

**PRELIMINARY MINUTES**

**TOWN OF LUDLOW  
BOARD OF SELECTMEN**

**October 2, 2023**

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

**Select Board**

**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/96352364337>**

**BOARD MEMBERS PRESENT:**

Brett Sanderson, Chairman  
Scott Baitz

Bob Brandt  
Justin Hyjek

George Tucker, Jr.

**STAFF PRESENT:**

Brendan McNamara

**OTHERS PRESENT:**

Eric Alden  
Lynn Baldwin  
Alan Couch  
Nick Gilberti  
George Guldi  
Joe Josselyn

Ed Kelly  
Heather Kelly  
Katie Knoll  
Mary Mancino  
John Neal  
James O'Malley

Bruce Schmidt  
Noah Schmidt  
George Tucker  
Sherry Tucker  
Kevin Winter  
Cassandra???

**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.

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

- A. Brendan McNamara said changes would be needed.  
i. Strike Agenda Item #7 regarding Expeditionary School at Black River Lease

3. **APPROVE MINUTES OF PREVIOUS MEETINGS**

- A. Brett Sanderson advised that the minutes to be approved are from the regular meeting of September 4, 2023.
- B. Justin Hyjek noted that on page 5, item 8, the last line should read, "I recommend that we move forward with a straightforward, no frills rental registry with possible ESRI integration"
- C. **MOTION by Bob Brandt and seconded by Scott Baitz to approve the minutes of the Regular Meeting of September 4, 2023 as amended. Motion passed unanimously.**

4. **COMMENTS FROM CITIZENS**

- A. James O'Malley- Jewel Brook Dam Concerns
  - i. James O'Malley asked for an update on the spillway repairs on Site #5. He noted that there had been stakes put in and there was additional erosion at the site.
  - ii. Brendan McNamara said he would address this under Agenda Item #10.
  - iii. Jim O'Malley gave statistics about the number of dams in the state and number of state employees that inspect them. This dam is high hazard. The Town of Ludlow owns all 4 of the dams and we should do whatever possible to be on top of them and help where possible. There are websites that provides updates from NOAA regarding rainfall amounts and intensity. There are also solar powered sensors that can detect when the spillway reaches a specified height and will notify a designated person. The sensors run about \$4,130 each and it would run about \$16,000 for all 4 dams. He said that he inspected sites 5 and 3 today and noted there is also a cut on site 3; both sites have vegetation growth that needs to be cut. There is a bent grate on site 3 that should be replaced.
- B. George Guldi made following comments:
  - i. He said that he was here last month with comments and concerns about – Bowker Court. He said that the town illegally crosses his property – a private road that is 13 feet wide. He said that he has sent the town a Cease and Desist letter and had requested that the town authorize an attorney to negotiate an agreement. He said that he has a deadline; he spoke to Brendan McNamara and is still waiting for an answer.
  - ii. Brendan McNamara said that he will talk with the board and will call Mr. Guldi tomorrow.
  - iii. George Guldi said that if there is no resolution by October 30<sup>th</sup>, he will gate the road.

5. **LIQUOR LICENSE ACTION:**

- A. Tortilla Restaurant Group, LLC (Little Mexico): Application for 1<sup>st</sup> and 3<sup>rd</sup> class liquor licenses. Location 57 Pond Street
- B. **MOTION by Justin Hyjek and seconded by Scott Baitz to approve the 1<sup>st</sup> and 3<sup>rd</sup> class liquor license for Little Mexico. Motion passed unanimously.**

6. **FLOOD FEMA RECOVERY UPDATE**

- A. Brendan McNamara advised that they are now working to recapture funds spent on the flood. The town has spent about \$1,100,000 and it is possible for us to get 75% back from FEMA and 12% back from the state, leaving our share at about \$154,000. FEMA has time specific deadlines. We have provided documents and photographs. We have hired a consultant who has

experience recapturing funds (from Irene.) She was recommended by Regional Planning Commission and knows the process.

- B. Justin Hyjek asked where we took the \$1,100,000 from.
- C. Brendan McNamara said the General Fund. We are ok. We hope not to have to take a loan if we get the funds before taxes are due to the state.
- D. Justin Hyjek said that is November. He asked if we have a rainy- day fund and if we don't should create one going forward.
- E. Brendan McNamara said the fund balance is \$500,000.

7. **REVIEW AND POSSIBLE ACTION NEEDED REGARDING LEASE EXTENSION WITH THE EXPEDITIONARY SCHOOL AT BLACK RIVER**

- A. This item was stricken from the Agenda for tonight.

8. **STR/GRANICUS UPDATE**

- A. Brendan McNamara said that he has given this a lot of thought and it is a very polarizing discussion. We have received a lot of opinions. He recommends that this is not a topic for debate at a Select Board meeting, but rather should be discussed at a topic driven meeting when this is the only topic. He said more people may be drawn to attend, it was the only topic. He suggested getting a speaker from the Vermont Short Term Rental Alliance (Julie) to come and discuss pros, cons, benefits and drawbacks. We would be able to get a complete public input. Then, when this returns to a regular Select Board meeting, we will have full facts and be able to make a decision.
- B. Scott Baitz asked how long to warn a topic meeting.
- C. Brendan McNamara said 48 hours. This would be a directed conversation. He said that our contract with Granicus is due for renewal on November 13 and we could have a meeting before then.
- D. Lynn Baldwin said she likes the idea and asked if the town has the contact information for all people who own short-term rentals.
- E. Brendan McNamara said he is not sure.
- F. George Tucker, Jr. said we have about 77% of the contact information.
- G. Lynn Baldwin suggested that the town send out letters to all of the owners who contact information is available.
- H. Brendan McNamara said that could be done and he will draft a letter and send the draft to Select Board members.
- I. Eric Alden said they need more structure for that meeting and should form a committee to put together a plan and present it to the Select Board for a vote.
- J. Brendan McNamara repeated that he will put together a letter for the Select Board.

9. **OKEMO WINTER SEASON UPDATE**

- A. Bruce Schmidt said that Okemo wants to have more dialogue with the Select Board and Trustees and he will do this again at the end of ski season. He said that Okemo plans to open in mid-November. He said that the damages from the flood at the mountain have been repaired. Okemo is Ready to Go for the winter and there are no lift or trail issues. The issue at the Black River pump station has been resolved. Over the summer, they did some snow making upgrades

- and put in a new culvert in the main parking lot, which will increase the width of the road. He said they had permits to remove trees between Black Out and the Half-Pipe that will make it much safer. They also had a permit to put in a connector – Sweet Solitude at the summit. They will start making snow on November 1<sup>st</sup> from Upper World Cup to Chief and Sapphire to Upper and Lower Arrows, and then add terrain as conditions permit. Jackson Gore will open on December 8<sup>th</sup>.
- B. John Neal said that they opened up the main parking lot entrance – widening it and will be able to load upper and lower lots at the same time. For guest arrival, they will have 2-minute drop off and separate buses and cars. During the week, they will move cars around the main lots 1<sup>st</sup> and also move some to Jackson Gore. They have also been working on ways to get messages out earlier – high volume, where to park, how many parking spaces are left. They will work with a company that works with the National Transportation System and will be about to get out phone and text messages for people who have WAYS or other apps. They have also been working closely with the Ludlow Ambulance Service. They now have a transponder that alerts when an ambulance is coming and will alert WAYS, Google Maps and other similar apps. They are working with the Ambulance Service with EMTs and transport, sharing Ski Patrol personnel. They also have a Paramedic on their Ski patrol. By sharing personnel, they will be able to move people more quickly. Okemo has also resumed doing Fire Drills and working with Chief Kolenda. He said that they will be able to move people off the mountain better, added road signage and will be able to keep their staff out of the roads.
- C. Scott Baitz said that the parking lot was a huge project for moving traffic.
- D. John Neal said the road will be wide enough to include a pedestrian walkway on the left side.
- E. Bruce Schmidt said that Okemo now has 6 EMTs on Ski Patrol as well as a Paramedic and are able to free her up as needed. He would like to thank the Town and its employees for their support during the flood and added that Okemo helped by supplying equipment. He said Okemo has a good working relationship with the Town. He said that the EPIC Promise fund gave \$30,000 to the Vermont Community Association, they gave \$5,500 in gift cards to their employees and an additional \$3,000 in gift cards (to places such as LaValley's, Aubuchon's, Home Depot, etc.) for employees who were flood victims.
- F. Brett Sanderson thanked Okemo for its assistance in helping people who couldn't get out, to get out.
- G. Bruce Schmidt said they are proud that they could help.
- H. Alan Couch asked if the blue lot would be paved in time for ski season and would the Wastewater Treatment Plant have the capacity to handle the crowds.
- I. Brendan McNamara said yes, the lot will be cleaned up. He said they have an excess of gravel and are working in the lot. The Wastewater Plant is business as usual. They are filling in the hole and will be able to get to full capacity by the end of this week. They are ready to go.

#### 10. **JEWELL BROOK SITE DAM'S STATUS UPDATE**

- A. Brendan McNamara advised that the spillways for sites 3 and 5 are a major concern. Les Wright and Bob Thompson will be here next Tuesday and the project will be out to bid. Hopefully, the work will be done by the end of October. He said that he has asked exactly how dangerous the condition of the dams is and it is hard to get an answer. There was a Rapid Inspection Report (July 18) and Jim O'Malley is correct about the spillway. He said that the dams did what they were supposed to do. They need to do some dredging on Red Bridge. The total engineering reports suggests the total dam projects to be about \$40,000,000. He said the engineering in itself is a 2-year project. It falls on the town to stay on top of this. He said that he was relieved that the report said the situation is not as dire as he expected, but we do have to

monitor. They had an Emergency Management meeting and the warning system is great. He suggested that this board consider the monitoring system. The spillway will be done by the end of the month and part of the bigger scope – the town’s share will be about \$10,000,000

**11. RECREATION FIELDS – REBUILD/LOCATION – DISCUSSION AND ACTION REQUIRED**

- A. Brendan McNamara said that the dog park and Little League fields were destroyed. They need to move on plans to move the Little League fields and it is foolish not to use the high school fields for the Little League, High school and recreation fields. They will not flood. He said that the estimate to repair the Little League fields will be about \$78,000 to \$100,000 down in their current location. Using the high school field is the best option. They can have with 60’ or 90’ bases, they have facilities, lights and the infrastructure and the work can be done for about half the costs. It is a good opportunity and we can use it for the younger kids, too. He needs the board’s consensus to start to move forward. He doesn’t see any negatives. He said that the actual project will have to go out to bid.
- B. There was consensus among board members to move forward.

**12. OTHER BUSINESS**

- A. George Tucker, Jr. asked when A1 is coming back.
- B. Brendan McNamara said maybe this week.
- C. Ed Kelly advised that Divided Sky will hold an Open House on Friday, October 6<sup>th</sup> from 1:00 p.m. to 4:00 p.m.

**13. DEPARTMENT HEAD REPORTS**

- A. Brett Sanderson noted that reports are in their packets, with the exception for the Planning & Police Department.

**14. MUNICIPAL MANAGER UPDATES**

- A. Emergency Watershed Protection Program
  - i. Brendan McNamara said the program looks at properties with watershed issues with 75/25 match. Some people have applied, especially on the Jewell Brook, Route 100 South.
- B. Shaw’s
  - i. Brendan McNamara reported that the DRB hearing was recessed due to unforeseen issues. They are moving forward and hope to be open before ski season. Corporate executives are coming soon.
- C. Health Center
  - i. Brendan McNamara said that they hope to be open by Mid-October
- D. Chili Cook-off
  - i. Brendan McNamara said it will be held this Saturday.

- E. Skate Park Re-opening
  - i. Brendan McNamara said it will be held this Saturday.
  
- F. Emergency Generator – Community Center
  - i. Brendan McNamara said the installation is 95% complete.
  
- G. Website
  - i. Brendan McNamara said they are in process – getting proposals, seeing demos. He will bring it back to this board in November.
  
- H. Emergency Notification System
  - i. Brendan McNamara said he will bring it back to this board in November.

15. **SET DATE FOR NEXT MEETING**

- A. November 6, 2023

16. **POSSIBLE AGENDA ITEMS FOR NEXT MEETING**

- A. Start budget

17. **SIGN WARRANT ORDERS**

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

18. **POSSIBLE EXECUTIVE SESSION/PERSONNEL/CONTRACTS/LEGAL**

- A. Brendan McNamara advised that an Executive Session is needed for Personnel Contracts.
- B. **MOTION by George Tucker, Jr. and seconded by Scott Baitz to move into Executive Session. Motion passed unanimously**
- C. Board entered into Executive Session at 6:51 p.m.
- D. **MOTION by George Tucker, Jr. and seconded by Bob Brandt to exit Executive Session. Motion passed unanimously**
- E. Board exited Executive Session at 8:34 p.m.
- F. No action taken.

19. **ADJOURN**

- A. **MOTION by Justin Hyjek and seconded by Scott Baitz to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:36 p.m.

Respectfully submitted,

Lisha Klaiber

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Brett Sanderson , Chairman

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Justin Hyjek

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Scott Baitz

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George Tucker, Jr.

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Bob Brandt