

**PRELIMINARY MINUTES**

**TOWN OF LUDLOW  
BOARD OF SELECTMEN**

**November 7, 2022**

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

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/81468174000?pwd=N1lsRDhkOWVzVIYrdGRQTXFzQlJJQT09>**

**Meeting ID: 814 6817 4000**

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**BOARD MEMBERS PRESENT:**

Bruce Schmidt, Chairman  
Scott Baitz

Bob Brandt  
Justin Hyjek (On zoom)

**MEMBERS ABSENT:**

Brett Sanderson

**STAFF PRESENT:**

Scott Murphy

Stephanie Grover

**OTHERS PRESENT:**

Eric Alden  
Gary Blodgett  
Andrea Goldman  
Melanie Gulde  
Glenn Heitsmith  
Ed Kelly  
Heather Kelly

Diane Knuth  
Kyle Laurita  
Lance Lichtensteiger  
Mariel Meringolo  
Nick Miele  
Meredith Milliken  
Charlie Rimer

Noah Schmidt  
Randy Schoonmaker  
Marissa Selleck  
Ryan Silvestri  
Ken Tedford  
Samantha White

**AGENDA**

**1. CALL TO ORDER**

- A. Bruce Schmidt called the meeting to order at 6:00 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 said that no change is needed, but there will be an Executive Session.

3. **APPROVE MINUTES OF PREVIOUS MEETINGS**

- A. Bruce Schmidt advised that the minutes to be approved are from the Regular Meeting of October 3, 2022 and the Special Meeting of October 18, 2022.
- B. Justin Hyjek noted that on item 3B on page 2 should read, "Motion by Bob Brandt and seconded by Scott Baitz."
- C. Justin Hyjek noted that on page 4 item 6I should read, "...Ian Nugent"
- D. Bruce Schmidt asked Lisha Klaiber about the minutes for September 12, 2022 and the note by Glenn Heitsmith. Mr. Heitsmith did say that there were 4 road closures and this was refuted by John Neal, who said there were only 2.
- E. **MOTION by Bob Brandt and seconded Scott Baitz to approve the minutes of the Regular Meeting of October 3, 2022 and Special Meeting of October 18, 2022 as presented. Motion passed unanimously.**

4. **COMMENTS FROM CITIZENS**

- A. **Town Road Speed Limits**  
i. Ken Tedford said that there have been discussions about reducing speed limit on certain roads in the town and village. He suggested reducing the speed limits on all roads in the town and village. He said that in the winter, 30 MPH is too high and unsafe. He said that Chester and Woodstock have lowered their speed limits. If needed, you could raise them again.
- B. **Rental Registry**  
i. Ken Tedford suggested that short term rentals should be registered and reviewed. They should be on the same footing as major ski lodges, hotels, inns and lodges. We would not be regulating homes, but businesses. Some places get as much as \$25,000 for the winter and those units should be checked for egress and carbon monoxide. If we have registry, we should make sure people comply.
- C. **Andrea Goldman**  
i. Complimented the town and contractors of the Vail Bridge project. She asked about removal of the demolition at Dorsey Park.  
ii. Scott Murphy said it is scheduled to be removed within the next month.

5. **REVIEW AND CONSIDER SPEED LIMIT CHANGE ON FREEDOM HILL ROAD**

- A. Scott Murphy said that at their last meeting, the board discussed lowering the speed limit on Freedom Hill Road. He said that Chief Billings has said that there has only been one accident there in the last 5 years and that was under icy conditions. We can do a traffic study next summer.
- B. Scott Baitz suggested doing a study of a few roads.
- C. Scott Murphy said they do studies every few years. We need to get in line with other towns.

- D. Bruce Schmidt said that this board is listening and will do a study.
- E. Justin Hyjek said that this speed limit on Main Street has also been discussed. He suggested a study to lower speed limits, across the board to 25 MPH.
- F. Scott Murphy said they did Ghia Farm Road last year.
- G. Bruce Schmidt said that this board also has to listen to the Police Chief and unless there is law enforcement on these roads, lowering the speed limit means nothing. We would have to give more funding to the Police Department.
- H. There was consensus among board members to do a traffic study on Freedom Hill Road next summer.

6. **BUS ROUTES SCHEDULE CHANGES**

- A. Randy Schoonmaker said that they will be changing the routes for routes 57 and 61. Ludlow contributes \$7,000 for use of the Moover services. The service is 80% funded by state and federal funds.
- B. **ROUTE 57** - Randy Schoonmaker said that the service currently has 3 runs. Effective November 21, 2022:
  - i. Service will run daily from Thanksgiving to early April and Monday – Friday from April through Thanksgiving
  - ii. They will eliminate the 2<sup>nd</sup> morning run to fund service for the winter season
  - iii. They will run the route through Chester instead of North Springfield to increase ridership
  - iv. The North Springfield stops will be serviced by SEVT's #1 Springfield route
  - v. He said that they will still be running it through Springfield, not through North Springfield.
- C. **ROUTE 61** – Randy Schoonmaker said this run currently has less than 500 riders. Effective November 21, 2022:
  - i. Change the route to Okemo Village Route which is required by ACT 250.
  - ii. Operate Route 61 weekends and holidays 7:00 a.m. to 6:00 p.m.
  - iii. Store the bus at Okemo to eliminate deadheading, reduce fuel and labor costs.
  - iv. They will drive the village shuttle and the buses will be the spotted ones, with the same route times.
- D. Scott Baitz asked if this will be part of the 14 CDL drivers mentioned by John Neal.
- E. Randy Schoonmaker said that Okemo has a series of buses for parking and the bases.
- F. Glenn Heitsmith asked if the buses will have ski racks.
- G. Randy Schoonmaker said yes.
- H. Charlie Rimer asked if they will be going back to the 4 routes they used to do.
- I. Randy Schoonmaker said the Village Routes will be the same as last year.
- J. Bruce Schmidt said that the West Hill route will be coming back.

7. **REVIEW BIDS AND POSSIBLY AWARD CONTRACT FOR CONSTRUCTION OF MOUNTAIN BIKE TRAIL**

- A. Scott Murphy advised that they received 2 bids. After review, KSA is the apparent low bidder with \$21,450.00. He said that the Town has already received DRB approval for this project. He said the Select Board voted to do the project on May 2, 2022.

VENDOR	BID
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Sinuosity - Morrisville, VT	\$34,100.00
KSA Built LLC – Rutland, VT	\$21,450.00

- B. Charlie Rimer asked if there is flexibility in the RFP. He said that the KSA bid is significantly lower and if we have more money, can we make the project bigger. He said that the Sinuosity bid is 3,000 feet longer.
- C. Scott Murphy said that we encouraged them to submit options.
- D. Bruce Schmidt said this is just step 1. If there is another phase, there will be another bid. He said that Sinuosity and KSA bid on the same thing, even though there is a significant difference in their bids.
- E. Justin Hyjek asked how the bid worked.
- F. Charlie Rimer said it was for 3,800 feet. He said that Sinuosity had 3 phases and KSA had one phase.
- G. Scott Murphy clarified that both bids were for the 3,900 feet in Phase 1. Sinuosity had an attractive package, explained in Phases 2 and 3. Sinuosity's bid for Phase 1 is \$13,000+ higher for phase 1.
- H. Scott Murphy said both companies bid on the same number of feet.
- I. Marissa Selleck said that the bids are for the same thing; Sinuosity added more features, but the footprint is the same.
- J. Justin Hyjek said we can put out another RFP in the spring when we have more money.
- K. **MOTION by Justin Hyjek and seconded by Bob Brandt to award the bid to KSA for \$21,450.00. Motion passed unanimously.**

8. **RENTAL REGISTRY COSTS AND POSSIBLE DECISION WHETHER TO MOVE FORWARD**

- A. Scott Murphy said that we have been discussing this and have lots of input. We have Granicus for guidance. He said that with voluntary registration only about 10% of people respond.
- B. Scott Baitz asked if there had been comments that with Granicus- for the first year – they only received 10% response.
- C. Sam White said the identification rates are 80% to 90% with 96% compliance. She said that she had given options. She said that there will be 50% + for identification and 70% for responses before even getting the data.
- D. Bruce Schmidt said that the cost is about \$20,000.
- E. Scott Murphy over that.
- F. Bruce Schmidt said the other option is voluntary registration. OR, ask Scott Murphy to bring back an ordinance for the December meeting, for this board to put into place. The time line – look at the ordinance for December, a public hearing for comments in January. He said the ordinance, if not petitioned, would become effective 60 days later. We can also get a feel for how this would play out. Do we want to spend the money. If we do, we need to find the money to put in the budget and this would start in July.
- G. Sam White said finding funding is not a problem. Do you want to start now, or next July.
- H. Bruce Schmidt said this is a big decision for the town – how to find the money.
- I. Sam White said there are different sources, including the ARPA funds. The ordinance would include fees and 3x or 4x recovery. The national average fee is \$250.00. OR – deferred payment that would not start until you start to receive fees. OR – ARPA, ordinance, deferred

- costs (3 months down the road.) We can work with the town. The question is – do you want to start now or next season.
- J. Bruce Schmidt said we have discussed this for a few months and he does not want to start a dissertation now, but asked for comments.
- K. Charlie Rimer said this has been discussed for 3 months. He said the committee was asked to give its decision in September. If we push this until July, it would be a disservice to the town – we need to make a decision now.
- L. Eric Alden said the optional voluntary registration should be taken off the table. The season starts next week and self-certification would be “0.”
- M. Scott Murphy asked the Board; do you want to start now?
- N. Bob Brandt said if we establish an ordinance with fees, it would be self-funding. He said he doesn’t think they should use the ARPA funds for this. They should consider a registry, with ordinance, flat fees of 1% of their rental.
- O. Sam White said that a 1% flat fee would be messy. The national average fee is \$250.00 and the average nightly rental fee in Ludlow is \$314.00 (in July.)
- P. Bruce Schmidt asked if we need an ordinance.
- Q. Scott Murphy said first we need to decide if we want to go forward, then create the first step. Then determine if we need an ordinance. We need to see who responds and who disregards...or do we create an ordinance.
- R. Sam White said we will gather information for the registry before setting an ordinance. We need to have data to create the ordinance and not conjecture. How many properties are being purchased just for short term rentals.
- S. Scott Baitz asked if we can split the costs in the budgets for FY2023 and FY2024.
- T. Sam White said that she has to get permission but that she does have some customers who are doing that.
- U. Eric Alden said the board needs to think ahead, if they are not doing an ordinance or registry, should they spend the money to collect the data.
- V. Charlie Rimer said if we gather information and fire off an ordinance. We should gather information for town meeting in March and work on the ordinance in the next few months. We need the information first.
- W. Justin Hyjek said it would be best to partner today, gather the data over the entire winter and this would give us the time to formulate a registry. This is a hugely opportunistic time.
- X. Scott Baitz said they should move forward with data collection.
- Y. Bruce Schmidt said there is no need for data...the data will show us what we already know. He said that \$26,000 to get data is a lot if there is no appetite for an ordinance. We can enact an ordinance and if the people don’t like it, they can petition. Should we give Scott Murphy the authorization to negotiate and sign some or sign a contract.
- Z. Scott Murphy said there is a decision to be made. He can contract with Sam White and can you get this started for the winter.
- AA. Sam White said that the date that the contract is signed, they start collecting data. It will be 6 to 12 weeks before we are able to mine the data and train your personnel.
- BB. Scott Murphy asked if they would be able to capture Christmas Week.
- CC. Scott Murphy said that the price is \$26,000+...he suggested a limit of \$27,000. We can split the costs between FY2023 and FY2024.
- DD. Justin Hyjek said we need the time to train in-house personnel.
- EE. Sam White said we need the assessor data first and to let us know when someone is appointed to work on this.

- FF. **MOTION by Justin Hyjek and seconded by Scott Baitz for authorize Scott Murphy to sign a contract with Sam White and her team not to exceed \$27,000 to be split between FY 2023 and FY2024 or deferred payments. Motion passed unanimously.**

9. **POSSIBLY APPROVE FUNDRAISER ROAD RACE FOR DIVIDED SKY ON MAY 20, 2023:**

- A. Justin Hyjek said they did this last year.  
B. Scott Murphy said this year they will be including more runners. The requested date is May 20, 2023.  
C. **MOTION by Justin Hyjek and seconded by Bob Brandt to approve the request from Divided Sky to hold a road race on May 20, 2023. Motion passed unanimously.**

10. **CONSIDER GARDEN CLUB REQUEST TO PLACE CHRISTMAS/HOLIDAY LIGHTS IN KESMAN PARK**

- A. **MOTION by Justin Hyjek and seconded by Scott Baitz to approve the request from the Garden Club to place Christmas/holiday lights in Kesman Park. Motion passed unanimously.**

11. **POSSIBLY APPROVE TOWN CHRISTMAS/HOLIDAY PARTY**

- A. Scott Murphy said that due to COVID, we did not have a Christmas/Holiday Party. Three years ago, the cost was \$3,800, about \$34 per person. The Trustees and Water Commissioners have approved this.  
B. Bruce Schmidt asked where it will be held.  
C. Scott Murphy said it depends on the potential costs. The lower bid is local  
D. Justin Hyjek asked if this this budgeted.  
E. Scott Murphy said yes.  
F. **MOTION by Bob Brandt and seconded by Justin Hyjek to approve the Holiday/Christmas Party. Motion passed unanimously.**  
G. Scott Murphy said he will get back to the board with the dates.

12. **SELECT BOARD TO POSSIBLY AUTHORIZE EMERGENCY MANAGEMENT GRANT APPLICATION FOR COMMUNITY CENTER GENERATOR**

- A. Scott Murphy said that this is a State Emergency Management grant with a split it 50/50 split up to \$50,000. We have applied for this grant before and have a good shot at it this time. We want to relocate the emergency shelter to the Community Center (currently at the EMS building.) We will put out an RFP if we get the grant.  
B. **MOTION by Justin Hyjek and seconded by Scott Baitz to authorize the Emergency Management Grant Application for the Community Center Generator. Motion passed unanimously.**

13. **MUNICIPAL MANAGER UPDATES**

- A. Health Insurance costs increases
- i. Scott Murphy said that insurance costs for calendar year January through December 2023 will be 16% higher than last year. We are in decent shape this calendar year. These costs will be partially in FY2023 and FY2024.
  - ii. Justin Hyjek noted that costs are \$892,000.
  - iii. Bruce Schmidt said we made the decision to have no deductible. It's a great plan.
- B. Vail Bridge Temporary stoplight costs
- i. Scott Murphy said that they are wrapping up and hope to pave on Thursday, then do the sidewalks and punch list. The stop lights that we used from Cold River cost \$5,000 and we did authorize this.
  - ii. Bruce Schmidt asked if the contractor has moved its staff to Gassetts as the progress has slowed.
  - iii. Scott Murphy said we had to wait for Lafayette.
  - iv. Bob Brandt said they had trouble getting the membrane.
- C. Health Officer Non-Renewal
- i. Scott Murphy advised that both the Health Officer and Deputy Health Officer have decided not to renew and we are looking to fill both positions.
- D. Skate Park donations fund
- i. Scott Murphy said they have set up a donation fund and made it a line item on the budget. Ulla Cook is able to do this. He said that he met with Justin Hyjek and the committee on Wednesday.
  - ii. Justin Hyjek said they wanted to get the RPF out quickly.
  - iii. Bruce Schmidt said they were short of what was needed.
  - iv. Justin Hyjek said we have a grant for the 1<sup>st</sup> phase, but we demo'd the park in its entirety. He said phase 1 is about \$280,000 and phase 2 about \$200,000 to \$250,000. We have to start fund raising now and are working on the design.
  - v. Bruce Schmidt said when we are done; we will have a \$500,000 skate park.
- E. Thank You to Bob Brandt and Shawn
- i. Bruce Schmidt Scott Murphy to send out a thank you letter to both Bob Brandt and Shawn for their service as Health Officer and Deputy Health Officer.
- F. Hams and Turkeys
- i. Scott Murphy advised that the town will be buying turkeys and hams for the employees for the holidays.

14. **DEPARTMENT HEAD REPORTS**

- A. Ambulance
- i. Bruce Schmidt asked about the website for the Ambulance
  - ii. Scott Murphy said it is for a membership drive and people can sign up online
  - iii. Bruce Schmidt asked if it could be done through the town website

- iv. Scott Murphy said we are having difficulties. It will be linked to the town website. He added that we have one for the Recreation Department.
- v. Bruce Schmidt asked if the funding information would be available on the town website.

B. Planning Grant

- i. Bruce Schmidt asked about a planning grant
- ii. Scott Murphy said we didn't apply this year. We already have a grant for 2023 and are working on the downtown and re-districting

15. OTHER BUSINESS

A. Transfer Station Bathroom

- i. Justin Hyjek asked about this.
- ii. Scott Murphy said they have sent out an RFP

B. Town Website

- i. Justin Hyjek asked about updating the town website.
- ii. Scott Murphy said that our website is easier to negotiate than other towns.
- iii. Justin Hyjek suggested just refreshing it and possible patch in fund raising drives.

C. Board Packets

- i. Eric Alden noted that once the minutes are posted, the packets for the meetings are removed from the website. He asked if they could be left on the website.

16. POSSIBLE ITEMS AND DATES FOR NEXT MEETING

A. Next Regular Meeting

- i. Monday December 5, 2022.

B. FY2024 Budget Dates

- i. November 28, 2022
- ii. Lisha Klaiber said she won't be able to make it.
- iii. Scott Murphy said he will have the whole budget package available for the board.

C. Town Meeting

- i. Bruce Schmidt asked to discuss this at their next meeting. Should town meeting be on ZOOM and may the people on ZOOM vote. He said that in the past, we had town meeting on live TV.
- ii. Justin Hyjek suggested comments be allowed on zoom, but not voting
- iii. Eric Alden said that people on ZOOM can discuss, but there's no way to know who's voting.
- iv. Bruce Schmidt said the board needs direction – this is a legal issue.

17. SIGN WARRANT ORDERS

- A. Bruce Schmidt said that warrant orders have been signed.



18. **POSSIBLE EXECUTIVE SESSION/PERSONNEL/CONTRACTS/LLEGAL ISSUES - 1VSA  
313 (a) (3)**

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

19. **ADJOURN**

- A. **MOTION to adjourn by Scott Baitz and seconded by Justin Hyjek. Motion passed  
unanimously.**
- B. Meeting adjourned at 7:23 p.m.

Respectfully submitted,

Lisha Klaiber

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Bruce Schmidt, Chairman

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Justin Hyjek

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Scott Baitz

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Brett Sanderson

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Bob Brandt