

***PRELIMINARY MINUTES***

**TOWN OF LUDLOW  
BOARD OF SELECTMEN**

April 1, 2019

**BOARD MEMBERS PRESENT:**

Bruce Schmidt, Chairman	John Neal	Brett Sanderson
Justin Hyjeck		Heather Tucker

**STAFF PRESENT:**

Scott Murphy

**OTHERS PRESENT:**

John Bannon	Alan Isaacson	Ron Tarbell
Sharon Bixby	Paul Orzechowski	George Tucker, Jr.
Bob Brandt	Melissa Perrino	Joann Wilson
Aaron Galley	Pat Pullinen	Ed McEaney (Okemo Valley-TV)
Craig Huffvater	Marissa Selleck	

**1. Call to Order**

- A. Scott Murphy called the meeting to order at 7:00 p.m.
- B. All members present.

**2. Annual Board Reorganization**

- A. Elect Chair of the Board
  - i. **Motion by Brett Sanderson and seconded by John Neal to elect Bruce Schmidt Chair of the board. Motion passed unanimously.**
- B. Elect Vice Chair
  - i. **Motion by John Neal and seconded by Heather Tucker to elect Brett Sanderson as Vice Chair of the board. Motion passed unanimously.**
- C. Elect Clerk of the Board
  - i. **Motion by John Neal and seconded by Heather Tucker to elect Justin Hyjeck as Clerk of the board. Motion passed unanimously.**
- D. Appoint Union Negotiation Team Members
  - i. **Motion by John Neal and seconded by Heather Tucker to elect Bruce Schmidt and Brett Sanderson as Union Negotiation Team Members. Motion passed unanimously.**
- E. Appoint Ludlow Enterprise Fund Committee Members
  - i. **General Consensus to appoint Heather Tucker and Brett Sanderson as Enterprise Fund Committee members.**
- F. Set Day and Time of Regular Meetings and Alternate Meetings



- D. Bruce Schmidt said they will table the remaining Recreation Committee member until the May meeting.

7. **The Select Board to Discuss the School District's High School Building and Possible Acquisition by the Town**

- A. Scott Murphy advised that the board had received a letter from Meg Powden regarding the disposition of the high school (building) once the school closes. He said that he and Kevin McPherson toured the building and there appear to be no major problems.
- B. Bruce Schmidt asked if VLCT has any discussions on this.
- C. Scott Murphy said there is a process – they will need to have a public vote to acquire the building. He said that in Wilmington, in a similar situation, the town voted not to accept the building. It was given to a volunteer board.
- D. Alan Isaacson asked the approximate annual cost for the maintenance of the building and do they have plans for what to do with the building.
- E. Paul Orzechowski said the monthly maintenance is about \$10,000 for the building to sit idle.
- F. Bruce Schmidt said that at this point, there have not been discussions about what to do with the building. He said that it is one of the first buildings people see when they enter Ludlow and we can't let it get run down.
- G. Joann Wilson asked if this is just about the building or includes the land.
- H. Paul Orzechowski said the school board is starting the subdivision process on May 31<sup>st</sup>. It will be the building, front lawn and ½ the parking lot.
- I. Heather Tucker asked why not the 40 acres and baseball field.
- J. Pat Pullinen said that he thinks it should include the 40 acres and baseball field. It all used to belong to the town, but no anymore. It belongs to the school district now. They don't want to maintain it and now part of the money will be shared with Mount Holly. If the town takes it over, the money should go to the town. It may be used for education. The town should regain the property.
- K. Justin Hyjeck asked if there is any recreation equipment still in the woods.
- L. Heather Tucker said anything there is past its prime. She said that the LES students use the back 40 acres.
- M. John Bannon said the independent school would be interested in renting part of the building.
- N. Heather Tucker said that all of the other town fields are run by the town. The same should be for the baseball field and back 40.
- O. Joann Wilson said it should all be kept together and she would like to see a school there.
- P. Alan Isaacson suggested that they should talk to the Windham-Windsor Housing Trust about affordable housing. The town could own or lease the land. The town needs affordable housing.
- Q. Brett Sanderson said he disagrees with using that for affordable housing due to its proximity to the elementary school.
- R. Aaron Galley said affordable housing would be better called mixed use housing. He agreed with Alan Isaacson that there is zero affordable housing available in Ludlow.
- S. Alan Isaacson said he is not talking about Section 8 housing. It would be great to have housing that would be affordable for young families with kids.
- T. Joann Wilson asked if the Fire Marshal has been contacted, if the building would be up to code if we changed the use.
- U. Paul Orzechowski said the school board is meeting with them next month. If the use is changed, the building would no longer be grandfathered.
- V. John Bannon said upgrades to the sprinkler system would not be required if the building stays in its present conformation.

- W. Bruce Schmidt asked about the time schedule.
- X. Paul Orzechowski said they don't know, they have to wait for the subdivision.
- Y. Bruce Schmidt confirmed that the deadline is not set for July 1, 2020.
- Z. Paul Orzechowski said that is correct at this time.
- AA. Bruce Schmidt suggested that a committee be set up to explore the options. He suggested that they might be able to present it to the voters at town meeting, 2020. They would have 11 months to come up with a plan.
- BB. John Neal said that regarding the parking lot subdivision, do they want input from the Select Board. He is not interested in just part of the land and would prefer the whole piece in its entirety.
- CC. Melissa Perrino said the independent school committee hopes to transition at the end of next year and need a physical location. She thinks that affordable housing is a good idea but a second school is the path of least resistance.
- DD. Marissa Selleck said that the application process for the independent school takes a few months and needs to be out by the end of the summer.
- EE. John Bannon said no later than October 1<sup>st</sup>.
- FF. Bruce Schmidt said this will be a big vote and he does not like to have such a large vote at a special meeting (town). More people attend the town meeting in March.
- GG. Pat Pullinen said there would still be plenty of land out back for affordable housing.
- HH. Justin Hyjeck asked what the estimated pupil count for the independent school is.
- II. John Bannon said all schools need their numbers by January/February. If there is no gap year, we expect 60 to 70 students for the first year. We are also looking into permits for accepting international students.
- JJ. Brett Sanderson said that setting up a committee is a good idea.
- KK. Heather Tucker said we need to know the school board's decision on the subdivision.
- LL. Bruce Schmidt said that he expects the school board to understand that our community is centered around the school. He added that Mount Holly does not want Ludlow to own land in Mount Holly. He hopes the school board will work with the town.
- MM. Paul Orzechowski advised that the next school board meeting will be at 6:00 on April 10<sup>th</sup> at the BRHS Library and everyone is invited.
- NN. Marissa Selleck asked who will be doing the subdivision.
- OO. Paul Orzechowski said Steve Mongeon.
- PP. Brett Sanderson said he thinks that town needs to take the property.
- QQ. Bruce Schmidt said the focus of the committee of maybe 7 members, that will be to explore the private school and how much of the building they will use and what to do with the rest of the building and costs and maintenance. He said that this board needs to go into this with our eyes wide open. The committee will work with Scott Murphy and decide what to present to the voters.
- RR. Justin Hyjeck said the school is an important landmark for the community.
- SS. Bruce Schmidt asked for 2 Select Board members to volunteer for the committee.
- TT. Heather Tucker and Justin Hyjeck volunteered.
- UU. Scott Murphy asked when they would like the committee to wrap up their work.
- VV. Bruce Schmidt said around November 5, 2019. We need to find out what the independent school date is, and have an agreement for what to charge them. We should ask VLCT about what other towns did. He thinks the voters in Ludlow will accept the building.
- WW. Alan Isaacson suggested that 5 members might be easier to get. He asked if Scott Murphy would be a member of the committee.
- XX. Scott Murphy said he will be an ex officio member of the committee.
- YY. Aaron Galley said they should shoot for 7 members.
- ZZ. Bruce Schmidt said it would be open to town residents first.

8. **Liquor Control Board**

A. **Okemo Liquor License Renewals**

- i. Scott Murphy said all licenses were current on taxes and any other fees. He added that there are 7 license and 8 outside consumption renewals

<b><u>Applicant</u></b>	<b><u>Business Name</u></b>	<b><u>Additional Outside</u></b>
Okemo Mountain Food and Beverage	EPIC	X
	Willie Dunn's Grille	X
	Sitting Bull Lounge-Base Lodge	X
	Smoky Joe's Grill	X
	Sky Bar	X
	Jackson Gore Inn	X,X,X
	Corner Store at Jackson Gore	

- ii. Bruce Schmidt recused himself from the vote.  
iii. John Neal recused himself from the vote.  
iv. **MOTION by Brett Sanderson and seconded by Justin Hyjeck to approve the liquor license renewals indicated above. Motion passed unanimously.**

B. **Non-Okemo Liquor License Renewals**

- i. Scott Murphy said all licenses were current on taxes and any other fees. He added that there are 13 license and 4 outside consumption renewals

<b><u>Applicant</u></b>	<b><u>Business Name</u></b>	<b><u>Additional Outside</u></b>
Vermont Irish Pub LLC	The Killarney	X
Gaignard, Richard C	D.J.'s Restaurant	
Petrogas Group New England Inc	Applegreen	
Goodfells Petroleum	Sunoco	
Stuart, Leslie Pearson	The Wine and Cheese Depot	
46 Depot Street Annex, LLC	Stemwinder	
Goodman's American Pie	Goodman's American Pie	X
Tyson Properties	Tyson Store	
Moon Calhoun LLC	Downtown Grocery	X
Moon Calhoun LLC	Mama's	X
Tavola Ristorante Inc	Tavola Italiana	X
Quan Tro LLC	Pettigrew Inn	
DuJour VT LLC	Du Jour VT	

- ii. Bruce Schmidt said they will need to vote on Stemwinders separately.  
iii. MOTION by Brett Sanderson and seconded by Bruce Schmidt to approve the liquor license for Stemwinders.  
iv. John Neal recused himself.  
v. Motion passed unanimously

- vi. **MOTION by Heather Tucker and seconded by Brett Sanderson to approve remaining liquor licenses as indicated. Motion passed unanimously.**

9. **Possibly Award F-550 Body/Fit Up Bid**

- A. Scott Murphy advised that they received 3 bids. The apparent low bidder did not meet the specification requirements for a stainless steel body. He said that the next lowest bidder was Viking.
- B. Ron Tarbell said that the bid specified an external fuel tank and Viking's bid did not include it. He recommends going with Iroquois. The difference is \$1,200.
- C. **MOTION by Brett Sanderson and seconded by John Neal to accept the bid from Iroquois as presented. Motion passed unanimously.**

10. **Possibly Approve Winterplace Road Name Request RE: Ridgeview Road**

- A. Scott Murphy advised the suggested name is Ridgeview Road.
- B. **MOTION by John Neal and seconded by Brett Sanderson to accept the name Ridgeview Road as presented. Motion passed unanimously.**

11. **Appoint Solid Waste District Representative**

- A. Scott Murphy advised that he will be the representative and John Denner will be the alternate.
- B. **MOTION by John Neal and seconded by Bruce Schmidt to appoint Scott Murphy as representative and John Denner as alternate representative to the Solid Waste District Motion passed unanimously.**

12. **Possibly Re-Adopt Town Roads & Bridge Standards**

13. **Approve Codes & Standards Certification of Compliance for Town Roads & Bridge Standards**

- A. Scott Murphy advised that this agenda item and item 13 go together. Annually, the town needs to adopt the Codes and Standards and Certify Compliance stating that we our standards meet or exceed the state standards. Ludlow does. Doing this, makes the town eligible for additional funding. There have been no changes since last year.
- B. Justin Hyjeck asked about intrusions onto properties, such as a guard rail.
- C. Scott Murphy said they can talk to Ron Tarbell about this.
- D. Brett Sanderson said if we don't sign this, we won't get grant money.
- E. Bruce Schmidt said when they did the Walker Bridge, the state worked with the property owners.
- F. **MOTION by John Neal and seconded by Brett Sanderson to adopt the Town Roads and Bridge Standards and to execute the Certificate of Compliance as presented. Motion passed unanimously.**

14. **Approve VTRANS Annual Financial Plan – Town Highways**

- A. Scott Murphy advised that this is the annual certificate to the state that the town is spending at least \$300/mile on Class I, II and III highways. He noted that Ludlow is spending significantly more per mile.
- B. **MOTION by Brett Sanderson and seconded by John Neal to sign the certificate. Motion passed unanimously.**

15. **Possibly Approve Class 2 Highway Grant Application for Commonwealth Avenue Project**

- A. Scott Murphy advised that this was discussed at the February meeting. The grant includes both the town and village and the application is due April 19<sup>th</sup>. There will be 2 applications – the road is rated FAIR. We will not do the project if we do not get the grant. The grant includes a 30% match, but since we sign the Certificate of Compliance and the Standards, we would be entitled to an additional 10% - so our part would be 20%. The board needs to authorize Scott Murphy to apply for the grant. We need to do the infrastructure on Commonwealth before paving.
- B. Bruce Schmidt said there is a bad section of water just below the Views and the road is breaking up.
- C. Scott Murphy said he is working with Ron Tarbell and Chuck Craig on this.
- D. **MOTION by John Neal and seconded by Heather Tucker to authorize Scott Murphy to apply for the Class 2 Highway Grant. Motion passed unanimously.**

16. **Possibly Approve Asbestos Removal Contract for the two (2) FEMA Buyout Properties**

- A. Scott Murphy said this has been a long process – since Irene. As of last month, we own the 2 properties on East Hill Road and we need to remove the asbestos before we can demolish the 2 buildings. We received 3 bids and Catamount was the low bidder. They will try to get in as soon as possible. We will put out an RFP to demolish the buildings as soon after the asbestos removal as possible.
- B. **MOTION by Brett Sanderson and seconded by John Neal to award the bid to Catamount for asbestos removal. Motion passed unanimously.**
- C. Justin Hyjeck asked about future use of the property.
- D. Scott Murphy said they can't put in permanent structures. Ideas include a kiosk, picnic area or other uses.

17. **Possibly Adopt Local Emergency Management Plan (LEMP)**

- A. Scott Murphy said that in the past, this was referred to as LEOP – the O for operations. There are no changes. The list is the emergency contacts for the town. It has to be approved by the Regional Planning Commission prior to being sent to the state.
- B. Bruce Schmidt advised that the email address for him is incorrect. It should be b bschmidt...not bruceschmidt...
- C. **MOTION by John Neal and seconded by Heather Tucker re-adopt the Emergency Management Plan. Motion passed unanimously.**

18. **Department Head Reports**

- A. Bruce Schmidt advised that all reports are in for the February and March.

19. **Municipal Manager Updates**

A. **Regional Broad Band**

- i. Scott Murphy advised that Cavendish and Weathersfield are working with TDS for a multi-town grant application to expand broad band infrastructure. It would be a \$500,000 grant and is spear headed by the Cavendish Telecommunications Committee. With a match, it would come to \$1,000,000. It would be to reach under or not served areas. The Regional Planning Commission saying they will increase their speed. He said that he has TDS service at home and it is only 10 megs.
- ii. Heather Tucker said that Andover has fiber optic service.
- iii. Scott Murphy said yes. He added that there are only 4 properties without service.
- iv. Bruce Schmidt said that the people in Ludlow will support this. He said that VTEL has fiber optic service going through town, but you can't connect to it.

B. **Tax Sales**

- i. Scott Murphy advised that there was a tax sale on February 21<sup>st</sup>. Six properties were up for sale, and 3 of them sold. He said that he would like to have the board consider purchasing the no-bid properties to get them off the grand list. The town could then resell the properties. People don't want to pay off the previous owners' taxes.
- ii. Bruce Schmidt asked Scott Murphy to bring this up to the board again in a few months. He would like to hear more.

20. **Other Business**

A. **Andover Street**

- i. Heather Tucker asked the status of the property on Andover Street that the truck ran into.
- ii. Scott Murphy said the property was sold and the new owners have started working on it.

B. **Dog Park**

- i. Justin Hyjeck said that he has heard that Fletcher Farm wants to lease the town the land for a dog park.
- ii. Sharon Bixby said that Fletcher Farm is in favor of a dog park, but that there is the issue of droppings.
- iii. Scott Murphy said this has also been discussed by the Recreation Committee for West Hill. It would include an enclosed area. He said that Fletcher Farm has an Act 250 permit. He will get back to the board.
- iv. Heather Tucker said that Sue Pollender said that the fields would have to be mowed and weed whacked and owners would have to pick up after their dogs.
- v. Bruce Schmidt said the board would have to discuss this and put it into the budget if it's really something we want. It's a nice amenity. We might be able to work with Fletcher Farm.
- vi. Sharon Bixby said it would help keep the dogs off the other fields.
- vii. Justin Hyjeck suggested fund raising for it.
- viii. Heather Tucker said that Sue Pollender found possible grants.

C. Speed Limit on Main Street/Crosswalks/Engine Brakes

- i. Aaron Galley asked about lowering the speed limit on Main Street – possibly to 20 MPH from Walker Bridge to Benson’s.
- ii. Bruce Schmidt said that it can’t be 20 MPH. He said the state has requirements.
- iii. Scott Murphy said they could look into other traffic calming options.
- iv. Justin Hyjeck asked about the Yield to Pedestrian signs.
- v. Bruce Schmidt said they are removed in the winter.
- vi. Scott Murphy said that state law says that vehicles must yield to pedestrians in crosswalks. He said he will look into the speed limit on Main Street.
- vii. Aaron Galley asked about an engine brake ordinance.
- viii. Brett Sanderson said there is no engine brake ordinance. The town could put up signs to ask trucks not to use them.

D. La Mere Square Footbridge

- i. Brett Sanderson asked the status of the footbridge.
- ii. Scott Murphy said that someone broke the chain and he will check on it. He will see if we can do something about it. The planks are shaky.

21. Set Date for Next Meeting

- A. Bruce Schmidt that the next regular meeting would be May 6, 2019 at 7:00 p.m.

22. Possible Agenda Items for Next Meeting

A. Ludlow Ambulance Service Assessment

- i. Scott Murphy said it will be on the agenda for the May meeting.

B. Demolished Building on Main Street

- i. Bruce Schmidt asked if there is an ordinance that would cover cleaning up demolished structures. It is unsafe and looks terrible. Is there an ordinance for cleaning up properties then billing the owners? It’s a pile of rubble.
- ii. Scott Murphy said the owners paid for the demolition. As long as it’s not asbestos, there’s not much we can do. He said that he will bring it up to the Trustees tomorrow night.

C. West Hill Revitalization

- i. Bruce Schmidt asked for an update on West Hill at the May meeting.

23. Sign Warrant Orders

- A. Warrant orders have been signed.

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

- A. Scott Murphy advised that an Executive Session is not needed.

25. **Adjourn**

- A. **MOTION by Brett Sanderson and seconded by Justin Hyjeck to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:28 p.m.

Respectfully submitted,

Lisha Klaiber

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Bruce Schmidt, Chairman

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Brett Sanderson

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Justin Hyjeck

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Heather Tucker

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John Neal