

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

REGULAR MEETING

October 1, 2018

BOARD MEMBERS PRESENT:

Bruce Schmidt
John Neal

Logan Nicoll
Brett Sanderson

Heather Tucker

STAFF PRESENT:

Scott Murphy

OTHERS PRESENT:

Craig Cunningham
Thomas Foster

Cindy Ingersoll
Rogan Lechthaler

Terry Thayne
Ed Mc Eneaney Okemo Valley TV

1. **Call to Order**

- A. Bruce Schmidt called the regular meeting to order at 7:00 p.m. He said that he would like to open this meeting and future meetings with the Pledge of Allegiance.

2. **Consideration of any Changes, Additions or Removals to the Agenda**

- A. No changes are needed.

3. **Approve Minutes of Previous Meetings**

- A. Bruce Schmidt advised that the minutes to be reviewed are from the meeting on September 3, 2018.
B. John Neal said that he was listed as present, but was absent.
C. **MOTION by Brett Sanderson and seconded by John Neal to approve the minutes from September 3, 2018 as corrected. Motion passed unanimously.**

4. **Comments from Citizens**

- A. Depot Street Closure Request
i. Rogan Lechthaler said that the Downtown Grocery, along with Wine & Cheese Depot and Stemwinders would like to have a special function on Sunday, November 25th from 4:30 to 10:00 PM and close Depot Street. There will be long tables, fine dining and lights. The event proceeds will go to a local family and Black River Good Neighbors will act as “middle-man.”

- ii. Scott Murphy said this event; DINE DOWN DEPOT will close the street from 3:00 to 10:00 PM. They will go to the Trustees tomorrow night to request permission to close the street. They will also have to go to the state for a Festival Permit.
- iii. Heather Tucker asked if this will be open to the public.
- iv. Rogan Lechthaler said yes, but there will be a set price.

5. **Liquor Control Board – La Tavola Italiana – Outside Consumption Request**

- A. Scott Murphy said this is the restaurant located where Harrys was and Chief Billings has said there were no problems in the past.
- B. **MOTION by Brett Sanderson and seconded by John Neal to approve the request.**
- C. Bruce Schmidt noted that the request was for outside consumption until 2:00 AM. He said, in the past, we usually set the hours until around 11:00 PM. He is not in favor of 2:00 AM.
- D. Brett Sanderson amended his motion to specify 5:00 PM until 11:00 PM.
- E. John Neal approved the amendment.
- F. **Motion passed unanimously.**
- G. Bruce Schmidt asked Scott Murphy to relay the change of hours to the applicants.

6. **Accept Town Health Officer Resignation**

- A. Scott Murphy advised that Doris Eddy has submitted her resignation as Health Officer. Pam Cruickshank has been deputy, but is reluctant to continue. We need to find a replacement. He added that if the position is not filled, the responsibilities falls to the Chairman of the Select Board.
- B. Bruce Schmidt asked if Pam Cruickshank is resigning.
- C. Scott Murphy said no.
- D. **MOTION by John Neal and seconded by Brett Sanderson to accept Doris Eddy’s resignation. Motion passed unanimously.**
- E. Bruce Schmidt asked Scott Murphy to send Mrs. Eddy a thank you letter.

7. **Possibly Sign “Stearns Pit” MOU Renewal**

- A. Scott Murphy advised that this MOU is the same as in previous years, but includes a 3% increase – moving it from last year’s \$70,154 to \$72,258. There are no other changes.
- B. **MOTION by Brett Sanderson and seconded by Logan Nicoll to approve the MOU for Stearns Pit.**
- C. Bruce Schmidt and John Neal recused themselves.
- D. **Motion passed unanimously.**

8. **Consider Ludlow Garden Club’s Request RE: Christmas Tree**

- A. **MOTION by Heather Tucker and seconded by Brett Sanderson to grant permission to the Garden Club to place a Christmas tree in Kesman Park beginning Thanksgiving week and remaining there the week after New Year 2019. Motion passed unanimously.**

9. **Consider Sidehill Cronchers Snowmobile Club Request**

- A. Scott Murphy said that they are requesting the same roads as in the past, with no changes. There have been issues in the past with damages from the groomers on and off the roads, mostly by the Waste Water Treatment Facility. He spoke to John Murphy and the group sent a letter describing steps to safeguard the roads. (Copy attached.)
- B. Brett Sanderson said there are been some issues and they are trying to straighten out the crossings, including Commonwealth, Bixby and the sewer plant. The group is trying to work it out. They are looking at a different machine.
- C. Bruce Schmidt said that many other towns with snow mobile clubs have the same problems.
- D. Scott Murphy said he would keep an eye on it.
- E. **MOTION by John Neal and seconded by Logan Nicoll to approve the request from Sidehill Cronchers for permission to cross, ride on and maintain the list as presented of trails and roads for the 2018-2019 season. Motion passed unanimously.**

10. **Consider FEMA Hazard Mitigation Plan for Cindy Ingersoll - SWCRPC**

- A. Cindy Ingersoll said this discussion is an introduction to the plan. The town contracted with the SWCRPC to update to stand-alone the local plan. This plan will have to be updated every 5 years. Benefits to having this plan in place are:
 - i. Planning provides the opportunity to determine mitigation strategies that will reduce the physical impact and financial losses
 - ii. If the plan meets all FEMA requirements, it will allow the town to obtain increased federal disaster funding of up to an additional 5% from the state match , bringing it to up to 12 ½% match (with the Federal.)
 - iii. Allow the town to apply for FEMA funded hazard mitigation grants.Cindy Ingersoll continued, explaining that there is a standard format that is accepted by FEMA which must include specific elements. Towns are not committed to implementing all of the strategies and priorities may be changed. Towns must have Hazard Mitigation committees (Ludlow has one.) Towns must have publicly noticed meetings – Ludlow has had 5. The organization of the plan includes the Planning Process, Hazard Assessment of natural hazards, method used to identify hazards, Hazard Profile and Vulnerability Assessment, date, and historical trends. It must also include a Mitigation Program that addresses goals and objectives. She noted that Table 14 in the draft plan lists goals and strategies. The last piece of the process is that the plan must be monitored on how to keep it on track and monitor the progress. The plan is not meant to be stagnant and may change. There is a description on how to update the plan in 5 years.
- B. Scott Murphy said the process for approval starts with the draft. It goes to the state. If the state approves the plan, the state forwards the plan to FEMA. FEMA reviews the plan and may send it back with comments. Changes are made. Then the town approves the final document. He said the town is currently exposed for 5% of the total loss as there is no plan in place. We are currently with the state in the process, but since FEMA does not have it, we are not covered.
- C. Cindy Ingersoll said the state has the draft and they review it to see if it is ready to go to FEMA. The state is good at reviewing the plans and usually if the state approves it, FEMA will be okay with it.
- D. Logan Nicoll questioned the references to the state river corridor maps. He said that the Planning Commission noted discrepancies in the state’s maps and the state said they would review them. The Planning Commission has not heard anything.
- E. Cindy Ingersoll said that the town is not committing to adopting the state’s river corridor maps. This is just to recognize that the maps do exist. You don’t have to adopt them.

- F. Scott Murphy said that the town sends any public comments to the state. This meeting is for public input on the draft.
- G. Bruce Schmidt asked when the town will hear back.
- H. Scott Murphy said after FEMA.
- I. Bruce Schmidt asked what we can do to prevent these lapses in the future.
- J. Cindy Ingersoll said that is mentioned in the plan. It is a 5 year plan, but says 2018 to 2023 because it probably won't be adopted until 2019. The clock starts when FEMA approves it, then the town approves it. She said she will let the town know once the state approves it.

11. **Authorize Select Board Chair & Municipal Manager to Sign Dead River Company Resolution RE: #2 Fuel Oil**

- A. Scott Murphy said that the town and village need to sign a corporate resolution for credit business with Dead River Company for fuel. They were the low bidder and have been doing business in NH and ME and are moving into Vermont. They are a good company to work with.
- B. **MOTION by John Neal and seconded by Brett Sanderson to sign the corporate resolution for credit with Dead River Company. Motion passed unanimously.**

12. **Department Heads Reports**

- A. Bruce Schmidt advised that all reports are in, except Ambulance.
- B. **Roads**
 - i. Brett Sanderson asked when they would be in town for paving.
 - ii. Scott Murphy said they started Friday, but the weather was wet.
 - iii. Bruce Schmidt asked why they tore up the road in front of Sunoco.
 - iv. Scott Murphy said that Ron Tarbell wanted to flatten it out. They knew the pavers were coming.
 - v. Bruce Schmidt said they left pieces. He said we have to do a better job. They have left High Street for 8 weeks, waiting for the homeowner. We can't wait for them.
 - vi. Brett Sanderson said we should wait 2 weeks at most.
 - vii. Bruce Schmidt said it is a thoroughfare and still not paved. He said no disrespect to the owner, but we need to get that road done.
 - viii. Scott Murphy said the house is scheduled to arrive on October 9th. He will keep an eye on these things in the future. We do have a bond.
 - ix. Bruce Schmidt said that the culvert by the Ludlow Service Center is much better now.
- C. **Fire Department Auction**
 - i. Bruce Schmidt said they made \$3,000 over last year.

13. **Municipal Manager Updates**

- A. **Andover Street House**
 - i. Scott Murphy said he sent a letter to the property owner and gave them 30 days to do something about the house. It is a safety issue. He added that the state has not yet put up new signage.

B. Ambulance Department

- i. Scott Murphy advised that the second meeting of key players in the ambulance departments from the area will be held on Wednesday at 6:00 p.m. Logan Nicoll will attend. He said that most other area towns will be there, but Chester may not. They all desire to get something done.

C. Grant Application

- i. Scott Murphy said the grant application was submitted today.

D. West Hill

- i. Heather Tucker said she is glad they are going to breathe new life into West Hill. It should be used again.
- ii. Scott Murphy said he met with staff at West Hill and discussed paths, a doggie park, swimming and getting an estimate for the roof on the building and some interior work.

E. Police

- i. Scott Murphy said the stolen bat from the Buttermilk Falls break-in was located, but they do not have a suspect at this time.

F. Rod & Gun Club Road

- i. Scott Murphy said work will begin on November 1st and be finished by the end of November. The contract was given out before July 1st.
- ii. Bruce Schmidt asked if the contractor is Daniels.
- iii. Scott Murphy said yes and they have done great jobs for the town in the past.
- iv. Bruce Schmidt asked if this is becoming an issue with contractors.
- v. Scott Murphy said it was always supposed to be done at the end of the season.
- vi. Bruce Schmidt asked what about Bridge Street.
- vii. Scott Murphy said they are there and supposed to finish in a couple of weeks.

G. Safety Committee

- i. Scott Murphy advised that they are restarting the Safety Committee. A VLCT representative was in and the committee will meet regularly. The committee will form subcommittees that will visit the departments looking for VOSHA infractions.

14. Other Business

A. Schedule Joint Board Meeting RE: Municipal Manager Review

- i. Scott Murphy said that he spoke with Bob Gilmore who said that anytime would be okay.
- ii. Bruce Schmidt suggested Monday, November 5th at 6:00 PM, an hour before the regular Select Board meeting.
- iii. Scott Murphy said he would tell that to the Trustees.

B. Planning Commission

- i. Logan Nicoll advised that at their last meeting, the Planning Commission discussed ways to encourage affordable housing. They suggested tying a 5% fee to building permits for any development or PUD. This is not in the zoning. It was an informal discussion.
- ii. Bruce Schmidt asked if that would mean on a \$250,000 house, \$1,250.
- iii. John Neal said it would be 5% of the total development costs.
- iv. Logan Nicoll said the Planning Commission really hasn't looked into it.
- v. John Neal said he would like more data.

- vi. Heather Tucker said that other mountain towns, such as Vail and Aspen do it.
- vii. Logan Nicoll said he hasn't heard of it in Vermont.
- viii. Bruce Schmidt asked if that would mean mixed uses in a development or houses sold at a lower cost. He suggested starting a housing authority in Ludlow to help purchase and rehabilitate buildings. It is a town wide issue. He would like to start with existing buildings.
- ix. John Neal said to set money aside for affordable housing.
- x. Scott Murphy said there is state grant funding.

C. Shooting at West Hill

- i. John Neal advised that he had been approached by a taxpayer who voiced concerns about shooting at West Hill. People walk there and also take their dogs up there. He said we used to post West Hill and that did stop the shooting.
- ii. Bruce Schmidt said he thought we had signs up there. He said they even spoke to the police who were using it for target practice up at Dam #5. We should put up signs.
- iii. Scott Murphy said he spoke to Jeff Billings and the area has not been properly posted in the past. He will look into it.
- iv. Bruce Schmidt said he would like it done or have a plan by the next meeting.

D. Dorsey Park

- i. Bruce Schmidt asked who makes the decision to call a game at Dorsey.
- ii. Scott Murphy said the Athletic Director or alternate.
- iii. John Neal asked if the field is holding up.
- iv. Scott Murphy said yes.

E. Update on Planning Commission Progress on Zoning

- i. Bruce Schmidt asked for an update on progress.
- ii. Scott Murphy said he spoke to Rose Goings and the Planning Commission reached an agreement on the wording regarding Drive-Ins/Drive Throughs/Drive-Ups and will present it as a package. They are now working on definitions. It looks like they will finish within the 6 month deadline.
- iii. Logan Nicoll said there was a disagreement among board members as to whether they should submit just the Drive-Ins/Drive Throughs/Drive-Ups wording or to get everything fixed along with comments from the DRB. They will continue to work on definitions.

15. Set Date for Next Meeting

- A. Next regular meeting will be November 5, 2018 at 7:00 p.m.

16. Possibly Agenda Items for Next Meeting

- A. Set FY 2020 Budget Review Dates
 - i. Scott Murphy said that he has received proposed budgets from department heads.

17. Sign Warrant Orders

- A. Warrant orders have been signed.

18. **Possible Executive Session/Personnel/Contracts/Legal Issues**

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

19. **Adjourn**

A. **MOTION by Brett Sanderson and seconded by Logan Nicoll to adjourn. Motion passed unanimously.**

B. Meeting adjourned at 8:01 p.m.

Respectfully submitted,

Lisha Klaiber

Bruce Schmidt, Chairman

Brett Sanderson

John Neal

Heather Tucker

Logan Nicoll