infrastructure. Richard Strong has been a water commissioner for 50 years.

6. **Discuss Vacant & Dangerous Buildings Ordinance**

- A. Bob Gilmore advised that at the last meeting, Jim Fuller had distributed a copy of the Barre City ordinance to be reviewed as a possible model for the Village. We don't have one in place and it is a worthy item to discuss. Bob Gilmore went through the ordinance and it would be a way to address some critical issues such as safety, health and property values. The ordinance is a way to work with the property owners to correct the situations.
- B. David Rose asked if there is anything that can be done at the present time.
- C. Frank Heald said if there are structural problems, you could get the state fire marshal involved. If there is a health issue, you would work, through the town health officer with the state department of health. There is not much you can do at the local level, without the state involvement.
- D. Bob Gilmore asked if an ordinance were adopted, could we do something without the state.
- E. Jim Fuller said that is why Barre adopted this ordinance. They copied it basically from a South Burlington ordinance.
- F. Bob Gilmore said that the ordinance states that the property owners must provide a plan for fixing up the property.
- G. Jim Fuller said that the ordinance stresses health and safety.
- H. Bob Gilmore read from the ordinance Section 23.1.b:
 - i. "The purpose of this article is to establish the reasonably necessary measures to abate the public nuisances, blight, negative housing market impact, and other harmful effects connected with dangerous and vacant or abandoned buildings and structures, consistent with the authority vested in the city to protect the health, safety and welfare of the public through the regulation of the construction, maintenance, repair, and alteration of buildings and other structures within the city."
- I. David Rose asked who pays for the repairs.
- J. Bob Gilmore said the property owner.
- K. David Rose said that he is not a big fan of this ordinance. It infringes on people's rights and he would not want to burden people who can't afford the repairs.
- L. Bob Gilmore said that these people are also putting a burden on the Village by having buildings that may pose safety, health and property value issues. We should be in the vanguard to get people to maintain their properties.
- M. Jim Fuller said the ordinance does give people 6 months to file for non-occupancy permits and bring buildings up to code.
- N. Bob Gilmore said that we should address David Rose's concern about people not having the money to correct the issues.
- O. Jim Fuller said if the building is unsafe, it would have to come down at the owner's expense.
- P. Bob Gilmore asked David Rose if he objects to the whole premise.
- Q. David Rose said that he objects to the idea. If there is a real problem, we can go to the fire marshal (Labor and Industry.)
- R. Bob Gilmore said that L&I would be concerned with occupied buildings, but what about vacant buildings.
- S. Frank Heald said that they would not get involved until there was a public safety issue.
- T. Jim Fuller said that the ordinance allows the municipality to put a lien on the property until repairs are made.

- U. Bob Gilmore said that he would like to see something done and is leaning toward an ordinance. He is leery of relying on the state.
- V. Jim Fuller said that some of the things people would do are simple like securing doors and windows.
- W. Frank Heald said they would have to modify this one to fit the village.
- X. Jim Fuller said that he thinks the intent is good.
- Y. Frank Heald said that he will modify it to fit the village and have it ready for their next meeting. They will have to warn a public hearing for it. If 2/3 of the trustees vote in favor of the ordinance, 60 days after the public hearing, if there are no referendums opposing it, it would be enacted.

7. **Discuss Chamber Office Plaza Sign – Village Ownership**

- A. Frank Heald distributed copies of Title 10, the state law that provides for signs. The Travel Information Plaza sign in Ludlow is now located by the Chamber of Commerce office and is administered by the Travel Information Council. Frank Heald has sat on that council for over 20 years. Most of these signs are owned by the state and maintained by VTRANS. Some are owned by the municipalities and managed by the Chamber of Commerce. The one in Ludlow is owned by the state, but the Chamber started removing some of the state information. The state has agreed to cede ownership of the sign to the Village and the Chamber will manage it on behalf of the Village. He has a letter from the property owner, Okemo Market Place, Inc. agreeing to this.
- B. Bob Gilmore asked if the board would still have state information posted.
- C. Frank Heald said that one side of the board, the B-side, would have state information posted. The A-side would have Chamber information. The Chamber would also sell space to non-members for postings. The Chamber is doing a good job.
- D. **MOTION by Jim Fuller and seconded by David Rose to authorize Frank Heald to sign the contract on behalf of the Village. Motion passed unanimously.**

8. **Discuss Sewer Project on Andover Street**

- A. Frank Heald said that the Water project will go on Andover Street where the sewer lines run from the Jewel Brook Inn to behind Pleasant Street and when they dig up to replace the water mains and house connections, he is suggesting that they also replace the sewer lines. It would run about \$100,000. The good news is that we can roll it into the Water project and separate out the payments. The bad news is that it would have to be put out to bid, but it is hard to believe that someone would bid on it as it would be at the same time and place as the water project.
- B. Bob Gilmore asked who would do the work
- C. Frank Heald said if we would use our money, it would not go to bid. The point is that \$100,000 is small compared to \$3.4 million. It would be treated as a purchase. He is still not sure how it would be handled, but he feels strongly that it is a good idea to replace the lines while the street is torn up.
- D. Bob Gilmore asked about the integrity of the granite curbing.
- E. Frank Heald said it would be taken up and then replaced. He will get back to them with any information on working this out.

9. **Other Business**

- A. Depot Street Culvert Project
 - i. David Rose asked when that would be completed.
 - ii. Frank Heald said within the next couple of weeks.
- B. Paving in the Village
 - i. David Rose asked when they would begin.
 - ii. Frank Heald said the contractor was supposed to start a week ago, but the weather is holding things up. They should be here in the next couple of weeks.
- C. Radar Speed Signs and Crosswalk by the Post Office
 - i. David Rose asked about the progress with the new one by the north end of the village on Route 103.
 - ii. Frank Heald said it was supposed to have come in today. He added that the people at Chrisandras are very happy about the sign.
 - iii. David Rose asked if Frank Heald had found out about the data from the other signs.
 - iv. Frank Heald said there was a cord that was missing and one should be coming in with the new sign.

- v. Bob Gilmore asked about the stanchions at the crosswalk by the post office.
- vi. Frank Heald said he thinks they will be cut and capped. He has not gotten much response from Streetscapes about planters.
- vii. Bob Gilmore said maybe the crosswalk would be used more often if it had something more eye catching.

10. **Possible Executive Session – Contracts**

- A. Frank Heald said that an Executive Session was needed.
- B. **MOTION by David Rose and seconded by Jim Fuller to enter into Executive Session for contracts. Motion passed unanimously.**
- C. Board entered into Executive Session at 6:58 p.m.
- D. Board exited Executive Session at 7:10p.m.

11. **Adjourn**

- A. **MOTION to adjourn by David Rose and seconded by Jim Fuller. Motion passed unanimously.**
- B. Meeting adjourned at 7:12 p.m.
- C. Next meeting September 1, 2009 at 6:00 p.m.

Respectfully submitted,

Lisha Klaiber

Robert Gilmore, Chairman

David Rose

Jim Fuller