

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

October 21, 2024

**HEALD AUDITORIUM
6:00 P.M.**

Meeting ID: 963 5236 4337

Passcode: 411479

One tap mobile

+13126266799, 963 5236 4337#,,,,*411479# US (Chicago)

+16469313860, 963 5236 4337#,,,,*411479# US

Dial by your location

<https://zoom.us/j/abJ1grh212>

BOARD MEMBERS PRESENT:

Brett Sanderson, Chairman
Scott Baitz

Noah Schmidt
George Tucker, Jr.

BOARD MEMBERS ABSENT:

Justin Hyjek

STAFF PRESENT:

Brendan McNamara

OTHERS PRESENT:

Eric Alden
Malia Cordero
Marissa Foote
Nick Gilberti

Mary Mansino
Connie Miele
Nick Miele

Marissa Selig
Sherry Tucker
Jeff Warfle

1. CALL TO ORDER

- A. Brett Sanderson called the meeting to order at 6:00 p.m. He then led the meeting in the Pledge of Allegiance. Justin Hyjek absent

2. CONSIDERATION OF ANY CHANGES, ADDITIONS OR REMOVALS TO THE AGENDA

- A. Brendan McNamara advised that no changes are needed

3. APPROVE MINUTES OF PREVIOUS MEETINGS

- A. Brett Sanderson advised that the minutes to be approved are for the regular meeting of September 2, 2024, the special meetings of September 12, 2024 and October 10, 2024:
- B. **MOTION by Scott Baitz and seconded by Noah Schmidt to approve the minutes from the regular meeting of September 2, 2024, the special meetings of September 12, 2024 and October 10, 2024 as presented. Motion passed unanimously.**

4. **COMMENTS FROM CITIZENS**

- A. There were none.

5. **DEPARTMENT HEAD REPORTS – SEPTEMBER 2024**

- A. Recreation
 - i. Noah Schmidt said that Nick Miele recently attended the Parks and Recreation Association meeting and is working on a master plan. This is awesome. We are working on the Dog Park and tennis courts.
 - ii. Brendan McNamara said that tomorrow Nick Miele and Cherry Nicoll will be at a meeting about the walking trail at West Hill.

6. **BIDS TO REVIEW AND POSSIBLY AWARD:**

A. DORSEY PARK TENNIS COURT

- i. Brendan McNamara said we received 3 bids. The bidders gave a couple of options

VENDOR	BID
Advantage Tennis	\$68,000.00
Advantage Tennis – Overlay	\$33,000.00
Keystone Sports Construction	\$86,654.82
Keystone Sports Construction – Overlay	\$61,925.61
VT Recreational Surfacing	\$56,900.00
VT Recreational Surfacing – Overlay	\$32,300.00

- ii. Brendan McNamara said that Advantage Tennis is not the low bidder, but they gave a good scope of work. Also, they were the only bidder to do a site visit. We (the town) already have contributed \$95,000.
- iii. Nick Miele said they also said that we do not need to put in the asphalt overlay.
- iv. Scott Baitz said we are looking at \$33,000
- v. **MOTION by Noah Schmidt and seconded by Scott Baitz to approve the bid from Advance Tennis for \$33,000.00. Motion passed unanimously.**

B. PULLINEN FIELD RESTORATION

- i. Brendan McNamara said we received 1 bid

VENDOR	BID
Slate Rock Timber, LLC	\$18,000.00

- ii. Brendan McNamara said that we have decided not to rebuild the Little League field in its current position. We have been using Dorsey Field for everything this spring. He said Nick Miele had done a great job with scheduling all the teams. He said we will be using Pullinen

- Field. It has been under-utilized. We will install a smaller field, inside the larger field and it will not affect the High School or Legion games. We will have some cut outs. The bid is \$18,000 and is funded by Vermont Community Foundation.
- iii. Nick Miele said it is hard to teach or practice the younger players without bases. This plan, with the base cut-outs will give us another option.
 - iv. Brendan McNamara said it will be functional and give us another viable option that will not be damaged by floods. He said the Legion Baseball league in Ludlow is a great thing. He said it is a beautiful field and this will have a minimal effect on the field.
 - v. Noah Schmidt asked if the legion covers maintenance.
 - vi. Brendan McNamara said yes and we are refunded for the lights. With a baseball field, the more it is used, the less maintenance is needed.
 - vii. Noah Schmidt said it is great to see the lights.
 - viii. **MOTION by Noah Schmidt and seconded by Scott Baitz to approve the bid by Slate Rock Timber for \$18,000. Motion passed unanimously.**

7. **APPROVAL OF REQUESTS/LICENSES/PERMITS**

A. TERRA ITALIAN STEAKHOUSE LIQUOR

- i. Brendan McNamara listed the licenses below.

<u>Applicant</u>	<u>License Number</u>	<u>Class</u>
Terra Italian Steakhouse, LLC	LP033209	Outside consumption First Class Restaurant/Bar Third Class Restaurant/Bar

- ii. **MOTION by Scott Baitz and seconded by Noah Schmidt to approve the liquor licenses listed above for Terra Italian Steakhouse. Motion passed unanimously.**
- B. REVIEW LETTER OF INTEREST FOR OPEN SEAT ON LUDLOW-MOUNT HOLLY SCHOOL BOARD
- i. Brendan McNamara said the applicant is Kaitlyn O'Neil Benson and she lives in Ludlow. He said that he received a message from her today, that she would be unable to attend tonight's meeting. She will be a good fit.
 - ii. **MOTION by Noah Schmidt and seconded by Scott Baitz to recommend Kaitlyn O'Neil Benson for the open seat on the Ludlow Mount Holly School Board. Motion passed unanimously.**
- C. CONSIDER APPROVAL OF APPLICATION FROM DIVIDED SKY FOR ANNUAL 5K RACE
- i. Brendan McNamara said they wish to run the race on Saturday, May 17, 2025 starting at 9:00 a.m. This is the 3rd or 4th year. The route will be the same as last year, starting and finishing at Jackson Fore Ice House parking lot, using Rod and Gun Club Road. Chief Billings is okay with this. The event is well attended, last year they had 350 participants and I support it.
 - ii. **MOTION by Scott Baitz and seconded by George Tucker, Jr. to approve the request from Divided Sky for the annual 5k race. Motion passed unanimously.**

8. **CONSIDER APPROVAL OF TOWN OF LUDLOW HAZARD MITIGATION PLAN**

- A. Brendan McNamara said they have worked with Regional (Planning Commission) and Malia Cordero is here from Regional to answer questions.
- B. Malia said she is from the Mount Ascutney Regional Planning Commission (MARC) and they have been working with Brendan McNamara and your emergency services and volunteers on a 5-year plan to be implemented for hazard mitigation. They have focused mainly about floods, but also invasive species. The plan is ready and has been sent to the state EMS group to be evaluated and will increase the town's reimbursement rate.
- C. Brendan McNamara advised that the town has just received \$1,000,000.00 from the State. If approved, this will increase your reimbursement rate from 12% to 17.9%.
- D. Noah Schmidt asked if this is separate from FEMA.
- E. Malia Cordero said this is the state match level.
- F. Brendan McNamara said reimbursement from FEMA is usually 75% and this would be the Emergency Relief and Assistance Fund (ERAF) match.
- G. Malia Cordero said that projects that you already have on the list opens the town up for more potential grants.
- H. **MOTION by George Tucker, Jr. and seconded by Noah Schmidt to approve the Hazard Mitigation Plan. Motion passed unanimously.**

9. **REVIEW AND DISCUSS YEARLY LEASE WITH OKEMO OF STEARNS PIT**

- A. Brendan McNamara said that this is the yearly lease with Okemo for use of the Stearns' Pit (Blue Lot) for parking during ski season. It is based on a 5-year average and the amount this year will be \$85,352.70. Increases are based on the CPI or no less than 3% and not to exceed 5%. This year was about 4.1%.
- B. Scott Baitz said there are rumors that Okemo is charging for parking.
- C. Brendan McNamara said he has not heard that.
- D. Scott Baitz said if the lot is on lease and they are charging, we should get a piece.
- E. Brendan McNamara said we would re-do the lease to account for that. There may also be liability.
- F. Noah Schmidt asked about plowing and traffic control.
- G. Brendan McNamara said from what he has heard, things are working well with traffic and ambulance. We have a good relationship. Last year was my first year and it had been a horrific summer.
- H. Noah Schmidt said that plowing is high value.
- I. Brendan McNamara said that he and Ron Tarbell will look this over at the end of the season to get a feel for the whole thing.
- J. Scott Baitz said it would be good to have true numbers.
- K. Noah Schmidt said they pay the police for traffic control, but we need to know if it is a drain on town resources.
- L. Scott Baitz said \$85,000 may not be a true number.
- M. Brendan McNamara said that by the end of the year, he will have a better idea of true costs. He said there are some variables – like snowfall. We have an open line of communications with Okemo. We bill them for sand and salt.
- N. **MOTION by Scott Baitz and seconded by George Tucker, Jr. to approve the lease for Stearns' Pit. Motion passed unanimously.**

10. **APPROPRIATIONS REQUESTS FOR FY2026 BUDGET**

- A. List and requisitions were included in the packets
 - ARC Rutland Area, Inc.
 - Black River Academy Museum
 - Black River Good Neighbor Services
 - Black River Valley Senior Union
 - Black River Area Community Coalition
 - Fletcher Memorial Library
 - FOLA
 - Green Mountain RSVP
 - HCRS
 - Ludlow Streetscapes
 - The MOOver
 - Okemo Valley TV
 - Senior Solutions
 - SEVCA
 - TRSU Afterschool Program
 - Vermont Center for Independent Living
 - Windsor County Mentors
 - Womens' Freedom Center
- B. Brendan McNamara said an additional request was received from Vermont Greenup. These requests, if approved by this board, will be presented as part of the FY2026 town budget. Except for the Library, they have asked for an increase, so we must warn and vote first on the increase, then the appropriation. Tonight, this is just a vote to move this to the budget.
- C. Noah Schmidt asked if the requesters can change their requests.
- D. Brendan McNamara said yes, and that anything that goes to a floor vote can be changed.
- E. Noah Schmidt commented that Okemo Valley TV is undervalued and they provide a lot of value to the town in not only filming, but also technical support.
- F. Brendan McNamara said that they have helped with all the upgrades for the auditorium as well as the conference room downstairs. This was paid for with the ARPA funds.
- G. Patrick Cody added it also included FOLA.
- H. **MOTION by Noah Schmidt and seconded by George Tucker, Jr. to approve the appropriations requests to be forwarded to the FY2026 budget and the increase for Fletcher Memorial Library request increase to be warned and have a floor vote. Motion passed unanimously.**

11. **AMBULANCE OPERATIONS GUIDE/CRITICAL CARE PROVIDER DISCUSSION**

- A. Brendan McNamara said this is in 2 parts: the Ludlow Ambulance Service (LAS) Operating Guide and the Critical Care Provider component.
- B. LAS Operating Guide
 - i. Brendan McNamara said that Stephanie Grover started working on this in the spring and they have made some minor updates for standard operations
 - ii. **MOTION by George Tucker, Jr. and seconded by Noah Schmidt to approve the LAS Operations Guide. Motion passed unanimously**
- C. Critical Care Provider Discussion
 - i. Brendan McNamara said this service would provide in facility transport, essentially from hospital to hospital. He said that Mary Mancino is a critical care certified paramedic. He

- added that there would be a lot of money in the and in this area, the need is great. There is a serious need. This would be a great opportunity and offset the costs of an ambulance. But it would not be at a detriment to the community. We would provide the service, maybe once a week.
- ii. Mary Mancino said that there is not a lot of this service available in the state and none in southern Vermont. There would be initial costs for setup, but once up and running, good revenue. This service is for people with multiple infusions or on a ventilator. You must have a Critical Care Certified Paramedic or EMT. She would like to do a trial period.
 - iii. Noah Schmidt said it sounds great.
 - iv. Brendan McNamara said this is just on the surface, the medical numbers of the components for start-up are not exorbitant. He asked if the board would like to investigate this further.
 - v. Scott Baitz said he is ok to start looking into it.
 - vi. The consensus of the board was to start looking into it.
 - vii. Mary Mancino said they would need a ventilator and may be able to borrow one at the start
 - viii. Noah Schmidt said the equipment is beneficial to our residents.
 - ix. Mary Mancino said some people have ventilators at home and we may have to use theirs. We would need to look at our pumps and that would also be beneficial for regular transports. A ventilator runs about \$20,000 and 7 to 10 transports would almost cover that.
 - x. Brendan McNamara said we will put this on the agenda for a future meeting.

12. MUNICIPAL MANAGER UPDATES

- A. Emergency Relief and Assistance Fund (ERAF)
 - i. Brendan McNamara said that we have received \$1,000,000 from ERAF and it will help offset the flood damages situation.
- B. Access Road Paving
 - i. Brendan McNamara said that the Access Road is being finished
- C. Spillways
 - i. Brendan McNamara said the work for spillways for Dams 3 and 5 has been being done over the last 2 weeks by Markowsky Excavating
- D. Major Dam Project
 - i. Brendan McNamara said that the engineering and design phases are being done by Dubois and King for 5 dams
- E. Local Options Tax Committee
 - i. Brendan McNamara said there will be a forum on Wednesday and the committee will explain the benefits to the town.
- F. Merger Committee for Town and Village
 - i. Brendan McNamara said the committee is making a draft charter and working with the town attorney as well as department chairs. When complete, it will be presented to the Select Board and then for a public hearing. We may be able to vote on it at Town Meeting in March. If it passes the town vote, it will be sent to the State for approval.
- G. Major Fire Incident
 - i. Brendan McNamara said there was a major fire at Trailside this past weekend and 9 -10 departments responded as well as multiple agencies. This has brought to light the short-term rental (STR) issue. There were 14+ people in the condo and that is not permitted. This was a learning experience. We need to protect the community, visitors and our first responders. We had previously talked about STR and he knows that it will come back up. It is not about taxes or regulations; it is about life safety. We were lucky this time, there were no injuries.

We do not know why, for sure, the fire started. It is our due diligence to do what we can to protect the visitors, town and first responders. This was not a fun experience for anyone. It will be an agenda item for future meetings.

- ii. Scott Baitz said this was a self-rental and not through a local company. If we did have regulations, what would have been different? The owner had no idea of how many people would show up.
- iii. Brett Sanderson said the unit should have had sprinklers.
- iv. Brendan McNamara said some of these units advertise for as many as 18 people. Does it meet codes? Owners should follow the codes. He said if he were the renter, he would want to know that the unit is safe and up to code.
- v. Noah Schmidt said that people sleeping there should be set up with the best potential for egress.
- vi. Brett Sanderson said he has seen units packed full of beds.
- vii. Scott Baitz asked how the alarm came in.
- viii. Brendan McNamara said a call came into the police as a chimney fire and within 4 to 5 minutes it was fully engulfed.
- ix. Noah Schmidt said the state has codes and everyone knows the codes are not being followed. Our due diligence is to make sure the units are safe.
- x. Brendan McNamara said, that is not easy – how do we enforce it if the condo is permitted for 8 and there are 18 people there.
- xi. Scott Baitz said once we take something like this over, it is ours and we must make sure the rules are being followed.

13. OTHER BUSINESS

A. Connie Miele Concerns

- i. Connie Miele asked about the bridge
- ii. Brendan McNamara said we must find the money and that would be a village item. The Village would have to take out a bond. Maybe another 2 years/
- iii. Connie Miele asked about her driveway. She said ever since they paved, the end, water is being washed up. Something must be done.
- iv. Brendan McNamara said he will talk to Ron Tarbell.
- v. Connie Miele said the log is still in the brook.
- vi. Brendan McNamara said they will get it out this weekend.

B. Transfer Station Bathroom

- i. Noah Schmidt asked about progress on the Transfer Station bathroom
- ii. Brendan McNamara said they are moving forward. Aware High Country is there and it way heavy due to the lid on the tank. This week it was ordered. Construction should begin within 2 to 3 weeks.

14. POSSIBLE AGENDA ITEMS FOR NEXT MEETING (NOVEMBER 4, 2024)

- A. Brett Sanderson said the next meeting would be November 4, 2024 at 6:00 p.m. and on the agenda:
 - i. Rental registry

15. **SIGN WARRANT ORDERS**

- A. Brett Sanderson said that warrant orders have been signed.

16. **POSSIBLE EXECUTIVE SESSION/PERSONNEL/CONTRACTS/LLEGAL ISSUES**

- A. Brendan McNamara said that an Executive Session is needed for personnel.
- B. **MOTION by Noah Schmidt and seconded by Scott Baitz to move into Executive Session for personnel. Motion passed unanimously.**
- C. Board entered Executive session at 6:58 p.m.
- D. **MOTION by Noah Schmidt and seconded by George Tucker, Jr. to exit Executive Session. Motion passed unanimously.**
- E. Board exited Executive Session at 7:25 p.m.
- F. No action taken.

17. **ADJOURN**

- A. **MOTION by Scott Baitz and seconded by George Tucker, Jr. to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 7:26 p.m.

Respectfully submitted,

Lisha Klaiber

Brett Sanderson, Chairman

Noah Schmidt

Scott Baitz

George Tucker, Jr.

Justin Hyjek