

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

September 2, 2024

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

Meeting ID: 963 5236 4337

Passcode: 411479

One tap mobile

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Dial by your location

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

BOARD MEMBERS PRESENT:

Brett Sanderson, Chairman
Scott Baitz

Justin Hyjek
Noah Schmidt

George Tucker, Jr.

STAFF PRESENT:

Brendan McNamara

OTHERS PRESENT:

Eric Alden
Susan Balch
Tim Calabrese
Phil Carter
Marissa Foote
Kathy Grant

Lorraine Hughes
Betty McEnaney
Logan Nicoll
Shon Racicot
Melissa Rockwell
Pollyanna Sidel

Ryan Silvestri
Kelly Stetner
George Tucker, Sr.
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.

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

- A. Brendan McNamara advised the following changes: Strike Item #9 – REVIEW OF BETTER ROADS PROGRAM FOR ROAD EROSION INVENTORY GRANT
i. to be covered under Manager's Updates

3. **APPROVE MINUTES OF PREVIOUS MEETINGS**

- A. Brett Sanderson advised that the minutes to be approved are for the meeting of August 5, 2024:
- B. **MOTION by Justin Hyjek and seconded by George Tucker, Jr. to approve the minutes from August 5, 2024 as presented. Motion passed unanimously.**

4. **COMMENTS FROM CITIZENS**

- A. There were none.
 - i. Jim O'Malley said that he went to the dam and noted that the cut is still there and asked for an

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

- A. Ambulance
 - i. Justin Hyjek congratulated Dylan Chambers – EMT – Dylan has just begun an AEMT course that is set to complete in December.
 - ii. Congratulations to Stephanie Grover who recently gave birth to a baby girl. Mom and baby are doing well.

6. **SOUTH HILL CROSSROAD SPEED LIMIT DISCUSSIONS:**

- A. Brendan McNamara said that he has heard from community members about incidents that recently occurred on SHCR. One was a dog being hit and the other a truck took out some poles. The community members are requesting that the 35 MPH speed limit be lowered. He noted that this can be tricky. We have one patrol person on during the day, so enforcement is difficult. He recommends the town team up with Regional Planning Commission to do a speed study. Part of this may be the perception of how fast vehicles are going. What are the benefits if the average speed is 32 MPH?
- B. Scott Baitz asked if speed was related to the 2 incidents.
- C. Brendan McNamara said the dog was hit by a UPS truck doing 33 MPH. He does not know about the poles.
- D. Logan Nicoll said he can arrange for a speed study. He will contact Brendan McNamara.

7. **TREE WARDEN COMMENTS, PHIL CARTER**

- A. Phil Carter said that he thinks of trees as part of the municipal infrastructure and they are important to the town. Other towns have tree mapping programs. The last time the trees were mapped in Ludlow was 2003 and in 2004 people went through all of the trees in town, inspecting each to type, health and growth. He said there is a software program available through UVM and they will come and do a survey with us. There will be an online database available.
- B. Noah Schmidt asked about trees on town land.
- C. Phil Carter said he doesn't know. He said we have to find out what trees are on town land. If a tree is a public danger. He said that Patricia Nye left \$5,000 to the town for trees. There is \$2,400 left and it is up to the town on how to use these funds.
- D. Justin Hyjek asked about trees in the village.

- E. Phil Carter said he does not know the number,
- F. George Tucker, Jr. said they would be able to track the health and if there is Emerald Ash Bore, they can inoculate.
- G. Phil Carter said they will do a whole new inventory and it will be accessible online. He said there are grants available. He said there are grants available – one in particular – through the VT Urban Community that can range from \$5,000 to \$75,000 and is to help mitigate flood damage and climate change. The applications are currently being accepted and must be submitted by January 10, 2025. The grant may be used to establish a community nursery. Each project is separate. If we started a nursery, we would have our own stock of trees. We have to come up with a plan – another would be to reforest the little league field and the Timber Inn property. He said we would plant in safe, accessible places. He said if we started a nursery, in the long run we would save money and have more mobility.
- H. Noah Schmidt said these are great ideas.
- I. Phil Carter said he will investigate a nursery grant.
- J. Brett Sanderson asked Phil Carter to also follow-up with UVM about the software program.
- K. Phil Carter said that on October 1st, there will be a conference in Bennington about the Emerald Ash Bore but it is for town employees. He will get the information to Brendan McNamara.
- L. Brendan McNamara said we can take care of that. Phil Carter is the Tree Warden. He said if we cut trees down, we will have to replace them. He said here is one by the Community Center that has to be taken down. We will think of it as a budgetary item.
- M. Phil Carter said the most dangerous one is on the high school lawn. He said he is going to Brattleboro with Kelly Stetner on September 13th regarding flood mitigation. What species to use and where to get Emerald Ash Bore traps?
- N. Scott Baitz said that Bob Brandt was involved with the traps when Ralph Pace was.
- O. Phil Carter said that other towns have Tree Advisory Boards or committees.

8. **BLACK RIVER ACTION TEAM PRESENTATION FROM KELLY STETTNER**

- A. Kelly Stetner said that she considers the floods in Vermont not a problem to be fixed but a condition to be managed. Deeper channels could cause more erosion in the long run. We need to slow the water down, spread it and let it soak in. We need to add trees and shrubs on the shore line and educate home owners. For new developments, we need to replace the trees that are removed with low growing, native trees. By spreading the water, you reduce the volume entering the river and the water will seep in with more trees and native weeds, fallen trees can also help. People can put in grass swales, rock lined ditches with turn outs and put shore-line plants by the lakes and rivers. She said that she has rain garden information available. BRAT has long term plans for working on the flood plains. Plant native, flood tolerant species. If we plant trees and shrubs, we can take cuttings and use seeds to use in the flood plains. Intervale Nurseries helps. Who manages and who gets the cuttings. If we have a Storm Water Management Plan, it would make us eligible for grants. We can have low impact public trails and get the public involved and teach them to take cuttings. She said that on October 16 and 17th there will be a 2-Tier Erosion Workshop in Chester.
- B. Phil Carter said if we got a grant, we could pre tree planting areas on the Municipal Nursery.

9. **RECREATION ECONOMY FOR RURAL COMMUNITIES APPLICATION**

- A. Brendan McNamara said that this discussion will be covered under Manager's updates.

10. **REVIEW OF BETTER ROADS PROGRAM FOR ROAD EROSION INVENTORY GRANT**

- A. Brendan McNamara said that Logan Nicoll had sent him an overview of Road Erosion.
- B. Logan Nicoll said that the Regional Planning Commission (MARC) will do a Road Erosion Inventory for the town. He said they do it for all of the towns in their area. Ludlow was last done in 2019. MARC is asking Ludlow to apply for the grant. The state has released \$1,000,000 for towns for this inventory. At this point \$220,000 has already been allotted. There are 662 segments in Ludlow so you would need to apply for a grant for \$13,000 and the local share would be \$2,648.
- C. There was general consensus among board members to proceed.
- D. Brendan McNamara said he can fill out a letter of intent tomorrow.
- E. Logan Nicoll said that the REI informs for grants for next year and there is a high priority in Ludlow. Then we will come up with projects.

11. **RYAN SILVESTRI FROM THE NEW ENGLAND MUNICIPAL CONSULTANTS, TO DISCUSS POTENTIAL REAPPRAISAL PROCESS**

- A. Ryan Silvestri said that, included in their packets is a contract from Catalis for a software package, a proposal for Services for Statistical Reappraisal from New England Municipal Consultants. The reappraisal is state mandated. Currently, the CLA is 77 and the COE is 22. We will do a 10% sampling of 300 random properties. If the data is higher than 10%, we must do a full appraisal. We will do a statistical analysis of sales and after, he will drive by every property in town and if there are changes, he will inspect the building. The contract price is \$183,000. The state has changed the reappraisal cycle – now every 6 years a full appraisal must be done. There is \$96,000 in the reappraisal budget and \$150,000 available in funding, leaving \$23,000 to be raised in taxes. Ryan Silvestri said they need to upgrade to the Catalis software because the current software is no longer supported.
- B. Justin Hyjek asked about a partial reappraisal.
- C. Ryan Silvestri they only do a statistical for certain classes of properties such as condos, or specific districts. But, that is like ostracizing certain properties – like spot-checking and it is not equitable.
- D. Justin Hyjek asked how long the statistical reappraisal is valid for.
- E. Ryan Silvestri said – until it's not. He said when the markets move rapidly, our assessments don't match sales. If the CLA goes over 100, the state will require a reappraisal. If the properties sell for less than 100, the state will deduct. He said that he had to use the 2018-2019-2020 sales for the 2021 reappraisal. We made adjustments for 2021. He said 2026 is the soonest they can do it; they are booking out to 2029. He said that 2/3 of the towns are under order to reappraise. He said if the Grand List is over 100% and the municipal less than 50%. We can't control the inflation rate.
- F. George Tucker, Jr. said, looking to the future, is there a number we can preplan to do.
- G. Ryan Silvestri said we will be on a 6- year cycle, we will reappraise in 2032. If the market changes abruptly we can change it. The biggest expense is boots on the ground.
- H. **MOTION by Justin Hyjek and seconded by George Tucker, Jr. to proceed with the reappraisal proposal from NEMC. Motion passed unanimously.**
- I. Ryan Silvestri said that the current software is no longer supported. The cost will be \$5,000 for the conversion and \$9,400 annual maintenance costs. The current maintenance cost is \$6,400.

- J. **MOTION by George Tucker, Jr. and seconded by Scott Baitz to proceed with the Catalis proposal from NEMC. Motion passed unanimously.**
- K. Ryan Silvestri said the chair must sign the order.

12. **REVIEW AND POSSIBLY APPROVE THE RELEASE OF ARPA FUNDS**

- A. Brendan McNamara said that Ulla Cook advised him that current balance, including interest is \$57,156.23.
- B. Justin Hyjek said the request from Fletcher is very thorough.
- C. **LAST**
 - i. Brett Sanderson said the remaining funds amount to \$24,425.73.
 - ii. Justin Hyjek asked if we are fielding anymore requests.
 - iii. Scott Baitz said that at the last meeting we thought we would give the remaining funds to LAST.
 - iv. Brendan McNamara said this has been a process and we had 9 to 10 projects, at a minimum of \$15,000.
 - v. Noah Schmidt asked about the dog park.
 - vi. Brendan McNamara said there are a few things where there may be funds left.
 - vii. **MOTION by Justin Hyjek and seconded by Noah Schmidt. to give LAST \$24,425.73 from the ARPA funds. Motion passed unanimously.**

D. **FLETCHER FARMS**

- i. Pollyanna Sidel said that Fletcher Farm School is in transition and have raised \$20,000 for a strategic plan. They want to establish year-round Community based art programs for Ludlow and the Okemo Valley residents. They will have one year-round building with 4 studios. She said that in the past, the teachers have brought the supplies. We will provide the means to connect art and students. We want Ludlow residents to appreciate arts. The want to purchase and install capital equipment to support the following year-round programs:
 - a. Fiber Arts
 - a. Weaving
 - b. Quilting
 - c. Sewing
 - b. Silver jewelry fabrication
 - c. Pottery (hand and wheel throwing clay and porcelain)
 - d. Creative metal work (welding and soldering)
 - e. Office Equipment and workspace conditioning equipment
- ii. Justin Hyjek asked if they have a 3 or 5- year sustainable plan in place
- iii. Pollyanna Sidel said they will by mid-October. They will be approaching the Foundation and shrink our use of the campus. They have already engaged artists and will be able to stay open for one more year. This focus will serve the community.
- iv. Susan Balch said they chose the above to focus on.
- v. Pollyanna Sidel said they will also serve students.
- vi. Susan Balch said that previously, their focus was more toward tourists. Now, there will be shorter classes and more accessible to the community.
- vii. Noah Schmidt asked if they have reached out to other towns.
- viii. Pollyanna Sidel said it is in the plan to approach other communities.
- ix. **MOTION by Justin Hyjek and seconded by George Tucker, Jr. to approve the request from Fletcher Farm for \$32,730.50. Motion passed unanimously.**

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

A. BLUE DUCK DELI

- i. Brendan McNamara said this is just for the Blue Duck.

NAME	DOCUMENT TYPE	ASSOCIATED WITH
D-06699	Meals & Rooms Tax Certificate	LN-025775
D-06700	Federal Employee Identification #	Blue Duck Deli, LLC
D-06701	Articles of Organization	Blue Duck Deli, LLC
D-06702	Lease or proof of ownership	LN-025775
D-07008	Lease or proof of ownership	LN-025775
D-17927	Operating Agreement	Blue Duck Deli, LLC
D-17928	Health License	LN-025775
D-17929	Proof of Worker Compensation	Blue Duck Deli, LLC
D-06699	Meals & Room Tax Certificate	LN-025775
D-06702	Lease or proof of ownership	LN-025775
D-07008	Lease or proof of ownership	LN-025775
D-17928	Health License	LN-025775

- ii. **MOTION by Justin Hyjek and seconded by Noah Schmidt approve the permits for Blue Duck Deli. Motion passed unanimously.**

B. Ludlow Rotary Club – Depot Street Closure for Chili Cook-off

- i. This is an item for the Trustees.

14. **CONSIDER APPROVAL OF PATRICIA ARCHAMBAULT LOCAL SEVCA BOARD.**

- A. Brendan McNamara said that he has received a letter from SEVCA.
B. **MOTION by Justin Hyjek and seconded by Scott Baitz to Patricia Archambault to the local SEVCA Board. Motion passed unanimously.**

15. **ACTION TO CONSIDER ADOPTION OF NEW RULES OF PROCEDURE FOR SELECT BOARD MEETINGS**

- A. Brendan McNamara said that the board has discussed this for the last few meetings. The rules are streamlined and will encourage more participation.
B. **MOTION by George Tucker, Jr. and seconded by Justin Hyjek to move forward and put this on the October agenda for action.**
C. Brendan McNamara said that at the October meeting, the public can make comments and the board can make changes as needed.
D. Eric Alden asked if a copy of the document accessible for the public to read before the meeting.
E. Brendan McNamara said it will be included in the packet for the next meeting and on the website
F. **Motion passed unanimously.**

16. **DISCUSSION REGARDING ADOPTION OF 250TH ANNIVERSARY COMMEMORATION RESOLUTION**

- A. Brendan McNamara said that the state is encouraging communities to adopt 250th Anniversary Resolution. They would like to see committees or a liaison. He said he would be the liaison. This is at no cost to the town and there are no negatives
- B. **MOTION by George Tucker, Jr. and seconded by Justin Hyjek to adopt and sign the 250th Anniversary Commemoration Resolution. Motion passed unanimously.**

17. **MUNICIPAL MANAGER UPDATES**

- A. RECREATION ECONOMY FOR RURAL COMMUNITIES APPLICATION
 - i. Brendan McNamara said that is a USDA grant – it is not monetary. There will be a workshop on 9/5. This is for aid in planning and they will assign a planner. He recommends they apply for it.
- B. Paving
 - i. Brendan McNamara said that they finished the Access Road and will be doing East Hill Road
- C. Dog Park
 - i. Brendan McNamara said the construction will begin on Wednesday. They will mark the utilities.
- D. FEMA
 - i. They received some money from FEMA, but only \$250,000.00 and this will not make a dent in what they spent.
- E. Overview of Next Week
 - i. Monday, 9/11 – Joint Select Board/Trustees meeting on River Erosion at 6:00 p.m.
 - ii. Tuesday, 9/12 – Options Tax Committee meeting – 5:00 p.,
 - iii. Wednesday, 9/18 – Merger Committee meeting – 4:30 p.m.

18. **OTHER BUSINESS**

- A. Transfer Station Bathroom
 - i. Noah Schmidt asked about progress on the Transfer Station bathroom
 - ii. Brendan McNamara said they are moving forward.
- B. Spillways
 - i. Brendan McNamara said they will have site visit this week and look at the project. Bids are due by Wednesday and the work is to be done within 30 days.
- C. Flood Plain Restoration
 - i. Melissa Rockhill asked if there could be a point of coordination, possibly Phil Carter.
 - ii. Brett Sanderson asked Brendan McNamara to follow-up.
- D. Planning Commission
 - i. Noah Schmidt said that at the last Planning Commission meeting, they discussed asking MARC where to go next. We may want to give them some direction.

- ii. George Tucker, Jr. said if the merger goes through, all of the zones will have changes and we can also get a list of ongoing things.
- iii. Justin Hyjek said it is good for this board to give direction to the Planning Commission.

E. Promotions

- i. Noah Schmidt asked how we can streamline our promotions

19. **POSSIBLE AGENDA ITEMS FOR NEXT MEETING (OCTOBER 7, 2024)**

- A. Brett Sanderson said the next meeting would be October 7, 2024 at 6:00 p.m. and on the agenda:
 - i. Rules of Procedure
 - ii. Ambulance Operations Guide
 - iii. Critical Care Provider
 - a. Brendan McNamara said that Mary Mancino will be at their next meeting. She is a critical care provider. This is an opportunity to generate revenue, by providing transport – scheduled by day of week and planned. Most towns do not provide this service.

20. **SIGN WARRANT ORDERS**

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

21. **POSSIBLE EXECUTIVE SESSION/PERSONNEL/CONTRACTS/LEGAL ISSUES**

- A. Brendan McNamara said that an Executive Session is not needed.

22. **ADJOURN**

- A. **MOTION by Scott Baitz and seconded by George Tucker, Jr. to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 7:38 p.m.

Respectfully submitted,

Lisha Klaiber

Brett Sanderson, Chairman

Noah Schmidt

Scott Baitz

George Tucker, Jr.

Justin Hyjek