

***PRELIMINARY MINUTES***

**TOWN OF LUDLOW  
BOARD OF SELECTMEN**

**REGULAR MEETING**

February 4, 2019

**BOARD MEMBERS PRESENT:**

Bruce Schmidt  
John Neal

Logan Nicoll

Heather Tucker

**BOARD MEMBERS ABSENT:**

Brett Sanderson

**STAFF PRESENT:**

Scott Murphy

Ulla Cook

**OTHERS PRESENT:**

Mike Cronin  
Sharon Huntley

Don Richardson  
Rhonda Rivers

Tom Kelling  
Eric Chattergee- Okemo Valley TV

1. **Call to Order**

- A. Bruce Schmidt called the regular meeting to order at 7:00 p.m. He opened the meeting with the Pledge of Allegiance.

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

- A. Scott Murphy advised that no changes will be needed.

3. **Approve Minutes of Previous Meetings**

- A. Bruce Schmidt advised that minutes to be approved are from the regular Meeting on January 7, 2019 and the Special Meeting on January 28, 2019.
- B. It was noted that on the minutes of January 7<sup>th</sup>, Bruce Schmidt was listed on the attendance line as "by phone," but he was physically at the meeting.
- C. **MOTION by John Neal and seconded by Logan Nicoll to approve all minutes listed above as corrected. Motion passed unanimously.**

4. **Comments from Citizens**

- A. There were none.

5. **Liquor Control Board**

- A. Scott Murphy advised that the following licenses that has been submitted for renewal. All taxes are current and approved by Chief Billings. None are from Okemo.

<b><u>Applicant</u></b>	<b><u>Business Name</u></b>
Aminah & Rayhan, LLC	Ludlow Shell
American Legion Post #36	American Legion
Barrich Corporation	Pot Belly Pub
Brewfest Beverage Company	Brewfest Beverage Company
Brick and Mortar Hospitality LLC	Sam's Steakhouse
Brockton Corporation	Shaw's Beer and Wine
Homestyle Hostel, LLC	Homestyle Hostel
Homestyle Hostel, LLC	Main & Mountain Motel
KMS Inc.	The Hatchery
LVP, Inc.	Ludlow Village Pizza
Mark J. Williams Corp	Mr. Darcy's Bar and Grill
Rose Douglas and Ann	Rose Douglas and Ann
Twelve Thirty Four, LLC	MOJO Café

- B. **MOTION by John Neal and seconded by Heather Tucker to approve the liquor licenses as indicated. Motion passed unanimously**

6. **Town Auditors Samantha Hillman and Tom Telling to Review the Town Audited Financial Statement**

- A. Scott Murphy advised that Tom Kelling is here to discuss the audit. He said that there are no deficiencies or material weaknesses. He said that revenue is up about \$279,000 and expenses down about \$140,000. He said that current assets are about \$3.5 million and liabilities about \$1.3 million.
- B. Tom Kelling said that his firm conducted the audit and it fairly represents the materiality. He confirmed that there are no significant deficiencies and no material weaknesses. He said the report describes the audit process. He said the Ambulance Fund has \$700,000 in assets and \$83,000 in debts. He enjoyed working with staff and said they are a great group.
- C. Bruce Schmidt asked, if when purchasing a piece of equipment for about \$100,000 to \$150,000, is it better to buy or purchase with a loan.
- D. Tom Kelling said that most towns build a Capital Equipment Fund. It is up to the town.
- E. Scott Murphy asked if Mr. Kelling recommends setting aside a "rainy day – emergency fund?"
- F. Tom Kelling said the town has a healthy balance sheet.

7. **Select Board to Possibly Adopt a Motion to Support VLCT's Proposal to Create a Self-Governance Pilot Program for VT Municipalities**

- A. Scott Murphy advised that VLCT will be submitting a proposed bill to the legislature for a Self-Governance Pilot Program. It would allow small municipalities more self-governance with regard to adopting of ordinances, charters, and by-laws at the local level. He said the in West Virginia, 34

towns have this program. He said that 3 to 4 towns in Vermont have already given support to the proposal.

- B. Logan Nicoll explained that the current rule in Vermont, the Dillon Law, basically says that towns have no authority until the state gives them the authority.
- C. Bruce Schmidt noted that at the present time, Ludlow would not be able to authorize a Local Options tax without state approval.
- D. John Neal said he would like more information.
- E. Bruce Schmidt asked if there would be any downsides to supporting the proposed bill at this time.
- F. Scott Murphy said no.
- G. **MOTION by Logan Nicoll and seconded by Heather Tucker to give support to the proposed bill from VLCT to create a Self-Governance Pilot Program. Motion passed unanimously.**

8. **Select Board to Consider Establishing an Energy Committee for the Town**

- A. Scott Murphy advised that Logan Nicoll requested this topic for discussion. He said that Don Richardson is here from Mount Holly to discuss their energy committee.
- B. Don Richardson asked the board what they consider to be an energy committee.
- C. John Neal said he hasn't considered it.
- D. Logan Nicoll said it would start out with persons interested and appointed by the Select Board to look into areas for energy savings in town. They would start by looking at town properties and then transition to other places in town. He said that the town plan has strict energy guidelines incorporating state requirements into the plan.
- E. Don Richardson said that 4 years ago, Mount Holly Elementary School brought in a system and so did the airport (not Rutland Regional.) They worked with Efficiency Vermont. He has done energy audits for homeowners. He said the most important part is educating the public. He also has worked with Fletcher Farm to reduce energy costs. Energy production is a large part of this. He added that Mount Holly town is not involved with this part.
- F. Bruce Schmidt asked why.
- G. Don Richardson said he is not sure.
- H. Bruce Schmidt said he is not interested in producing energy.
- I. Don Richardson said the committee can do energy audits.
- J. John Neal said Efficiency Vermont is good at that. The town could work with them and find out funding possibilities. That doesn't require an energy committee.
- K. Don Richardson said energy conservation is one half of the solution and energy production is the other half. He added that his house is net-zero.
- L. Bruce Schmidt said energy production by towns and individuals may work from Green Mountain Power, but not for Ludlow Electric. Solar energy is expensive.
- M. Logan Nicoll said he had not envisioned energy production as part of the energy committee.
- N. Bruce Schmidt said he would like to table this discussion. If Logan Nicoll wants, he could come back with more thoughts for an energy committee.
- O. Logan Nicoll said the Planning Commission has discussed this, starting with looking at town properties for potential energy savings.
- P. Bruce Schmidt repeated that he would like to table this discussion and possibly look at it in April.
- Q. Scott Murphy said he would get together with Logan Nicoll and look for possible additional energy savings through Efficiency Vermont.
- R. Logan Nicoll said funds may be available.
- S. Bruce Schmidt said this discussion is tabled. He would rather spend the time on telecommunications or better internet service.

9. **Department Heads Reports**

- A. Bruce Schmidt advised that all reports are in. He asked if we are comfortable with the processes used by the Recreation concession vendors.
- B. Scott Murphy said that they are very accountable now.
- C. Ulla Cook agreed, saying absolutely.
- D. Bruce Schmidt said that he wants some reassurance and asked about memberships for the gym and how we follow the process.
- E. Scott Murphy said that the accountants would have found any problems during the audit. We collect all monies being collected. We are careful and cautious who we approach for funds.
- F. Bruce Schmidt asked about returnables at the Transfer Station. We need to make sure our systems are in place. He added that he likes the idea of on-line registration for the Rec. programs.
- G. Ulla Cook said we are absolutely comfortable.

10. **Municipal Manager Updates**

- A. Coolidge Solar Project
  - i. Scott Murphy advised that town received the checks from Blattner, totaling \$175,000. The town sent a check to the school for \$75,000 towards the cost of the gym floor.
- B. Stone House at 83 Main Street
  - i. Scott Murphy advised that a 10-day notice has been sent and demolition will proceed. The building is a health and safety issue and it appears that the walls have bowed more. We are working with the town attorney and engineer on this.
- C. Town Report
  - i. Scott Murphy advised that the town report has been sent to the printer.
- D. School Board
  - i. Scott Murphy said that the school board wants to meet to discuss the disposition of the high school building. That board will meet on February 25<sup>th</sup>.
- E. Municipal Manager Vacation
  - i. Scott Murphy advised that he will be on vacation from March 13<sup>th</sup> to March 22<sup>nd</sup>. He will have his cell phone with him.

11. **Other Business**

- A. Letter from Waterbury and Stafford Select Boards
  - i. Scott Murphy advised that a letter was received from the Waterbury and Stafford Select Boards regarding more state funding for failing highway infrastructure. They are asking the board to send letters of support to their representatives (Logan Nicoll is our representative.)
  - ii. Scott Murphy said that VLCT's Local Government Day is February 14<sup>th</sup> and he will be attending the meeting.
- B. Route 103
  - i. Logan Nicoll advised that he has been in communication with VTRANS regarding Route 103. He said that fines have been levied against Pike and the state intends to make sure that Pike is held accountable. The state will not allow Pike to bid on as many projects in the future. They will be putting up more signs. Logan Nicoll said that VTRANS has checked the intersection of Routes 103 and 131 and signs will be put there regarding lane lines. He said that lane line paint machines have been left available in case the roads heat up enough to repaint the lines. Logan Nicoll said he felt assured that the road will be taken care of.

12. **Set Date for Next Meeting**

- A. Town Meeting Warning on March 4, 2019 at 7:00 p.m.
- B. Next regular meeting will be April 1, 2019 at 7:00 p.m.

13. **Sign Warrant Orders**

- A. Warrant orders have been signed.

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

- A. Bruce Schmidt advised that an Executive Session is needed.
- B. **MOTION by Logan Nicoll and seconded by Heather Tucker to enter into Executive Session. Motion passed unanimously.**
- C. Board entered into Executive Session at 8:00 p.m.
- D. **MOTION by John Neal and seconded by Logan Nicoll to exit Executive Session Board. Motions passed unanimously.**
- E. Executive Session at 8:15 PM.
- F. **MOTION by John Neal and seconded by Logan Nicoll to sign repayment agreement with Scott Murphy for overpayment of mileage reimbursement Copy of agreement can be obtained from Pam Cruickshank if necessary for attachment. Motion passed unanimously.**
- G. No other action was taken.

15. **Adjourn**

- C. **MOTION by Heather Tucker and seconded by Logan Nicoll to adjourn. Motion passed unanimously.**
- D. Meeting adjourned at 8:17 p.m.

Respectfully submitted,

Lisha Klaiber

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Bruce Schmidt, Chairman

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Brett Sanderson

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John Neal

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Heather Tucker

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Logan Nicoll