

**PRELIMINARY MINUTES**

**TOWN OF LUDLOW  
BOARD OF SELECTMEN**

**October 3, 2022**

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

**Join Zoom Meeting**

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

**Meeting ID: 814 6817 4000**

**Passcode: 760686**

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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  
Lynn Baldwin  
Gary Blodgett  
Joe Collet  
Andrea Goldman  
Glenn Heitsmith  
Gary Joseph

Joe Josselyn  
Ed Kelly  
Heather Kelly  
Don Lagro  
Meredith Milliken  
Dennis Pearson

Irene Pearson  
Charlie Rimer  
Noah Schmidt  
Marissa Selleck  
Ryan Silvestri  
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 September 12, 2022.
- B. **MOTION by Brett Sanderson and seconded Scott Baitz to approve the minutes of the Regular Meeting of September 12, 2022 as presented. Motion passed unanimously.**
- C. Glenn Heitsmith noted that his comment and John Neal's response regarding closures on Saturdays was not correct.
- D. Bruce Schmidt asked Lisha Klaiber to review the tape and bring the corrected comments for the next meeting.

4. **COMMENTS FROM CITIZENS**

- A. Stephanie Grover reported that the Golf Tournament Fund Raiser for the Ambulance Service was a success and raised about \$10,000. There were 14 teams, a great turnout and a lot of support from local people and businesses.
- B. Scott Murphy said that Stephanie Grover worked very hard on this, and while she had some help, did most of it herself.
- C. Stephanie Grover said that the main focus for use of the funds will be staff education.

5. **REVIEW BIDS FOR 142 BROOKS ROAD DEMO AND POSSIBLY AWARD CONTRACT**

- A. Scott Murphy advised that he is looking for guidance from the Board. After the original RFP was sent out, the state notified the town that they had to work with an asbestos contractor. (Catamount is the contractor.) He said that they had received one bid, from Adams, prior to this notice and prior to the bid opening date. He sent an email to Adams saying that the RFP had to be rebid with some changes and that their bid had not been opened. He told them that they could resubmit or leave it. He did not hear back from them. They put out a new RFP and received bids from 2 vendors. The bids were opened on September 21, 2022. He was then contacted by Adams asking why their bid was not listed in the bid summary. He said that there was a lapse in communication. He read the email to the board.

<b>VENDOR</b>	<b>BID</b>	<b>ASBESTOS REMOVAL</b>
E. L. Construction LLC	\$34,540.00	\$13,000.00
Hammond Grinding & Recycling Inc.	\$30,786.20	\$13,000.00

- B. Justin Hyjek said that he thinks that Adams thought he did not have to resubmit.
- C. Bruce Schmidt asked when they wanted to have the work done.
- D. Scott Murphy said before the winter. He said that Catamount encouraged Hammond to bid as they had worked together previously.

- E. Bruce Schmidt said that the other two bids were opened and are now public knowledge, this would put them at a disadvantage. He said they could re-open the bid or continue with the understanding that the town thought this was covered.
- F. Justin Hyjek said they should proceed forward.
- G. Scott Baitz said, it is too bad, but agreed that they should proceed.
- H. Bruce Schmidt said the other 2 contractors would be at a disadvantage if they rebid this. It is no longer a closed bid. He suggested proceeding, and letting Adams know that we regret the miscommunication.
- I. Bob Brandt said there was some miscommunication. But, if Adams did receive the email, he could have called or resubmitted.
- J. Bruce Schmidt said we need to change the procedure. We should call the bidder. We don't want to lose Adams as they are a good contractor and we have worked with them before. He asked Scott Murphy to call Adams.
- K. Bruce Schmidt asked if their original bid was missing anything.
- L. Scott Murphy said we didn't open it and it was not in response to the amended RFP. They have to work with Catamount.
- M. Bruce Schmidt asked if the other contractors had gone to Catamount.
- N. Scott Murphy said he is not sure. Catamount is to identify and remove the asbestos. The other contractors are only responsible for demolition and removal. He said that Adams' bid may not have changed. He thought he didn't have to rebid.
- O. Bruce Schmidt asked who is responsible for the costs for Catamount.
- P. Scott Murphy said the town.
- Q. Bruce Schmidt said that Catamount had nothing to do with the other vendors. He thinks that Adams' bid should have been put in. This is a tight spot.
- R. Scott Murphy said the other 2 contractors hadn't bid on the first RFP.
- S. Justin Hyjek said that he thinks we should have included Adams' bid.
- T. Scott Murphy said that Adams was not present at the opening. It may be easier to not award this bid and to reissue the RFP.
- U. Bruce Schmidt said that would put the work out further.
- V. Scott Murphy said we could make the bid response a shorter period of time.
- W. Bruce Schmidt said we will get paid when the property is put up for tax sale. He asked if we could secure the property with a chain link fence and leave it for the winter. He said it may fall down.
- X. Scott Murphy said there is evidence of people going into the property and it is not close enough to other properties in case of fire.
- Y. Scott Baitz asked if there is any reason not to do the work in November or December.
- Z. Bruce Schmidt said that we should not award the contract and redo the RFP.
- AA. **MOTION by Justin Hyjek and seconded by Scott Baitz to not award the bid contract and to reissue the RFP. Motion passed unanimously.**

6. **REVIEW BIDS FOR SKATE PARK DEMO AND POSSIBLY AWARD CONTRACT**

- A. Scott Murphy advised that the town received bids from 3 vendors. The bids were opened on September 28, 2022 and Crown Point was the low bidder. He said that we have worked with them in the past – they did the Stone House removal.

VENDOR	BID
Adams Excavating	\$36,500.00

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Crown Point Excavating	\$14,000.00
Hammond Grinding & Recycling Inc.	\$14,658.00

- B. Bruce Schmidt asked where Hammond is located.
- C. Scott Murphy said he did not know.
- D. Bruce Schmidt asked when they want this work done.
- E. Scott Murphy said this fall.
- F. **MOTION by Bob Brandt and seconded by Scott Baitz to award the bid for the Skate Park Demolition to Crown Point for \$14,000.**
- G. Justin Hyjek said that the demolition is for the entire skate park, but we only have funds to cover the rebuild of half of the park. This could pose a problem. He said that the RFP went out quickly. We could demo half and put the balance in the budget for next year. We are \$125,000 short.
- H. Bruce Schmidt said we can't commit to \$125,000 tonight. He asked who was working on this.
- I. Scott Murphy said Justin Hyjek, Nick Miele, Jerry Tucker and Pam Nugent. He said that every time they met, they had new ideas. We did start writing the RFP for one half, but then the group wanted to go for the whole thing. Then, there are also safety issues. We had a skateboarder injured. The park is not in good shape. He said that the grant that Justin Hyjek received, the state has not given us the money yet, but it is expected by the end of October. For safety purposes, we should take it all down and do a partial rebuild.
- J. Justin Hyjek said that the community now has an existing skate park. He said that the main concern is safety and he agrees that it should be demolished, but he is nervous that they will not be able to rebuild.
- K. Bruce Schmidt asked, isn't ½ better than none. He said we should remove it and start part of the work in the spring, until we get more money.
- L. Bob Brandt said they should demolish the entire park and rebuild partial.
- M. **Motion passed unanimously.**

7. **DISCUSS AND POSSIBLY APPROVE SPEED LIMIT CHANGE FOR BUTTERMILK FALL ROAD:**

- A. **Scott Murphy referred to town ordinance Article 5, section 5.01 - Speed:** No motor vehicle shall be driven at a rate of speed in excess of thirty-five (35) miles per hour upon any highway owned and maintained by the Town of Ludlow, unless otherwise posted. He said that Ellison Lake and Red Bridge Roads have been lowered to 25 mph. We are considering lowering Butter Milk Falls Road to 25 mph.
- B. Bob Brandt asked if we have done a speed survey.
- C. Scott Murphy said 3 years ago and things have changed. We did a survey on Red Bridge Road last year.
- D. Dennis Pearson asked what it would take to have the speed limit on Butter Milk Falls Road lowered. What is holding us back. It would only take people one minute longer to go up the road. He asked about signage and/or digital signs. He said there are more children and it is dangerous, the site line is bad and there are no shoulders.
- E. Bruce Schmidt said the issue is, any board needs to always take changing speed limits through the process. We take this seriously. We only have 3. We have to work through the process. He said that everyone would like to have the speed limits on their streets lowered. We will look at this tonight. The next step will be a speed limit sign and to get quotes on electronic signs.

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- F. Dennis Pearson said that at his own cost, he put up Watch for Children, Bicycle and yellow figure signs. He understands that the police don't have the staff, but that people do react to the digital signs.
  - G. Justin Hyjek asked if the verbiage on Article 3 is the proposed wording.
  - H. Scott Murphy said yes. If the board votes this in tonight, it would become effective on December 3, unless it is petitioned within 44 days.
  - I. Gary Blodgett supports lowering the speed limit on Butter Milk Falls Road. He said there are walkers, bikers, baby carriages and the speed kicks up dirt. He said that he is disappointed that the board did not put Freedom Hill Road on the agenda. He invited Scott Murphy and board members to drive up and look at the ditches and the speed. He said that at the dirt part, the road is only 19 feet, he said it is 21 feet at Elm Street. He said that most people who live there don't speed. Will they start the process for Freedom Hill Road.
  - J. Gary Joseph said he opposes lowering the speed limit on Butter Milk Falls Road and that the potholes slow people down. He said there is a speed limit sign and cameras on the road. He said that law enforcement is non-existent and he wants to see speed limits based on facts, not opinions. There are no steep hills or shot turns on Butter Milk Falls Road.
  - K. Justin Hyjek said that Butter Milk Falls is a major tourist attraction and it is our responsibility to make it a safe passageway.
  - L. Scott Baitz said that he agrees with lowering the speed limit and also lowering it on Freedom Hill and Pleasant Street.
  - M. **MOTION by Scott Baitz and seconded by Justin Hyjek to lower the speed limit on Butter Milk Falls Road to 25 mph.**
  - N. Justin Hyjek said we should also look at electronic speed signs.
  - O. Bruce Schmidt asked what would be the cost of an electronic speed sign.
  - P. Scott Murphy said that the portable ones are \$9,500 with a trailer. You can use the ARPA funds for them and the Village is also interested in them.
  - Q. Bruce Schmidt asked about a permanent one.
  - R. Scott Murphy said it would have to be connected to power. He said he doesn't have a price, but it would probably be less than the \$9,500.
  - S. Scott Baitz asked if the portable one could be mounted on a pole.
  - T. Scott Murphy said the town doesn't have one.
  - U. Don Lagro said that they have brought the sign up there and it doesn't have radar. He said it doesn't slow people down. We need more police presence up there. He said there are children, bikers, dogs and the road is not in good condition,
  - V. Motion passed unanimously.
  - W. Gary Blodgett asked the board to consider starting the process for Freedom Hill Road.
  - X. Scott Baitz said absolutely.
  - Y. Bruce Schmidt said he knows what it is like up there and we will put it on the agenda for next month. He said as the Select Board, we have to have a good, well thought out reason for changing speed limits. There is others who will also want their speed limits lowered. There have to be reasons why.

#### 8. **ARPA FUNDS AND POSSIBLE USES**

- A. Scott Murphy said there are substantial funds and we qualify to use them on any municipal manner, other than paying debt. He said that he included a list in their packets of some projects that other towns have used the funds for. He said that the police and ambulance departments have already made requests.

- B. Justin Hyjek said it is wise for us not to jump the gun. He suggested sidewalks and water mains.
- C. Bruce Schmidt said that would be the Village and they received their own funds.
- D. Justin Hyjek suggested West Hill improvements.
- E. Scott Murphy said the Trustees will meet tomorrow and this is on their agenda.
- F. Bruce Schmidt said it would be great to get public feedback, suggesting post-its or a white board at town hall. He said we have to commit the funds by December 2024 and use them by December 2026. He suggested that they hold another meeting after town meeting to get some input and ideas.
- G. Ryan Silvestri said a white board at the entrance to town hall would be good.
- H. Bruce Schmidt said we want input. We don't want to use them for general funds. He suggested that police and ambulance uses should be in the budget.
- I. Gary Blodgett asked about voting at town meeting,
- J. Bruce Schmidt said that the Select Board makes this decision.
- K. Gary Blodgett suggested using it for the skate park.

9. **POSSIBLY APPROVE MUNICIPAL PLANNING GRANT (MPG) RESOLUTION FOR GRANT APPLICATION**

- A. Scott Murphy said that this will be a dual effort with the Village. This board needs to sign the resolution and it will be a co- Town and Village project. He said they will be working with Jason Rasmussen. The application is to compile housing data and identify housing needs, with the focus on long-term vs. short-term rentals, seasonal rentals and affordable work-force housing. The Regional Planning Commission will facilitate one public meeting and conduct one community survey and coordinate with the municipal boards and Chamber. They will identify possible tools that the town and village might use to address the housing issue and develop an action plan that summarizes the findings and develops priority implementation steps. He said this request is for \$20,803, with a 10% match: \$2,080 (split between the town and village.
- B. **MOTION by Bob Brandt and seconded by Scott Baitz to sign the resolution for the Municipal Planning Grant. Motion passed unanimously.**
- C. Scott Murphy asked Justin Hyjek to come in to sign it.
- D. Justin Hyjek said he would in 4 days.

10. **OPIOID SETTLEMENT REQUEST FOR DISTRIBUTION OF FUNDS**

- A. Scott Murphy said that the town received about \$2,400 and at their meeting last month, the Select Board said they would like it the funds to go to prevention. We have had requests from Divided Sky/Turning Point and also from the Ambulance. He said that both are front-line groups.
- B. Scott Murphy asked if the board would want to split it 50/50.
- C. **MOTION by Justin Hyjek and seconded by Scott Baitz to give the \$2,437.83 to the Ambulance Service. Motion passed unanimously.**

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## 11. RENTAL REGISTRY REPORT AND DISCUSSION

- A. Ryan Silvestri said that the Rental Registry Committee met again on September 28<sup>th</sup> and feel that the committee has achieved its goal. The committee feels that we need a rental registry. The scope of what that should look like is up to the Select Board. He said the committee brought in Granicus.
- B. Justin Hyjek said the address identification fee would be \$26,865.00
- C. Ryan Silvestri said we would need in-house personnel that would fluctuate with the seasons. If we can't handle it in-house, we would have to hire from outside.
- D. Scott Murphy said it can't be in-house.
- E. Ryan Silvestri said that he cannot be part of this as he is the town assessor. He said that Granicus can provide this, including field and letters.
- F. Sam White said they could identify the short-term rentals; looking at locations, information on activity, and compliance with – if the town creates a rental registry. She said it would be a flat fee based on the number of rentals. We can add modules as needed.
- G. Justin Hyjek said we could use the ARPA funds and put out an RFP.
- H. Sam White said they would look at tourism and impact. They put out an RFP and NCPA has done proposals for other communities.
- I. Justin Hyjek said there would be monthly review.
- J. Sam White said we look at overcrowding, she said you can look at the number of bedrooms that are listed in their listing. Then, we could send out letters. This would be once you have the regulations in place.
- K. Bruce Schmidt said that in her report, Rose Goings went to a property that was listed as sleeping more than what would fit with the listers' card. She went, and wasn't given to the upstairs. This was also in an article. They were going to sell, but needed a CO. Rose Goings denied the CO. The process is working.
- L. Justin Hyjek said that Rose Goings wants to make sure she has the backing to do this.
- M. Ryan Silvestri said that while Rose Goings did deny the CO, there is nothing to deter people from doing it this winter. He said that the rental registry, with fees, can be cost neutral or it can make money for the town.
- N. Bruce Schmidt asked what the town's upfront cost is.
- O. Ryan Silvestri said \$26,000+ for identification list. Added costs would include non-compliance. We need manpower. He said they don't have estimates and the first 2 – 3 years there will be more costs.
- P. Bruce Schmidt asked if the town needs an ordinance.
- Q. Scott Murphy said he didn't know.
- R. Sam White said the average cost for a permit is \$250 and Ludlow could charge \$250 to \$600 per year. That would generate \$210,000.
- S. Gary Blodgett asked if other towns have ordinances.
- T. Sam White said there are 2 sides: identification at the beginning and then create the ordinance. It would cost about \$19,000 to work with a planner.
- U. Bruce Schmidt said they can look at other towns' ordinances.
- V. Sam White said they collect 250 data points: overcrowding, location, when the unit is rented. She said that they can create zoning regulations from that information.
- W. Bob Brandt said he doesn't think it's a bad idea to have the information, but he is not sure where we are taking this. He doesn't want to tell people what they can do with their property. They can do to their property. He said that safety is important, but you still need inspection and enforcement.

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- X. Ryan Silvestri said that the state Fire Marshal needs help. This can be 6/10X. If a unit has 32 people in a 4-bedroom unit, the Fire marshal would find the time to inspect it. He said that most units are in compliance. He said there are also multiple listings for the same property. He said that the state fire code says that if a unit is rental, even if only for one day, it is considered a business. He said that a rental registry would not add the housing stock.
- Y. Scott Baitz agreed that a registry would not help, they are two different issues.
- Z. Ryan Silvestri said there's a lot of emotion here and the committee is giving this back to the Select Board.
- AA. Lynn Baldwin said they say they collect 250 data points on each property, Ms. White has named 3, what are the rest. Who decides how the town will use this information. Will there later be an ordinance to regulate the number of days a unit may be rented for. She understands about safety and septic issues, but an open-ended registry – who has access to the data. She said that having to pay \$600 per year doesn't set well with her. Our process is working. This would be a behemoth of a privacy violation. She said that she is careful and conscientious and the property is on the Jewel Brook. She said that Air B&B is a great way to rent your property, both the property owner and the renters are screened. Air B&B is a good platform to screen. She is asking the board to consider this and asked what it the long-term plan. Is this a vehicle to force people to create long term housing.
- BB. Sam White said this is not invasive. All of the data we collect is already on a public platform. We look at the number of people, the costs, location, cleaning fees and activity.
- CC. Lynn Baldwin said she would like to see a copy of the list of all 250 data points.
- DD. Ryan Silvestri said he would get it.
- EE. Scott Baitz said he would also like to see it.
- FF. Ryan Silvestri said that all of the data is already available on line.
- GG. Charlie Rimer said it isn't coercion or surveillance. It's a business and businesses have rules to follow. This is all publicly available information. The town is not going to pay for a year-round employee for this. We just need the information. He said that there is a property listed online that is advertised as sleeping 16 people. It is located on Trailside. The registry will not make new long-term rentals, but we should know what is happening. Please don't keep pushing this off.
- HH. Eric Alden said he disagrees with Charlie Rimer. This is a longer, complicated, complex and emotional situation. We have not discussed banning short term rentals. He said he would be against that. We need to take our time and this should run parallel with what the town and residents want. He said that the committee decided that a rental registry should be explored but this needs open discussion with the property owners. The town should not use ARPA funds for this. The fees that are charged should be put back into housing.
- II. Andrea Goldman said, if there are 1,200 rental units, that is massive. She said there are only 1,700 registered voters in town. She said that safety requires knowledge. She said that Chief Kolenda had discussed a rental unit that was in the top floor of a barn. The department had no knowledge of this unit. A rental registry would help the town know what is here. Do we hire a company to gather that information. Is that the limit and if it is, keep the discussion to that.
- JJ. Justin Hyjek said we are not here tonight to discuss future regulations or ordinances. He said that he doesn't want to make more ordinances and doesn't want people coming into his home. When you rent property, it becomes a business.
- KK. Don Lagro said homes are surveyed for tax purposes. If we pay someone to do that, the town people won't want this. If rooms are unlisted, they should be. If a unit is dangerous, we should know about it.
- LL. Bruce Schmidt said not everyone will allow the listers into their homes.



- MM. Ryan Silvestri said when an assessor looks at a property for tax purposes, it is looked at differently. The data that the town has on the listers' cards is very broad. A rental registry list would target different things. A unit advertised as sleeping 16, would be flagged. He added that the listers do not have high entry rates.
- NN. Sam White said if there is over-occupancy, the data would be listed online and filtered as to who is out of compliance.
- OO. Justin Hyjek asked Sam White if she could walk them through enforcement.
- PP. Sam White asked what they are looking for – over-occupancy can be dragged and dropped to create a list. They do a snapshot every 3 days.
- QQ. Bruce Schmidt said that this would require money upfront without creating a fee for short term rentals, there can't be enforcement without an ordinance. The Select Board would make and put out the ordinance. He said that people could petition that ordinance.
- RR. Gary Blodgett asked if the board wants data and nothing else.
- SS. Justin Hyjek asked if the Select Board wants to move forward with the rental registry.
- TT. Bruce Schmidt said that if they start a rental registry, are they going to start the whole project or are we going to hire a company to do the job. We need to find \$26,000+ or put it in the budget or make it an article at Town meeting.
- UU. Justin Hyjek said he sent in a check list that could help establish what we need to look at.
- VV. Bruce Schmidt asked where the list was.
- WW. Scott Murphy said he had only received it today.
- XX. Bruce Schmidt asked what the list would tell the board.
- YY. Justin Hyjek said it could be sent out as a mailer to have people self-certify.
- ZZ. Joe Collet asked if one of the Select Board members owns hotel.
- AAA. Justin Hyjek said that he does and he asked the board if he should recuse himself and was told no.
- BBB. Eric Alden asked if the community should have a rental registry and if so, need to collect data.
- CCC. Bruce Schmidt asked if the town should hire someone or do a self-mailer.
- DDD. Eric Alden said they should hire a company to collect the data.
- EEE. Scott Murphy said the committee did its job and presented the recommendation that the town should have a rental registry. It is now up to the Select Board to determine where to go from here. Should we put it on the agenda for next month.
- FFF. Bruce Schmidt said this is an emotional subject and a big deal for the town and board. He said that he is concerned that we do not have the funds in the budget to cover this and if so, it would not start until July.
- GGG. Samantha White said that the town would not have to pay the \$27,000 upfront. They could pay quarterly or have deferred payments. There are options available.
- HHH. Bruce Schmidt said we can't commit the money until the voters tell us that we can use their money for this.
- III. Eric Alden said that if the board does not think they are going to move forward with the registry, it is not worth spending the money.
- JJJ. Bruce Schmidt said we would focus on an ordinance and put it to the voters at town meeting. We should start with the ordinance, then collect the data.
- KKK. Ryan Silvestri said the operation should be decided by the town attorney and administration.
- LLL. Lynn Baldwin asked if there is a permitting process that town could do without AI surveillance.
- MMM. Bruce Schmidt said it's a thought. We are not ready and should have the full board present to decide if we want a rental registry. Then, possibly run it by the town attorney for the process. We don't want to commit funds without having it. He asked Scott Murphy if he can find \$27,000 in the budget that is not being used and let us know at the next meeting.

- NNN. Andrea Goldman said that a few meetings ago, the board decided to return surplus funds to the tax payers. Has that been done? What about the ARPA funds. Could we start self-certification, that might provide some information.
- OOO. Bruce Schmidt said the surplus funds lowered the tax rate. He said we will look at self-certification at the next meeting.
- PPP. Andrea Goldman said she is not suggested total self-governance. She said there are safety issues and this impacts the neighbors.
- QQQ. Bruce Schmidt said we need to have the ability to put the data together and there would be a cost for that.
- RRR. Andrea Goldman suggested \$5,000 funding.
- SSS. Bruce Schmidt said we will discuss this at our next meeting and thanked the committee for their efforts

**12. DISCUSS AND POSSIBLY APPROVE THE LEASE OF STEARNS PIT TO OKEMO**

- A. Scott Murphy said that this is an annual lease for the Blue Lot. We have had an arrangement with Okemo to lease them the lot for the winter season and they are requesting an amendment to the agreement. They are proposing a 5-year, winter season lease to be able to plan better for future development. They are also asking for the Right of First Refusal if the town ever decides to sell the lot. He said that he has prepared two leases for the board; one one-year and the other 5-year.
- B. Bob Brandt asked if it is usually a one-year lease.
- C. Scott Murphy said yes.
- D. Bob Brandt asked if we were to sell, wouldn't we put out an RFP.
- E. Scott Murphy said they would be notified 6 months prior to it being open to the public.
- F. Justin Hyjek asked what the lease was last year.
- G. Scott Murphy said 3% less than \$78,950.
- H. Justin Hyjek asked if they are going to be adding more spaces.
- I. Bruce Schmidt said they will be adding to the Red Lot, where they used to keep the sand.
- J. Brett Sanderson said that there is a VLCT grant that would pay 100%.
- K. Stephanie Grover said that is how we got the stretchers. She said that she doesn't know if any other departments are looking into that grant.
- L. Brett Sanderson said we can do it for the Town and the Village. He added that he doesn't think anyone else has applied.
- M. Scott Baitz asked if we go with the 5-year lease, would we be obligated to give them the right of first refusal.
- N. Justin Hyjek said that last year the traffic was heavy and Stowe is charging for parking. The traffic is wear and tear on our roads.
- O. Scott Murphy said that at last month's meeting, John Neal answered these questions satisfactorily. We have been working since the end of ski season to come up with ways to improve these issues. There is nothing being said about fees. We have always done a 3 to 5% increase. We don't do anything with the lot and don't use it.
- P. Ryan Silvestri said it is valuable real estate. To give them a 5-year lease aid if they charge for parking and right of first refusal, doesn't touch what we could use the lot for. It's not a good idea.
- Q. Andrea Goldman said that the right of first refusal quells all other offers and reduces the value to the town. It would not be a sensible thing for the town to do or to give a 5-year lease now. She suggested continuing a one-year lease until we see the situation stabilize.

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- R. Eric Alden said even with an RFP, someone else may want to use the lot. He agrees with Andrea Goldman. He added that if we did give them the right of first refusal, they would have to match other offers.
  - S. Justin Hyjek suggested that we re-address the cost of the lease. He said the town recently gave 5% increases to town workers and this should be a 5% increase and kept as one year. He said that Section C of the lease, traffic control – if it isn't feasible, it should be scratched or have changes made.
  - T. Scott Murphy said that Okemo does reimburse us for traffic control, but we don't have the manpower and the Chief said that an officer is not needed by Shaw's.
  - U. Justin Hyjek said he thinks it's beneficial.
  - V. Charlie Rimer asked if the town can hold Vail accountable. He said he doesn't like to dispute what the Chief say about not needing an officer in the mornings and it would aid on the afternoons with coverage. He asked the value of the lot and said we should have it reassessed.
  - W. Scott Murphy said this was brought up. He said the Chief Billings had said that he can't just put anyone there and he can't get people.
  - X. **MOTION by Bob Brandt and seconded by Scott Baitz to have a one-year lease and no right of first refusal and the 3% that is already built in.**
  - Y. **Bruce Schmidt recused himself.**
  - Z. **Motion passed unanimously.**

13. **THE SELECT BOARD TO POSSIBLY RE-ADOPT PETTY CASH POLICY**

- A. Scott Murphy said that in the past, there was a policy, but it no longer exists. The auditors suggested it. We have a template from the VLCT.
- B. **MOTION by Scott Baitz and seconded by Bob Brandt to re-adopt the petty cash and cash receipts policy. Motion passed unanimously.**

14. **SELECT BOARD TO AMEND THE TOWN'S PERSONNEL POLICY FOR PT PAY**

- A. Scott Murphy said that at their last meeting, the board voted to approve holiday pay for part-time employees. This will now need to be incorporated into the Town's Personnel Policy
- B. **MOTION by Bob Brandt and seconded by Justin Hyjek to incorporate the Holiday pay for part-time employees into the Town's Personnel Policy. MOTION approved unanimously.**

15. **MUNICIPAL MANAGER UPDATES**

- A. **Red Bridge Road Traffic Survey Results**
  - i. Scott Murphy said we received many complaints about speeds on Red Bridge Road. The survey showed that while the speed limit is 25 mph, the average speed was about 13 to 14 mph.
- B. **Vail Bridge Progress**
  - i. Scott Murphy said that the road is now open to 2-way traffic. The sidewalk will continue to be closed through October and there have been no major obstacles.

- C. Black River High School Building
  - i. Justin Hyjek asked for status on the repairs.
  - ii. Scott Murphy said that the stairs are done and the conduit is done. He said that LaValley's ordered the wrong fire doors. They then ordered the correct ones, but they came in wrong. They have been re-ordered and are expected any day now. He said that the elevator is also done. When the fire doors are done, we have to have the fire marshal back in to inspect.
  
- D. Transfer Station Bathroom and Running Water
  - i. Justin Hyjek asked about this.
  - ii. Scott Murphy said that they have to budget for the architectural design.
  
- E. Second B&G Staff Member
  - i. Bruce Schmidt asked if we had hired the 2<sup>nd</sup> buildings and grounds person.
  - ii. Scott Murphy said that they had and he worked all summer and did a great job.

16. **DEPARTMENT HEAD REPORTS**

- A. There were no comments.

17. **OTHER BUSINESS**

- A. FY2024 Budget Goals and Timeline
  - i. Bruce Schmidt said that we need to give the department heads guidelines whether to level spend or a percentage. We need to be done by mid-January. He asked Scott Murphy if the board would be able to see the numbers next month.
  - ii. Scott Murphy said he would prefer to not to sectional portions, but rather to present all of the number at one time. He wants the board to be able to see how all the numbers fit together.
  - iii. Bruce Schmidt said that may mean not until the December meeting, unless we have a special meeting before Thanksgiving for the budget only.
  - iv. Justin Hyjek asked if they would have the full budget in December and the second meeting after that.
  - v. Bruce Schmidt said he would like to have the numbers by mid-November. He would like an update at the November meeting. He added that he would like to look at the school and see where we want to go with it: focus on uses, sell it to the Expeditionary School, partial uses, housing. He said that costs are not going down. He would also like to commit to the bathroom at the transfer station and start building. He also would like to put money in the budget for a Pilot for a grant writing company. He said there are grants out there and he thinks we are missing out on them. There may be areas that could benefit the town.

18. **POSSIBLE ITEMS AND DATES FOR NEXT MEETING**

- A. Monday, November 7, 2022.
- B. FY2024 Budget Dates
- C. Rental Registry
- D. Freedom Hill Road

19. **SIGN WARRANT ORDERS**

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

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

- A. Scott Murphy advised that an Executive Session is needed for the Appointment or Evaluation of a Public Officer.
- B. **MOTION by Scott Baitz and seconded by Bob Brandt to enter into Executive Session for the Appointment or Evaluation of a Public Officer. Motion passed unanimously.**
- C. Board entered into Executive Session at 8:38 p.m.
- D. Board exited Executive Session at 8:50 p.m. No action taken.

21. **ADJOURN**

- A. **MOTION to adjourn by Bob Brandt and seconded by Scott Baitz. Motion passed unanimously.**
- B. Meeting adjourned at 8:51 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