

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

January 3, 2022

**REGULAR MEETING
Heald Auditorium**

6:00 P.M.

BOARD MEMBERS PRESENT:

Bruce Schmidt, Chairman Justin Hyjek
Scott Baitz Heather Tucker

BOARD MEMBERS ABSENT:

Brett Sanderson

STAFF PRESENT:

Scott Murphy Ulla Cook

OTHERS PRESENT:

Gary Blodgett Mariel Meringolo Marissa Selleck
Bob Brandt Meredith Milliken Rebecca Devereux (Okemo Valley-TV)
Andrea Goldman

1. CALL TO ORDER

- A. Bruce Schmidt called the meeting to order at 6:02 p.m. He led the meeting in the Pledge of Allegiance.

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

- A. Scott Murphy advised that Agenda Item # 8 is being moved to the February meeting and suggested that Item # 10 be discussed before.
B. Justin Hyjek asked why Item #8 had been moved.
C. Scott Murphy said that the presenters wanted to get this board's feedback prior to making final presentation and also, the presenter had to travel from Florida.

3. APPROVE MINUTES OF PREVIOUS MEETINGS

- A. Bruce Schmidt advised that the minutes to be approved are from the regular meeting of December 6, 2021 and the Special Meeting/Budget Workshop of December 14, 2021.
B. **MOTION by Justin Hyjek and seconded by Scott Baitz to approve the minutes of the regular meeting of December 6, 2021 and the Special Meeting/Budget Workshop of December 14, 2021. As presented. Motion passed unanimously.**

4. **COMMENTS FROM CITIZENS**

- A. Gary Blodgett commended the Police Department and town crews on the wonderful jobs they did over the holidays with the influx of people in town

5. **LIQUOR CONTROL**

- A. Scott Murphy advised that there are 2 applications for liquor licenses. Chief Billings has signed off on it.

B.

<u>Applicant</u>	<u>Business Name</u>	<u>License</u>
Off The Rails, LLC	Off the Rails	First, Third and Tobacco
Alta Tuscan Grille, LLC	Alta Tuscan Grille	First ,Third and Tobacco

- C. Scott Murphy said that Troy Caruso owns both properties. He said that this board had previously approved both licenses under different business names.

- D. **MOTION by Scott Baitz and seconded by Heather Tucker to approve the liquor licenses as presented. Motion passed unanimously.**

6. **POSSIBLY EXTEND MASK MANDATE RULE**

- A. Scott Murphy advised that the board had approved a 45-day mask mandate on December 6, 2021 that would expire on January 21, 2022. The board's next regular meeting will be on February 7, 2022. They would need to do a 30-day extension effective from 1/21 through 2/21/2022. They would also be able to extend again for 30 days after that.

B. Heather Tucker said she is all for extending.

C. Justin Hyjek asked Bruce Schmidt where he stands.

D. Bruce Schmidt said that as chair, he is not required to vote, but he is in favor of masking. He is speaking as a member of the Select Board, and not as an employee of Okemo. He added that Okemo did institute a mask mandate prior to the town.

E. Justin Hyjek said that he is speaking as a business owner as well and a member of the Select Board, and is in favor of extending the mask mandate.

- F. **MOTION by Heather Tucker and seconded by Scott Baitz to approve the extension of the mask mandate for 30 days, starting January 21, 2022 through February 21, 2022. Motion passed unanimously.**

7. **RALLYCROSS RENTAL OF STEARNS PIT (4/23 AND 9/24/2022)**

- A. Scott Murphy advised that this group has made this request regularly every year. Both dates are on Saturdays. They pay \$800 per day, plus any additional costs. There had not been any issues in the past. The police chief has approved this request.

- B. **MOTION by Justin Hyjek and seconded by Scott Baitz to approve this request. Motion passed unanimously.**

8. **MCROTRANSIT FEASIBILITY STUDY FINAL REPORT**

- A. This item was postponed until the February 7, 2022 meeting.

9. **ONGOING FY2023 BUDGET DISCUSSION**

- A. Scott Murphy said that he had included a memo with their packets that outlined the changes made since their last meeting.
- 1) Added \$20,000 on Capital for the Skate Park
 - 2) Added \$5,000 for design costs for a bathroom at the transfer station
 - 3) Numerous changes to the Rec. Budget
 - 4) Added \$2,700 for Cemetery labor
 - 5) Added \$39,000 for the town share of the Vail Bridge Rehab. He said that it was added because construction is scheduled for the 2022 construction season.
- B. Recreation Upgrades
- 1) Gary Blodgett said that the recreation facilities need upgrades. He said that the committee has prepared a summary of the needed repairs and upgrades. They want to do a three- year program, putting an article in for each year. This year they want to pave and dredge West Hill and pave the basketball court and paint lines. He said that the traffic at Buttermilk Falls is heavy and upgrading West Hill would help that. He said that there are a number of things that should be done at Dorsey and all improvements are a draw for the community. West Hill is an asset but has been let go. There are possible ways to bring in revenue there. They could charge for use of the tennis courts. He said that they want to create a bike path on the Back 40. Mountain biking is up and coming. He said that the rope course up there is in bad shape and either needs work, or for safety, should be removed. Each year they want to do a separate article or if not, combine the work and do a bond. They could set up a petition, but with COVID, they hesitate to ask people to go out to get signatures.
 - 2) Marissa Selleck said that the subcommittee has united OMS, LES and the Expeditionary School. This is a community wide project. She said that Nick Miele would do the revenue building.
 - 3) Gary Blodgett said that the document has a number of question marks, where they are waiting for numbers. They did get a quote (\$20,000) from Gurney to dredge an area of 50' x 20' at West Hill, with a 25' beach. They will use stabilizing fabric because there is a question of if the ground is firm enough. The fabric, if needed is an additional \$4,000. The first- year costs would be about \$180,000. We are also waiting to see if the skate park receives the grant. They are suggesting the article be for \$149,000, because that would increase taxes \$.01.
 - 4) Scott Murphy said that \$149,000 is only an estimate.
 - 5) Justin Hyjek asked the condition of West Hill.
 - 6) Marissa Selleck said the last test was last season, but the bacteria was very low. But now it is very overgrown.
 - 7) Gary Blodgett said it needs to be dredged.
 - 8) Scott Murphy said the town tests every 2 weeks in the summer and get good results.
 - 9) Justin Hyjek noted that there is a marsh on the left side of the dam and asked if there are any plans for a walkway.
 - 10) Gary Blodgett said that was a good idea.
 - 11) Scott Baitz said they should re-ditch the 2 culverts. He said the water is going everywhere. If they re-ditched, they could direct the water to the pond.
 - 12) Justin Hyjek asked if there are any plans if they get milfoil.
 - 13) Marissa Selleck said they will address it if they get it. There is none there now and we have to be careful. We will add a protocol.

- 14) Scott Baitz said there is a constant supply of water to the dam.
- 15) Heather Tucker suggested possibly charging for a ticket for the year.
- 16) Gary Blodgett said the committee talked about creating a site for people to go online to pay, or, possibly having someone onsite to collect money.
- 17) Justin Hyjek suggested parking lot gates.
- 18) Bruce Schmidt asked where the Town stands. He said that today is January 3rd and asked where Nick Miele was and where does he stand on this proposal.
- 19) Scott Murphy said that Nick Miele has attended the Rec. Committee meetings. Scott Murphy said that just receiving this now, it would be hard to put it in the budget for next year.
- 20) Justin Hyjek asked if they have a 5- year plan to cover gates and staff.
- 21) Gary Blodgett said if they do all of these up-grades, it would generate money. The concession made money in the past. It would pay for itself, including a lifeguard costs.
- 22) Mariel Meringolo said that maintenance of the bike path would be about \$3,000 per year.
- 23) Scott Murphy said they could put something in the budget.
- 24) Justin Hyjek said that maintenance at the skate park is about \$2,000 to \$2,500 per year. He said that usually skate parks do not charge.
- 25) Gary Blodgett said that the tennis courts could generate money. He said that playground would need wood chips.
- 26) Bruce Schmidt said he does not know what the rush is. He said that he has questions. He noted the \$50,000 for a playground at West Hill. He said that would make 4 playgrounds in town. Has the committee looked at the 2 baseball/softball fields? Can they add softball and pickle ball at Dorsey Park? If we put this in as an article, then this board is committed to support it for 3 years, or do a bond. He suggested putting this off until next year, or put it all together and do a bond. He said that there are taxpayers who will ask what they will get out of this. He said that out-of-towners will use the bike path. He asked if they are sure the ropes are town equipment. He said if we make these improvements, we will have to have someone there and training.
- 27) Gary Blodgett said it is on town property and they need to repair it or remove it.
- 28) Bruce Schmidt asked if the town owns it or does the school.
- 29) Marissa Selleck said all of the projects would benefit local families.
- 30) Bruce Schmidt said there are only 90 kids in LES.
- 31) Mariel Meringolo said that her family would use it and it may attract more families. She added that if the equipment was owned by the school, the entity no longer exists.
- 32) Bruce Schmidt said that needs to be made clear.
- 33) Mariel Meringolo said it would be an investment in the community.
- 34) Bruce Schmidt asked if we have to rush and is this the best way. Do we need 4 playgrounds in Ludlow? If we have \$450,000, is this best use for it. If it is an article, we have to support it. We need to ask more questions.
- 35) Marissa Selleck apologized if this seems like a rush; the committee has been working on this for a long time. We need to invest in the community. We have outdoor assets and having a number of them allows people to spread out.
- 36) Gary Blodgett said that Dorsey is in pretty sad shape. We patch the tennis courts, every year, but don't fix them correctly. The skate park is the same, it needs major work. West Hill – people used to love it and now it is a marsh. We are asking for 1 year of a 3- year plan.
- 37) Bruce Schmidt said that if you don't have a selling point – why it is good, it won't pass. The Select Board has to be behind it. People look at their tax bills. What is the best use for \$450,000? If we put this in the way it is, it may not pass. It is a lot on money for things the average person in town may not use. We are doing a skate park for surrounding

- towns, so they don't have to have one. He said this would be \$150,000 for 3 years. If we do the first year, we would hope to pass the next 2 years.
- 38) Mariel Meringolo asked if we do a bond, does it have to be done at town meeting.
 - 39) Bruce Schmidt said to put it off, have plans that people can see,
 - 40) Marissa Selleck asked if the town could put pieces in this year's budget.
 - 41) Bruce Schmidt said there is already \$200,000 in expenses. We would ask the committee to see what they can do. Some of these items are maintenance that has been deferred.
 - 42) Andrea Goldman said that Dorsey Park is used a lot and we look for other things to do other than skiing or golf.
 - 43) Gary Blodgett said some of the out-of-town people own second homes here. They are taxpayers and we should not discount them.
 - 44) Andrea Goldman said that people using the facilities will also buy things in town.
 - 45) Gary Blodgett said this is a 3- year plan and if we do year #1, things may change for years 2 and 3. He said that the skate park may get funding.
 - 46) Bruce Schmidt said we don't have a lot of time. He said he thinks we should put this off and have a chance to dial in the numbers. He asked Scott Murphy for dates.
 - 47) Scott Murphy said that 1/13 is the last date for voter petitions; 1/20 is the first day for notice and 1/30 is the last day for notices.
 - 48) Gary Blodgett asked if the board could increase the Rec. budget a small amount for this year.
 - 49) Bruce Schmidt the draft they submitted was for \$150,000.
 - 50) Gary Blodgett said we would have to look at it and put it in as an article and sell it to the Select Board.
 - 51) Bruce Schmidt said that some of the items on the draft are capital and others are maintenance.
 - 52) Gary Blodgett said that Nick Miele said if the repairs are done, we will put some money in the budget this year.
 - 53) Marissa Selleck said what if the article passes this year, but not the second. She said we would have at least one year done and it would be better than nothing.
 - 54) Bruce Schmidt said it should be presented as a 3-year plan.
 - 55) Justin Hyjek said we live in Vermont and it is an outdoor state. He also believes in consolidating. This is a little too much to pass along to the voters. They need to trim it down. He asked how many visits are made to the facilities each year.
 - 56) Heather Tucker said it depends on the season.
 - 57) Justin Hyjek said he would like some sort of data. He thinks we need it. He is in favor of developing West Hill and all of the others, including the skate park should be shelved.
 - 58) Bruce Schmidt said that this board should be getting better updates from the department on what is needed. He said that no one told him the cost of tarps for the floor is \$26,000.
 - 59) Gary Blodgett said the committee needs to work on this. When we rent the facility, we need to consider upgrades or rentals. The tarps are very old. If we redo the floor, we need to get new tarps.
 - 60) Bruce Schmidt said they want the tarps for the antique show. They can buy them. He thinks this should be put off and look at it again next year. He is concerned that the Rec. director is not part of this discussion – we are paying him to do this. There was none of this in the budget.
 - 61) Scott Murphy said that Nick Miele did put the floor and tarps in the budget, but Scott Murphy took them out to lower the budget.
 - 62) Bruce Schmidt said he thinks we need to know how many kids are in the programs. He wants to make sure that the town money is being used in the right way and in the right places. The committee needs to consolidate this.

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- 63) Justin Hyjek said he thinks West Hill could be special and it never had basketball courts.
 - 64) Mariel Meringolo said there are.
 - 65) Justin Hyjek said we should dredge the pond for swimming and put in sand and volleyball. He does not think that \$50,000 for the playground is the best use. He asked if the committee could rework this. He does not agree with the 3- year plan as it sits.
 - 66) Heather Tucker said that we do need to invest in this. She said that her kids have to go out of town to do biking and baseball.
 - 67) Bruce Schmidt said I have not heard anyone say we need a bike path. He agrees with upgrades for West Hill. He said this is the first time he has heard about the playground at Dorsey.
 - 68) Mariel Meringolo said the playground equipment is terrible and she takes her kids out of town for biking, playgrounds and swimming.
 - 69) Gary Blodgett said mountain biking is very popular now for young people. It's a draw for towns, adding that his neighbors go to Stowe for it. If we want to continue to lose people, don't upgrade. If we want to grow, we need to do these things. The committee will fine tune this, but we need to put something in the budget this year.
 - 70) Bruce Schmidt said the committee needs to get the department more involved and let us know. This has been a good eye opener as to what we need.
 - 71) Justin Hyjek asked why woodchips for the playground.
 - 72) Gary Blodgett said woodchips freeze. There is now a wood fiber floor that is safer. Rubber is more money, but also allow better wheelchair access. Pickle ball is also up and coming.
 - 73) Scott Murphy said that Kevin MacPherson, Mick Miele and Eugene have done a lot of work. At West Hill, they repaired the building, trails, and footbridge, did paving and did some dredging. At Dorsey, they did tree removal, worked on the skate park lights. Dorsey could be in better shape.
 - 74) Bruce Schmidt said there is just so much upkeep that can be done without upgrading.
 - 75) Marissa Selleck asked what this board wants.
 - 76) Bruce Schmidt said a lighter plan, focusing on West Hill. If there is a petition, they will have to answer questions.
 - 77) Scott Murphy said there was a major change in the Rec. budget – 2.5% with a total to be raised in taxes of 1.1%. We are looking at ways to increase the revenue.
 - 78) Justin Hyjek asked if he should recuse himself from discussions about the skate park.
 - 79) Bruce Schmidt said he doesn't think he should – you have no financial gain and he doesn't think there is a conflict of interest.
 - 80) Scott Baitz agreed with Bruce Schmidt.
 - 81) Justin Hyjek said that last year he advocated for \$20,000 for the skate park and they are looking to break ground this spring. RFPs will be going out. They have fund raised and are hoping to get the grant.
 - 82) Scott Murphy said that Justin Hyjek needs to make sure to run this through Nick Miele. He added that the RFPs go out from the Town office.
- C. Bruce Schmidt referred to page 27 and asked if that is the final number.
 - D. Scott Murphy said they had to add the Vail share.
 - E. Bruce Schmidt noted a 3.4% increase and said that without Vail share, it would have been 2.2%.
 - F. Scott Murphy said that is correct. He said that he believes that this revision has good numbers.
 - G. Bruce Schmidt said with the articles, it would be 6.4%.
 - H. Justin Hyjek said that Streetscapes does a great job and asked about funding.
 - I. Scott Murphy said it may qualify for ARPA money. He said that Tom Kennedy from the Regional Planning Commission will be at the next meeting to discuss eligible activities for the ARPA funds.

- J. Bruce Schmidt asked if the Employees wage increases are included in this.
- K. Scott Murphy said that he had built in an increase of 3%, but will include a 5% market adjustment for all non-union full- time employees. He said that he had checked out other communities and most give 3%, some 5%. We also offer full time employees full health insurance. That is a big plus.
- L. Justin Hyjek asked if the 1¢ increase is on the tax rate is when we redid the Grand List.
- M. Scott Murphy said that the \$149,000 is an estimate.
- N. Justin Hyjek said that he is in favor of taking care of the town employees. He asked what this will do to the Grand List.
- O. Scott Murphy said that an increase of \$300,000 in the budget, increase in taxes would be about 2%. He said that it would mean about \$50 on a \$250,000 home.
- P. Ulla Cook said that the Grand List is updated every year.
- Q. Bruce Schmidt asked if we could put the Vail Bridge share into an article.
- R. Scott Murphy said he would hesitate to do it. We have committed to pay our share and if the article goes down, we would still have to pay.
- S. Bruce Schmidt said this board will have to sell a 3.9 to 4% increase. It will include the market adjustment for employees and the \$40,000 for Vail. We need to be ready to answer questions, because our increase is normally about 1.5 to 2.5%.
- T. Scott Murphy said he thinks we can justify it. We knocked 3¢ off last year's tax rate with using the unassigned funds. We won't have that this year.
- U. Justin Hyjek said we definitely need to do the repairs to Vail Bridge.
- V. Scott Murphy said he thinks the public recognizes that.
- W. Bruce Schmidt said people will ask us to take the \$40,000 from somewhere else. He said there is inflation and food prices are increasing. We are doing something for the employees.
- X. Justin Hyjek said we need to try to keep out employees and give them a livable wage.
- Y. Scott Murphy suggested that one possible area of reduction would be to take 10% reduction in appropriation – that would be about \$18,000.
- Z. Justin Hyjek said we need to take care of the library – fuel and electricity. He added that Streetscapes does a great job and asked if it has Village funding as well as town.
- AA. Scott Murphy said he will check.
- BB. Justin Hyjek asked if we have any funding sources for street lighting.
- CC. Scott Murphy said the Village is eligible to apply. A downtown center requires community group funded by the town. The group must meet regularly and have minutes of meetings.
- DD. Justin Hyjek asked if we can explore that.
- EE. Scott Murphy said we can put it out there.
- FF. Justin Hyjek asked about the General Ledger differing from the budget.
- GG. Ulla Cook said that is the previous year.

10. **DISCUSS HOLDING SELECT BOARD MEETINGS VIA ZOOM**

- A. Scott Murphy said that Bruce Schmidt had asked for this to be put on the agenda. He said that the state is looking at changing the open meeting laws. He said that with the current laws, if we hold a Select Board meeting via Zoom we must have a physical location with at least one person there. He said he would be in his office. He said that talk is that the state may have all meetings go back to being remote. He said that the legislature may also have town meetings be remote.
- B. Justin Hyjek said that he has no problem with Zoom/hybrid meetings.
- C. Bruce Schmidt said that he is not in favor of hybrid meetings. He said some people will not make an effort to come to meetings. We are facing the challenge that people will not come to meetings that are straight Zoom. He asked if we have to make a decision tonight.

- D. Scott Murphy said no.
- E. Bruce Schmidt asked if Scott Murphy thought that the state would go all zoom.
- F. Scott Murphy said it is possible.
- G. Justin Hyjek said that he doesn't think 100% Zoom is realistic. He asked how long it would go on.
- H. Bruce Schmidt suggested possibly a few months. He said he thinks it is too soon to talk about town meeting. He asked if we could talk about it at their next meeting. We could make the decision about regular select board meetings subject to approval by the legislature. We need to set ourselves up for a direction. He is concerned about people sitting on their couches and zooming, but not taking part of the discussions.
- I. Scott Murphy said that we had done a few hybrid meetings but we really don't have the gear for it and it would require 2 people from Okemo Valley TV.
- J. Scott Baitz suggested holding off a couple of weeks to see what Montpelier does.
- K. Bruce Schmidt said we can decide at our next meeting.
- L. There was consensus among board members to hold off until their next meeting.

11. **DEPARTMENT HEAD REPORTS**

- A. Bruce Schmidt said reports are in.

12. **MUNICIPAL MANAGER UPDATES**

A. Cannabis Revote

- 1) Scott Murphy reminded people that the revote will be on January 11, 2022, but that people may vote now, at town hall or also be absentee ballots. Call Ulla Cook at – 802-228-3232 for information.

B. Holiday Period

- 1) Scott Murphy said that the ambulance calls almost doubled over the holiday period.
- 2) He said that there was increased traffic in town
- 3) He said that with the ice storms, we are using a lot of sand and salt.
- 4) Bruce Schmidt asked if there is a protocol for looking at busy times in order to keep the ice cleaned off of Main Street.
- 5) Scott Murphy said they have talked about it.

13. **OTHER BUSINESS**

A. Website

- 1) Justin Hyjek said that he noticed that Parks and Recreation has its own website and asked how old is the town website
- 2) Scott Murphy said it is updated daily.
- 3) Justin Hyjek said that he has to redo his website every 5 years and the cost went from \$1,200 to \$2,000 in 2021. He asked if we can redo the town website to make it more user friendly and consolidate all departments into it.
- 4) Heather Tucker said sports are on an app and that website (Parks and Rec.) is part of it.
- 5) Scott Murphy said it is about 18 months old. He said we can look into it.

B. Baseball Team

- 1) Scott Murphy said that at the meeting on December 14, premature mention was made about a semi-pro baseball team. We are not at the point where we are able to discuss that.

14. **SET POSSIBLE DATES FOR NEXT MEETING**

- A. January 10, 2022 at 6:00 p.m. - Budget Workshop
- B. February 7, 2022 – Regular Meeting
 - 1) Agenda item – Microtransit Presentation
 - 2) Agenda item – Possible uses of ARPA funds
 - 3) Mariel Meringolo said that Kendra Rickerby from the Expeditionary School would like to come to the next meeting.

15. **SIGN WARRANT ORDERS**

- A. Bruce Schmidt said the warrant orders are signed.

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

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

17. **ADJOURN**

- A. **MOTION by Justin Hyjek and seconded by Heather Tucker to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:06 p.m.

Respectfully submitted,

Lisha Klaiber

Bruce Schmidt, Chairman

Brett Sanderson

Scott Baitz

Heather Tucker

Justin Hyjek