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

- A. Brendan McNamara said that Agenda Item 8 and Agenda Item #11 will be postponed until the July meeting.

III. Approve Minutes of Previous Meetings

- A. May 19, 2025

1. **MOTION by Justin Hyjek and seconded by Noah Schmidt to approve the minutes from May 19, 2025 as presented. Motion passed unanimously.**

IV. Comments from Citizens

- A. There were none

V. Department Head Reports

- A. Brendan McNamara said that Cherry Nicoll has received a number of grants and is applying for others.
- B. Noah Schmidt asked about the alarm at the high school. He added that he has heard that TRSU is talking about possibly using space in the building.
- C. Brendan McNamara said he has had preliminary discussions with Mary Barton from TRSU regarding space for an adaptive program. It may be 1-2 rooms and he will revisit this at the July meeting. Also, the ODP program in Springfield may be closing.
- D. Noah Schmidt asked if we will have a High School Building Committee as budget season is coming up.

VI. Select Board to Review Updated Draft of Rental Registry:

- A. Terry Carter said that the only changes since the last meeting were about Occupancy. She said she spoke to Chris Callahan. They defined the number of bed spaces from the NFPA fire codes.
- B. Chief Whalen said that Vermont adopted NFPA 1 and 101 in 2015. He expects that the state will adopt new codes in the fall of 2025. He said that NFPA 101 is Life Safety and there are different types of occupancy: 1 & 2 family, multi-family and apartments. Also there are codes for businesses, assemblies, day care and educational buildings. Vermont Fire & Building Safety is to keep people safe
- C. Terry Carter said that in Section 4, item 7, she spelled out more about insurance
- D. Scott Baitz asked about #2 - rental property management or property management. He also asked why the 15 minute limit for key holders was there. He said that some businesses have been doing business for 20+ years and have responders there all the time and live 30 minutes away.

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- E. Chief Whalen said that Chester has it listed as Windham/Windsor counties and that is too broad. He is OK with ½ hour, but no further. He is responsible for fire safety and turning it back over to the key holder.
 - F. Scott Baitz asked what if they have a Knox Box
 - G. Chief Whalen said he is okay with ½ hour. He said there was a 1:00 a.m. fire on Christmas Eve and we had to wait 1 ½ hours for the key holder. He said the Knox Box gives entry.
 - H. Justin Hyjek asked about a mileage radius
 - I. Terry Carter said she can change it to ½ hour.
 - J. Chief Whalen said he wants to be able to turn the building over the key holder. He said that Bethel is in Windsor County and is one hour away. That is too long
 - K. Scott Baitz asked why they want this to begin on September 1st.
 - L. Terry Carter said that Rose Goings suggested it. She doesn't want the funds coming in at the same time as property taxes. If it is in the fall, we will have enough time to start.
 - M. Scott Baitz said we are not giving enough time
 - N. Terry Carter said that some will self-certify.
 - O. Scott Baitz suggested August.
 - P. Chief Whalen said the goal of NFPA 101 is to provide an environment that is reasonably safe from fire. He said that he has met with the Regional manager and also Deputy Director, Landon Wheeler and when we are ready, a MOU probably will be granted to Ludlow for us to do inspections. We should not start the process until we are ready to take it on.
 - Q. Scott Baitz said it looks like Section 3, E and F are the same
 - R. Terry Carter said that Chris Callahan has reviewed this document.
 - S. Noah Schmidt said that we are veering outside of safety and septic and sewer are not based on occupancy, but on number of bedrooms. We need to make this doable and realistic. This is becoming much larger.
 - T. Terry Carter said that sewer and water are only for occupancies over 8.
 - U. George Tucker, Jr. said they put extra scrutiny on higher occupancies. He said we should go in September.
 - V. Noah Schmidt asked why we are getting involved with water, sewer and septic.
 - W. George Tucker, Jr. said we already have that data.
 - X. Brett Sanderson said we are also concerned about the size of the leech fields.
 - Y. Terry Carter said that Chris Callahan wanted to put it in because it is enforceable.
 - Z. George Tucker, Jr. said there are 2 sets of standards.
 - AA. Noah Schmidt said it is very limiting. What if the septic works? The Lakes area is different. How can people provide proof and there are some that may be grandfathered.
 - BB. George Tucker, Jr. said it is important but the wording is not clear. It could be a 3 bedroom on a sewer or 3 bedrooms with a septic. What if there is a change in the rental usage. We can't discount that form of public safety.
 - CC. Brett Sanderson said he doesn't know how to separate it out if it fails.
 - DD. Noah Schmidt said we don't need a manual activated alarm for over 8
 - EE. Chief Whalen said that the Fire Marshall says you must have a TQP license to inspect - fire alarm, sprinkler system
 - FF. George Tucker, Jr. said that page 3 #2 says "like a manual-activated fire alarm..." It is used as an example.

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- GG. Justin Hyjek asked about bedroom size and maximum occupancy
- HH. Chief Whalen said that every bedroom must have a primary and a secondary egress. If they have a sprinkler, one form of egress.
- II. Chief Whalen suggested including “currently adopted” in references to NFPA101 and Vermont Building & Safety codes.
- JJ. Noah Schmidt said we need a clear understanding of how this would be implemented. It is asking for a lot of data and information - flow tests, etc., from the property owners. The software does a lot but we will need a person. He said that about insurance, sewer and wastewater is more complicated and is a homeowners' policy enough. You will need at least a ½ time person. We need to sit down with the vendors.
- KK. Justin Hyjek said that meeting with the vendors will help. We can ask about rentals with 3 bedrooms on sewer or septic.
- LL. Noah Schmidt said sewer allocation is not based on occupancy, it is based on number of bedrooms. He said that there are also some issues on the property cards. There will be more work on the town side and not easy on the people. We need to make this as easy as possible .
- MM. Justin Hyjek said that most other towns do include a requirement for homeowners' insurance.
- NN. Terry Carter said that most other towns' ordinances include a STR endorsement for insurance
- OO. Noah Schmidt said that we don't require insurance from other businesses. It adds another layer for us to enforce
- PP. Justin Hyjek said if we are going to do this, they should have insurance. He said that his businesses have insurance. The State may mandate it. We are not ready to put this for a public hearing. We need to sit down with vendors first.
- QQ. George Tucker, Jr. said that inspections should not be just for STR. This is about Life Safety in all regards. How do we inspect, how do we implement. There are still questions.
- RR. Terry Carter said it was changed to all rentals, then the trustees said just STR. If we go with all, it won't pass with the public. There are very few LTR.
- SS. Justin Hyjek said that the Trustees want 2 separate documents.
- TT. George Tucker, Jr. said we need to cover all rentals, not single out one group.
- UU. Noah Schmidt said septic and fire safety are the same exact codes. If we focus on safety, the residents should be okay
- VV. Eric Alden said that if you went into every unit, LTR would have more violations and be more unsafe. Section 2 - he questioned “quiet enjoyment.” Section 4- you should not have a yearly permit, just 3 to 5 years. Letter C - sewer allocation - you can't provide it if you don't have it. # 4 - he doesn't see why 15 minutes is needed. # 7 - he is not sure what “damage that occurs” refers to. None of his policies cover tenants' properties - they have renters' insurance. # 8 - “Proof, satisfactory to the town” is ambiguous, spell out what you need. It is left open to interpretation. #9 - not every property has a wastewater permit. Letter D #2 - yearly inspections are not necessary. Letter H - spot inspections are a 4th amendment violation and not allowed. Section 7 - fines for advertising is overstepping
- WW. Noah Schmidt said the software pulls changes in data that would change the core permit and will get flagged.
- XX. Justin Hyjek said that LTR have different code issues and they usually do not stuff people in.
- YY. Noah Schmidt said this is about safety. We are not concerned if it sleeps 16, but if it sleeps 16 safely.

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- ZZ. Justin Hyjek said there are concerns about the condos. We also need LTR. We need to work more on this.
- AAA. Terry Carter said she doesn't want to go another winter without fire safety. This has been reviewed by a lawyer, Rose Goings, the Trustees, the Select Board. The fine without being registered is to get them to register. We can work on LTR later.
- BBB. Justin Hyjek said that Section D2 - yearly inspections is vague.
- CCC. Terry Carter said sprinklers are for occupancies over 8.
- DDD. Chief Whalen we have 1,000 rental units or 9 or more. It is not feasible for us to inspect yearly.
- EEE. George Tucker, Jr. said that it says "like." That is not a requirement, it is an example.
- FFF. Eric Alden questioned to H, self-certification
- GGG. Justin Hyjek said self-certification is allowed for 2 years
- HHH. Scott Baitz asked if the units must be inspected every 3 years.
- III. Chief Whalen said if the Fire Marshal inspects a unit, unless there is construction, change of use of a complaint, they will not re-inspect. He said if we do an MOU with the State, it will just be for rentals, not construction.
- JJJ. Terry Carter said we can still make changes to the document at a public hearing.
- KKK. Noah Schmidt said we are not quite there
- LLL. Brendan McNamara asked if it is a violation of the 4th amendment
- MMM. Terry Carter said that Chris Callahan didn't say so.
- NNN. Brendan McNamara said we still need to define how this would be implemented. A ton of work has been done and we want to do it right. How will we implement it, how will we enforce it, how will we fund an additional person - that is not on the budget. This can't be done with in-house staff.
- OOO. Justin Hyjek said we need to talk to the vendors.
- PPP. Brendan McNamara said we will need to have a person here, in town hall, to be the "face" of the Ludlow Rental Registry.
- QQQ. Justin Hyjek said this will be self-funding
- RRR. Brendan McNamara said we will have to front the money
- SSS. Noah Schmidt said it will take 2 - 5 months to take effect, registration to set up, wastewater information is in an Excel spreadsheet. We will need a person here.
- TTT. Justin Hyjek said that Granicus did start some of the processes.
- UUU. Noah Schmidt said we will need training
- VVV. Justin Hyjek said we should ask for a person from Granicus to come in to discuss this.
- WWW. Terry Carter said Noah Schmidt did research on vendors
- XXX. Noah Schmidt said that 3 provide basically the same services: GovOS, Granicus and Deckard. He said that Chester did not have the inventory that Ludlow has
- YYY. Brendan McNamara said the Granicus software was user-friendly.
- ZZZ. Bruce Schmidt said this all began because of lack of housing in Ludlow and now it's about safety. If this is not for LTR, you will all have to live with it if something does happen. You need to do LTR also. You really need to think this through. He said the board doesn't see what the Planning Commission wants. They have not done much work on LTR and you need to think this through more.
- AAAA. Justin Hyjek said we should keep them separate.

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- BBBB. Noah Schmidt said if the advertise, Granicus can catch them, but if they go through Facebook, Granicus does not go through Facebook
- CCCC. Justin Hyjek said the complaint line could be applied to LTR.
- DDDD. Noah Schmidt said we could add to the ordinance that if the unit is an LTR what it needs
- EEEE. George Tucker, Jr. said we have one opportunity to do this right and do it once. We serve the people in the LTR 365 days per year. We need to include a section for LTR
- FFFF. Justin Hyjek said it needs more work
- GGGG. George Tucker, Jr. said the voters will ask how this will be implemented, enforced and who pays for it.
- HHHH. Chief Whalen said he will reach out to other fire chiefs regarding re-inspection. He said that Woodstock did re-inspect now they don't. Re-inspections would include smoke and CO2 detectors, egress and location of beds, etc.
- IIII. Justin Hyjek asked if it would be possible not to charge for a permit for LTR.
- JJJJ. Brendan McNamara said that he will work with Chief Whalen on enforcement. He said we should get a vendor here to discuss our questions and the document needs clarification.
- KKKK. Terry Carter said the Planning Commission has to work on the Town Zoning and Town Plan before 2027. This document has been well thought out, vetted for STR. Let Noah Schmidt write the ordinance for LTR. You don't have to kick this down the road. STR is ready to go
- LLLL. Justin Hyjek said he is worried about logistics, implementation and finding the right person. The ordinance is well thought out and vetted. The people, the voters need to vet it.
- MMMM. Terry Carter said that happens at the public hearing. That is the next logical place - the public hearing.
- NNNN. Bruce Schmidt said that he is concerned that the Chair of the Planning Commission felt she had to have someone else do the LTR. There is frustration of the direction of the Select Board. The Select Board should ask the Planning Commission what is important, what help do you need. We owe it to the Planning Commission. Have a special meeting this month and put verbiage in that is in the agenda. We don't want to rush this and the Planning Commissions overworked.
- OOOO. Terry Carter said we are not overworked, but we have a job to do
- PPPP. Bruce Schmidt said this should be done the right way and it feels like it is being rushed.
- QQQQ. Justin Hyjek said we can set a special meeting before a public hearing. This is too gray for a public meeting, there are too many questions. He moved to table this discussion
- RRRR. George Tucker, Jr. said get the preliminary ideas on the questions and language.
- SSSS. Brendan McNamara suggested Monday, June 16, 2025 at 6:00 p.m.
- TTTT. Brett Sanderson agreed, meeting set for June 16, 2025 at 6:00 p.m.

VII. Review Proposed Vendor/Food Truck Ordinance

- A. Terry Carter said she will be going to the Trustees' meeting tomorrow. They thought that this is also needed for the Town. The Planning Commission does not write ordinances, which is for the Select Board and the Trustees. The Planning Commission had some ideas. The duration currently is 150 days and the Trustees agreed that is too long. The current fee is \$25/day or \$250/150 days. She said that she researched other towns and used Shelburne's as a model for Ludlow, adding a

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- section from the Village bylaws. The food trucks are putting the brick and mortar businesses out of business. She asked if the Town would like to have a Town Vendor/Food Truck ordinance.
- B. Justin Hyjek noted the reference to the Town Administrator and asked if that would be Diane Knight or Tory Blanchard.
 - C. Terry Carter said that the current ordinance does not address parking, fire safety, changes of use. The businesses where they are parked may not have this as a condition of their permits. There are no guidelines
 - D. Brendan McNamara said that he had signed the permits for the 2 in town. There are no guidelines for denial. They are not parked on the sidewalk, they are sponsored by the property owner. There are no guidelines.
 - E. Terry Carter said the current ordinance is from 2008.
 - F. Justin Hyjek said that he has had food trucks on his property. We need to look at water usage, potable water and gray water.
 - G. Terry Carter said that should be part of the permit. The truck at Sunoco dumps water at Sunoco. She added that they must have state permits
 - H. Justin Hyjek asked about 1 to 3 days
 - I. Terry Carter said up to 3 days \$100. This could be used 10 times but they cannot exceed 30 days in a year. They must be 400 feet from a restaurant.
 - J. Noah Schmidt was asked if it were Thai food, would you be going after it. BBQs are special events. There should be special circumstances. If this were tied into zoning, it would make it very difficult. What is the goal?
 - K. George Tucker, Jr. said #2 refers to character. How will this impact brick and mortar businesses? Is it real to use zoning. 150 days is long and less of an investment than brick and mortar. Special events should not have to go to the DRB
 - L. Noah Schmidt said that the truck at Sunoco is different from the one at Justin Hyjek's business. Justin Hyjek's was a special event
 - M. George Tucker, Jr. asked about number of days
 - N. Justin Hyjek said there should be exceptions for festivals - special event permits.
 - O. Jean Strong said there is another one by NE Cider & Donuts. She said there is frustration in the Planning Commission working on these projects. She said Terry Carter does this herself. Going forward, we should think about a town planner.
 - P. Justin Hyjek said that Terry Carter does go above and beyond. We do have constrictions. We can't pass something just because someone works hard on it.
 - Q. Jean Strong said we should get some help.
 - R. Justin Hyjek said that we have talked about a planner. We know how busy everyone is.
 - S. Brett Sanderson asked board members to go through and review this document. We will add it to the agenda for the meeting on June 16, 2025
 - T. Brendan McNamara said in this case , the onus is on the Village, but the town does need to be conscious of this.
 - U. Brett Sanderson asked where this would be if the charter passes.
 - V. Brendan McNamara said it would become an ordinance of the town.

IX. Adopt Local Emergency Management Plan

- A. Brendan McNamara said that this is for the State and has been updated. It is a list of all contacts for emergencies, shelters . The fire chief has been updated and is listed as chief of fire and ambulance. The Health Officer resigned and the list was not changed at the state level. It is barebones.
- B. **MOTION by Justin Hyjek and seconded by Brett Sanderson to adopt the Local Emergency Management Plan. Motion passed unanimously.**

X. Consider Action to Propose Charter for Town/Village Merger Vote

- A. Brendan McNamara said that at the joint meeting and at their last meeting, they reviewed the document with the required changes. They had both the redlined document and the clean version. If there are no changes, the next step is to hold a series of 3 public hearings and then have a public vote.
- B. Justin Hyjek asked about the “terms may be changed.”
- C. Brendan McNamara said that was to increase members from 5 to 7.
- D. Justin Hyjek asked about the number of years.
- E. George Tucker, Jr. said that can be changed at public hearings.
- F. Noah Schmidt asked if there can be changes made at the public hearings.
- G. Logan Nicoll said that it depends on the level of change. A typo, yes or something substantial, probably not.
- H. Noah Schmidt asked if the state will tweak it.
- I. Brendan McNamara said yes
- J. George Tucker, Jr. asked if we can NOT accept the state’s changes.
- K. Logan Nicoll said that after the document goes to the State at the Legislative level, they will make changes. There are 2 committees - House (12 members) and Senate (5 members, 2 of which are ours). Then it goes to Government Operations. We are in a better place now. Then back to the Senate and House and if passed to the governor. He said most of it will not be changed. If the changes are substantial, they won’t pass it.
- L. **MOTION by Justin Hyjek and seconded by George Tucker, Jr. to proceed to put the proposed Town/Village Merger to public hearings. Motion passed unanimously.**

XI. Review & Possibly Approve Employee Policy Updates – Postponed until July meeting

XII. Municipal Manager Updates

- A. Clark Drive Bridge

1. Brendan McNamara said that we had discussed the proposed Clark Drive Bridge and Alternate project. To replace and put back in place would be tedious and there would be about a 60 mile detour in Route 100S. The land has a lot of ledge. They had proposed to extend the road from Plumley Avenue to the end of the road, but that was not good for all parties. It is costing \$2,000/month for the temporary bridge. We are going to move forward with replacing the bridge.
 2. Justin Hyjek asked if it would mean closing Route 100S.
 3. Brendan McNamara said he thinks they will not close 100S. It will be an incredibly difficult project with the ledges and pilings and extremely expensive.
- B. FEMA
1. Brendan McNamara said there are a number of FEMA obligation projects at the State level and 6 projects that may get \$1.6 million for the town. We should hear by the end of the week.
- C. Little League Field
1. Brendan McNamara said the reclamation project has begun.
- D. Paving
1. Brendan McNamara said that last week was difficult and they had to adjust the structures. They are working at night.
- E. Memorial Day Ceremonies
1. Brendan McNamara said there was a great turnout. He thanked the Legion Post #36, the Police, Fire and Ambulance Departments
- F. Jewel Brook Dam Site #1 Project
1. Brendan McNamara said that engineering is at 30% complete. They have covered a lot of ground. This part is 100% funded and we are moving in the right direction
 2. Noah Schmidt asked if funding is stable at the federal level.
 3. Brendan McNamara said yes, he said that 2 months ago it was dicey and USDA funding was paused. This portion is completely reimbursable. We paid DuBois \$300,000
 4. Scott Baitz asked to have this put on the agenda for the June 16th meeting..
- G. Timber Inn
1. Noah Schmidt asked about the Timber Inn
 2. Brendan McNamara said we own the property and are still waiting for the \$95,000 reimbursement for the demo and site work. We needed an ACT250 permit and now need a planting plan. Hopefully, by the end of the month we will be able to submit it.
- H. River Project
1. Scott Baitz asked about the River Project
 2. Brendan McNamara said dog willows and trees

XIII. Other Business

- A. Encumbrance of Skate Park Funds
1. Justin Hyjek asked the board to encumber the current balance in the fund. We want to do a second phase.
 2. Brendan McNamara said that he will have the current numbers for the meeting on June 16th

B. Eric Alden Comments

1. He said that this is the 2nd year that the Planning Commission has not adopted a Rules of Procedure.
2. He said that at their last meeting, the Planning Commission agenda was changed to remove Public Comments, it is usually after changes to the agenda. He challenged this board to find out why it was removed and insist it be replaced. The public should have the opportunity at the beginning of the meeting.
3. Lisha Klaiber said she was at the meeting and Comments from Citizens was not removed, but moved to the end of the meeting
4. Justin Hyjek said the Planning Commission should have adopted a Rules of Procedure.
5. Brendan McNamara said they are the same rules as the Select Board. He said the DRB is different because it is quasi-judicial. He said that one reason the Planning Commission has not adopted the rules of procedure is because the Chair wants the entire board to be present to vote. He said that the Select Board has a representative there to help. We don't want a contentious relationship. The Select Board wants to help support the Planning Commission.
6. Justin Hyjek suggested the Planning Commission have a special meeting to vote on the rules of procedure.
7. Bruce Schmidt said the entire Planning Commission board does not need to be present to vote on the rules of procedure.
8. Logan Nicoll wondered if Eric Alden knows where it says that Comments from Citizens has to be at the beginning of the meeting. He said he sees other towns where it is at the end of meetings. He said the public is allowed to be present, but nowhere is it stated where it has to be during the meeting.
9. Eric Alden said we all know the reason it was removed.

XIV. Possible Items for Next Meeting: July 7, 2025

- A. Employee Policy updates
- B. RFB for the Transfer Station
- C. Skate Park fund encumbrance

XV. Sign Warrant Orders

- A. Brendan McNamara said they have been signed

XVI. Possible Executive Session/Personnel/Contracts/Legal Issues

- A. Brendan McNamara said an Executive Session is needed for Possible Annual Pay Raises
- B. **MOTION by Justin Hyjek and seconded by Scott Baitz to enter into Executive Session for personnel. Motion passed unanimously.**
- C. The Board entered into Executive Session at 8:17 p.m.

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- D. **MOTION by Justin Hyjek and seconded by George Tucker, Jr. to enter into Exit Session. Motion passed unanimously.**
 - E. Board exited Executive Session at 8:21 p.m.
 - F. **MOTION by Justin Hyjek and seconded by George Tucker, Jr. to accept Municipal Managers recommendation regarding yearly staff wage increases. Motion passed unanimously.**

XVII. Adjourn

- A. **MOTION by Justin Hyjek and seconded by Noah Schmidt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:22 p.m.

Respectfully Submitted

Lisha Klaiber

Brett Sanderson, Chairman

Noah Schmidt

Scott Baitz

George Tucker, Jr.

Justin Hyjek