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- i. **Motion by Brett Sanderson and seconded by Scott Baitz to elect Heather Tucker as Clerk of the board. Motion passed unanimously.**
 - E. Appoint Union Negotiation Team Members
 - i. Bruce Schmidt advised that he had done this for some time and asked if anyone else was interested.
 - ii. Justin Hyjeck asked how often do they have to renegotiate the contracts.
 - iii. Scott Murphy said the Police Union was just done and is good for 3 years. The Town Municipal Employees contract will be renegotiated next year.
 - iv. **General Consensus to appoint Justin Hyjeck and Brett Sanderson as Union Negotiation Team Members.**
 - F. Appoint Ludlow Enterprise Fund Committee Members
 - i. **General Consensus to appoint Heather Tucker and Brett Sanderson as Enterprise Fund Committee members.**
 - G. Set Day and Time of Regular Meetings and Alternate Meetings
 - i. Bruce Schmidt asked board members if they would prefer to start meetings at 6:00 p.m. All members said they could do it.
 - ii. **General Consensus to hold regular meetings to be held the first Monday of each month at 6:00 p.m. Special meetings, if needed will be held on the third Monday of the month at 6:00 p.m.**
 - H. Appoint Recording Secretary
 - i. **General Consensus to appoint Lisha Klaiber as secretary.**
 - I. Designate Newspaper of General Circulation
 - i. Scott Murphy said staff recommends continuing with THE VERMONT JOURNAL.
 - ii. **General Consensus to designate THE VERMONT JOURNAL as newspaper of circulation and to continue using THE RUTLAND HERALD as backup paper.**
 - J. Adopt Roberts Rules of Order
 - i. Bruce Schmidt advised that the Board has used Roberts Rules of Order for the meetings.
 - ii. **General Consensus to continue using Roberts Rules of Order. Motion passed unanimously.**
 3. **Consideration of any Changes, Additions or Removals to the Agenda**
 - A. Scott Murphy advised that two changes are necessary.
 - i. Agenda Item #15 – BRACC 5K walk has been pulled and added to the Village Trustees’ agenda as the route is within the village.
 - ii. The Independent School committee has submitted a request. Scott Murphy said the board can add this for discussion, but since it was not warned, the board may not vote on it.
 - iii. Bruce Schmidt said they will discuss this under “Other Business.”
 4. **Comments from Citizens**
 - A. There were none.
 5. **Approve Minutes of Previous Meetings**
 - A. Bruce Schmidt advised that the minutes to be approved are from the regular meeting of February 3, 2020.
 - B. **MOTION by Brett Sanderson and seconded by Justin Hyjeck to approve the minutes of the regular meeting of February 3, 2020 as presented. Motion passed unanimously.**
 6. **Appoint Town Officers**
 - A. Scott Murphy advised that a list of proposed town officers was included in their packets.
 - B. Justin Hyjeck asked if the Recreation Committee normally has 4 or 5 members, because only 4 are listed.
 - C. Heather Tucker said 5 members.
 - D. Scott Murphy noted that Sue Pollender is on the Recreation Committee and has a 3-year term. That term is not up at this time.
 - E. Bruce Schmidt suggested voting on the slate, as presented.
 - F. **Consensus of the board to appoint the slate of candidates for 2020-2021 as presented.**
 - G. Scott Murphy advised that for Black River Valley Senior Center Representative position, there is only one position open and there were 2 applicants, Tara Lichtensteiger and Herb Van

Guilder. He added that Tara Lichtensteiger has discussed this position with him and is very interested.

H. Bruce Schmidt said they will table this position until the applicants can come in and we can talk to them. At that time, we will have a paper vote.

I. **Consensus of the board to appoint the slate of candidates for 2020-2021 as presented, with the exception of the Representative to the Black River Valley Senior Center.**

7. **Liquor Control Board**

A. Scott Murphy said all licenses were current on taxes and any other fees. He added that Chief Billings had no comments. He added that the board only needs to sign the one form provided by Ulla Cook that covers all of the licenses.

<u>Applicant</u>	<u>Business Name</u>	<u>Additional Outside</u>
American Legion Ballard Hobard Post #36	American Legion	X
L V P Inc.	Ludlow Village Pizza	
J W Sandri	Sunoco Station	
Homestyle Hostel LLC	Homestyle Hostel	X
Homestyle Hostel LLC	Main and Mountain Motel	X
Tyson Properties	Tyson Store	
Aminah & Rayhan LLC	Ludlow Shell	
Mark J Williams Corp	Mr. Darcy's Bar and Grill	
Brick & Mortar Hospitality LLC	Sam's Restaurant	
Vermont Irish Pub LLC	The Killarney	X
Goodman's American Pie	Goodman's American Pie	X
Tavola Ristorante Inc.	Tavola Italiana	X
T B K Inc.	Tom's Loft Tavern	X
Moon Calhoun LLC	Downtown Grocery	
Outback of Ludlow	Magiamo	X
Proud Bear LLC	Proud Bear Inn	NEW BEER/WINE ONLY

B. Justin Hyjeck recused himself.

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

8. **Gary Sweeney, P.E. from VT Agency of Transportation Structures Section is Seeking Vail Bridge Rehabilitation Closure Decision**

A. Scott Murphy advised that Mr. Sweeney had attended their December meeting and discussed the replacement of the deck and superstructure of the Vail Bridge. At that time, he asked the board to consider whether they preferred to close the entire bridge during construction or to keep one lane open for traffic. If they choose to keep one lane open, it will extend the construction period through the fall. If they close the bridge completely, it will reduce the town's share.

B. Gary Sweeney said that the bridge is wide enough to keep 2 lanes open during construction. If they close half the bridge at a time, the project will last the entire construction season. If they close the bridge completely, the estimate is 5 weeks total closure. The contractor would still be on site after the bridge reopens. The typical town share is 10% for a total bridge replacement. This is considered a rehabilitation, so the town's share would be 5%. If they close the bridge completely, the town's share would be 2 ½%. The town would manage the detours and post the signs. The cost of the signs is covered in the contract price. He said that the rough estimates are \$1.85 million if done in phases and \$1.95 million if the bridge is closed. Design has not been done yet.

C. Bruce Schmidt said that the bridge is located at the intersection of Route 100S and Route 103.

D. Justin Hyjeck said that he thinks that Option #2 is the best fit – closing the road.

E. Bruce Schmidt asked what the detour plans would be. Would cars go down Pond Street Ext. and cross over by Dorsey Park.

F. Gary Sweeney said that typically, they prefer to keep trucks on state routes. He said that passenger vehicles will find their own way and local traffic will scatter. The town can direct traffic and close certain routes if needed. He said that the big concern is large trucks. Going North to South, they would probably be routed Rtes. 140/155. East to West, probably Route 100, Andover and Main will be open. Most of the time, trucks can negotiate that turn. We can help the town select the routes.

- G. Justin Hyjeck said he is concerned about trucks going from Rte.100S to 100N.
- H. Bruce Schmidt said that when they did the Walker Bridge, we tried to keep trucks off the road and that was not always possible. He said the cost difference to the town is not a huge amount of money and he would prefer to have the bridge partly opened. It is 2-lane. He said it would slow traffic down. He said that larger, over-sized trucks would not be able to cross. He said it would be very disruptive for 5 weeks to try to completely close the bridge and trucks will still go through.
- I. Scott Murphy said that he spoke to Chief Billings and Ron Tarbell to get their input and the main concern is the businesses. They can work with Gary Sweeney and recommend the 5-week closure. They think 6 months is too long.
- J. Bruce Schmidt asked when this project is slated.
- K. Scott Murphy said, possibly 2021.
- L. Heather Tucker asked if the town chooses the time.
- M. Gary Sweeney said they would try to set the contract with a window and the town would pick the weeks within that window. If we advertise soon enough, the components can be fabricated over the winter.
- N. Justin Hyjeck noted that the Walker Bridge project was delayed because of bats.
- O. Gary Sweeney said there was a concern and we tried to avoid nesting season. We will try to discourage them from nesting under the bridge by putting up netting.
- P. Bruce Schmidt asked the board members their preferences. His preference is to do the partial closure.
- Q. Justin Hyjeck said he prefers to close the bridge completely.
- R. Brett Sanderson said that the shorter period of time is a better project. He would like to see the project done by mid to late June. If that is okay, close the bridge, if not, stretch it out.
- S. Justin Hyjeck asked if netting the bridge is realistic.
- T. Gary Sweeney said he can't give a definite answer. He would need to discuss this with his environmental staff. He does not think that bats will slow this project. They have plenty of time to handle the bat situation.
- U. Brett Sanderson added that during the construction on the Walker Bridge, they were in the river.
- V. Bruce Schmidt said that there are short memories with regard to the truck situation while doing the Walker Bridge. He took a roll call vote on going forward with closing the bridge:
- W. **All in favor of closing the bridge completely:**
- i. **Brett Sanderson – aye**
 - ii. **Scott Baitz – aye**
 - iii. **Justin Hyjeck – aye**
 - iv. **Heather Tucker – aye**
 - v. **Bruce Schmidt – nay.**
- X. **MOTION passed 4 to 1.**
- Y. Bruce Schmidt thanked Gary Sweeney for his time.

9. **Timber Inn Possible Future FEMA Buyout Discussion**

- A. Scott Murphy advised that after Irene and other high-water events, if a property sustained more than 50% damages, there is a FEMA buyout process available and the town would get the property. The structures would be razed and there would be no future building on that site. We are just starting this discussion.
- B. Glenn Heitsmith said that the property had major flooding last year and this is the second time. The FEMA buyout is an option.
- C. Donna Heitsmith said that if they receive a go ahead from the town, they will order the appraisal and the application must be submitted by the end of January 2021. The whole process would take 2 to 3 years.
- D. Bruce Schmidt said they are asking for Select Board approval.
- E. Justin Hyjeck asked what the costs to the town would be.
- F. Donna Heitsmith said the town would be liable for 12 ½% if the property is deemed unusable. But, if it is not an immediate disaster, this is preempted and we can get funded through FEMA.
- G. Scott Murphy said that is correct. This is not a disaster. You're responsible for 25% if it is not funded at all.
- H. Justin Hyjeck asked how much undevelopable land there is in Ludlow.
- I. Scott Murphy said he doesn't know, but the town did 2 properties this year.
- J. Bruce Schmidt said it does not cost the town, but we lose the tax revenue.
- K. Donna Heitsmith said that is about \$13,000/year.
- L. Bruce Schmidt said the town has flood plain property that it can't use. He asked if this is the house and motel or just the motel.

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- M. Donna Heitsmith said the house was built above the 100-year flood elevation. She said the John Broker-Campbell would know best if the town could use the house. She would hate to see it torn down.
 - N. Bruce Schmidt asked if their plans would be to leave the site.
 - O. Donna Heitsmith said it would belong to the town. She said that there may possibly be another hotel coming to town and that would add to the tax base.
 - P. Justin Hyjeck said this is all preliminary and he would like to talk to John Broker-Campbell.
 - Q. Bruce Schmidt said we would need a board consensus.
 - R. Scott Murphy advised that John Broker-Campbell had just joined the meeting.
 - S. Bruce Schmidt said that he is concerned that if the project does not include tearing the house down, the town would have a house to sell and we are not in the real estate business.
 - T. Scott Murphy said that could be addressed when formal papers are submitted.
 - U. John Broker-Campbell identified himself as the Regional Flood Plain Manager for the Agency of Natural Resources.
 - V. Justin Hyjeck asked how much land in the town is undevelopable.
 - W. John Broker-Campbell said he does not know how many acres there are, but will get the information.
 - X. Bruce Schmidt asked for comments from other board members.
 - Y. Brett Sanderson asked what the board thoughts were on the motel or the motel and house.
 - Z. John Broker-Campbell said they are both on the same parcel and are in the regulatory flood way. FEMA supports projects in that area.
 - AA. Donna Heitsmith asked John Broker-Campbell about whether it would be both structures.
 - BB. John Broker-Campbell said he prefers to see both gone.
 - CC. Bruce Schmidt asked for board comments.
 - DD. Justin Hyjeck said at this point, it is not formal.
 - EE. Bruce Schmidt said that they are going to have to start spending money and it is a tough situation. The town does not want the house. If we give the go ahead to move forward, we can't back out.
 - FF. John Broker-Campbell said that until the town signs a formal agreement, the town can still stop the process.
 - GG. Scott Baitz asked how much money the Heitsmiths would have to spend.
 - HH. Glenn Heitsmith said the appraisal is about \$3,500 to \$4,000.
 - II. Donna Heitsmith said if the Select Board agrees, they will move go forward. They don't want to get further down the line unless the Select Board is in for this.
 - JJ. Justin Hyjeck said he wants to know how much land in Ludlow is undevelopable. He said he feels ill-equipped to make a decision at this time.
 - KK. Donna Heitsmith said they can get more information from John Broker-Campbell. She added that unless the Select Board is 100% behind this, they will not spend any money on it.
 - LL. John Broker-Campbell said the deadline for filing the application is late January 2020.
 - MM. Bruce Schmidt said that the bridge at the other end of the property does not get as much damage, but maybe the trailer park and Sam's do. There will be expenses to the Heitsmiths and the town will lose the tax revenue. We need to look at this very carefully. He would like to look at this again next month and have more information.
 - NN. Donna Heitsmith said that she understands that the Select Board is on the fence, but she wants more buy-in from them before moving forward.
 - OO. John Broker-Campbell asked Scott Murphy to get a list of questions from board members and to forward it to him before the next meeting. He will get the answers.
 - PP. Bruce Schmidt tabled this discussion.

10. **Possibly Approve Paving Contract for Commonwealth Avenue**

- A. Scott Murphy advised that the state has put paving on hold. We do have the bids for Commonwealth Avenue and Fuller Sand and Gravel was the low bidder. We have worked with them in the past and are happy with their work.
- B. Bruce Schmidt asked if the town should be tightening spending up.
- C. Scott Murphy said that the town has already frozen hiring and employees are multitasking. He said that he has spoken with Ulla Cook and she advised that we are in decent shape with taxes. Going forward, we will possibly put a hold on our next year's budget.
- D. **MOTION by Brett Sanderson and seconded by Scott Baitz to award the Commonwealth Avenue paving bid to Fuller Sand and Gravel. Motion passed unanimously.**

11. **Possibly Approve Contract for West Hill Recreation Pavilion Project**

- A. Scott Murphy advised they received 3 bids for the original RFP that was sent out. All were more than the budgeted amount. He said they reissued the RFP to have more town crew

involvement, doing the demolition. They received one new bid for \$13,950.00. We budgeted \$6,000 in the current FY budget and have \$7,950 in the capital account.

- B. Justin Hyjeck asked the time frame on this project.
- C. Scott Murphy said it will be complete by the end of this fiscal year and ready for the summer program.
- D. **MOTION by Scott Baitz and seconded by Justin Hyjeck to accept the proposal for \$13,950 as presented. Motion passed unanimously.**

12. **Possibly Award Bid for Lovejoy Brook Bridge Replacement**

- A. Scott Murphy advised they received 2 bids for this project, Daniels and from Cold River. Daniels was the low bidder, with a quote of \$168,500.00. We have a grant of \$151,000 with a 10% town share. The completion date for the project is September 30, 2021, but the project may start earlier.
- B. Bruce Schmidt asked which option.
- C. Scott Murphy said Option #1.
- D. **MOTION by Brett Sanderson and seconded by Scott Baitz to accept the proposal from Daniels Construction for \$168,500 as presented. Motion passed unanimously.**
- E. Bruce Schmidt said that he would like to see a summary page for all future bids to provide more transparency.
- F. Scott Murphy said that would be done.

13. **Possibly Authorize the Chair and/or Vice Chair to Sign Future Warrants**

- A. Bruce Schmidt said that the state has offered towns the option of having one- or two-persons sign warrants during this time to keep people out of town halls. He suggested himself and/or Brett Sanderson.
- B. Heather Tucker said that is a great idea.
- C. Justin Hyjeck suggested it be for the rest of this month.
- D. **MOTION by Heather Tucker and seconded by Justin Hyjeck to authorize Bruce Schmidt and/or Brett Sanderson to sign warrants for the rest of April. Motion passed unanimously.**
- E. Scott Murphy said board members are welcome to come in or we can send e-copies.

14. **Possibly Consider Waiving the April 1st Late Fee for Dog Licenses**

- A. Scott Murphy advised that Ulla Cook has suggested extending the expiration of dog licenses from April 1st until June 1st for this year. It's a way to give a little back.
- B. **MOTION by Justin Hyjeck and seconded by Brett Sanderson to extend the deadline for renewing dog licenses until June 1, 2020. Motion passed unanimously.**

15. **Consider Request from BRACC to Host a 5K Run/Walk for Prevention**

- A. Removed from agenda.

16. **Approve & Sign VT Municipal Bond Bank Certificate of Project Completion for Walker Bridge**

- A. Scott Murphy advised that this is an administrative action for the Bond Bank. The Walker Bridge Project is complete and the need to have the certification signed. He will get the document out to board members to sign.
- B. **Consensus of the board to approve and sign the Municipal Bond Bank Certificate of Project Completion for the Walker Bridge.**

17. **Possibly Approve June 20th Rental of Stearn's Pit for SCCA Rally Cross Event**

- A. Scott Murphy advised that this is an annual event and the group is a good tenant. They clean up after the event. They pay \$800 for use of the area.
- B. **MOTION by Justin Hyjeck and seconded by Brett Sanderson to approve the request from the SCCA for use of Stearn's Pit for their rally on June 20 2020. Motion passed unanimously.**

- C. Bruce Schmidt suggested that Scott Murphy should be able to approve requests such as this one. He would like Scott Murphy to bring back some guidance for allowing this long term for the next meeting.
- D. There was general consensus of approval among board members for this suggestion.

18. **Approve VTRANS Financial Plan, Codes & Standards & Certification of Compliance for Town Roads & Bridge Standards – Town Highways**

- A. Scott Murphy advised that this agenda item is an annual requirement. The town needs to adopt the Codes and Standards and Certify Compliance stating that we our standards meet or exceed the state standards. We also must spend over \$300/mile on road maintenance. Ludlow does. Doing this, makes the town eligible for additional funding. There have been no changes since last year.
- B. **MOTION by Brett Sanderson and seconded by Heather Tucker to approve the plan and to sign the certificate of compliance. Motion passed unanimously.**

19. **Approve and Adopt Local Emergency Management Plan (LEMP)**

- A. Scott Murphy said that in the past, this was referred to as LEOP – the O for operations. Each year we need to update the contact information for 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. **MOTION by Brett Sanderson and seconded by Heather Tucker approve and re-adopt the Emergency Management Plan. Motion passed unanimously.**

20. **Department Head Reports**

- A. Bruce Schmidt advised that all reports are in.

21. **Municipal Manager Updates**

- A. **Okemo Access Road Stabilization Project**
 - i. Scott Murphy advised that the project went smoothly and except for the guard rails, is complete. The guard rails will be installed after the ban is lifted.
 - 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. **Ambulance Service**
 - i. Scott Murphy advised that the Ambulance Service has been relocated to the Community Center to help prevent the spread of the coronavirus. It separates the Police from the Ambulance service.
- C. **Sewer Issues**
 - i. Scott Murphy advised that there was a sewer issue last Friday that was dealt with and fixed. This was at no cost to the town.

22. **Other Business**

- A. **Dangerous Building Ordinance**
 - i. Justin Hyjeck asked if the ordinance had gone into effect as of April 3rd.
 - ii. Scott Murphy said that there had not been a petition and the ordinance is in effect.
- B. **Black River Independent School**
 - i. Scott Murphy advised that the board had received a letter from the committee requesting usage of space at the high school building, rent free, for the first year, starting this fall. He said that since this was not warned, the board may not vote on it and this is for discussion only. He said the group plans to start with 14 students and a few staff members. He added that, at this point, the town does not own the building. We don't know how much space they want. It may be a good thing to offer.
 - ii. Heather Tucker said the group is moving forward with plans for a pilot program. It would be recognized, but not certified and therefore not eligible for state town tuition. They are relying on donations and fund raising. We need a school in the community and Green Mountain is not within a 10-mile radius of Ludlow.
 - iii. Justin Hyjeck agreed that this is important.

- iv. Heather Tucker said that she has heard that the building is being emptied out.
- v. Scott Murphy said he spoke to Meg Powden about this and that there are two transition teams and that items in the high school are being used elsewhere in the district.
- vi. Bruce Schmidt asked for board comments.
- vii. Justin Hyjeck is in favor of giving the group space rent free for the first year.
- viii. Bruce Schmidt said that he is concerned that doing this would set a bad precedent. What if another school asked for the same thing? There should be some kind of rental arrangement.
- ix. Justin Hyjeck suggested not triple net.
- x. Scott Murphy said he would put this on the agenda for their next meeting.
- xi. Bruce Schmidt asked Scott Murphy to start the conversation with the group. Would the rental be yearly or just for the school year? He said that the town will have expenses when it takes over the building.
- xii. Scott Murphy said he will start the conversations.
- xiii. Bruce Schmidt said he supports the school, but not for no rent.

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.

23. Set Date for Next Meeting

- A. Bruce Schmidt that the next regular meeting would be May 4, 2020 at 6:00 p.m.

24. Possible Agenda Items for Next Meeting

- A. Black River Independent School Committee Request
- B. Further Discussion Regarding Timber Inn Property
- C. Signing Documents
 - i. Bruce Schmidt asked if board members need to come in to sign the documents.
 - ii. Scott Murphy said he may attach the minutes and send out the documents with the minutes attached. He will advise board members.

25. Sign Warrant Orders

- A. Warrant orders have been signed.

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

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

27. Adjourn

- A. MOTION by Brett Sanderson and seconded by Heather Tucker to adjourn. Motion passed unanimously.
- B. Meeting adjourned at 6:29 p.m.

Respectfully submitted,

Lisha Klaiber

Bruce Schmidt, Chairman

Brett Sanderson

Scott Baitz

Heather Tucker

Justin Hyjeck