

*PRELIMINARY MINUTES*

**VILLAGE OF LUDLOW**

**BOARD OF TRUSTEES**

**REGULAR MEETING**

**TUESDAY, NOVEMBER 1, 2022**

**6:00 PM**

**HOWARD BARTON, JR. CONFERENCE ROOM**

**TRUSTEES PRESENT:**

David Rose, Chairman

Bob Brandt

Earl Washburn

**STAFF:**

Scott Murphy

Joe Gaudiana

**OTHERS PRESENT:**

1. **Call To Order**

A. David Rose called the regular meeting of the Village Trustees to order at 6:00 p.m.

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

A. Scott said no changes are needed.

3. **Approve Minutes from Previous Meetings**

A. David Rose advised the minutes to be approved are from the regular meeting of October 4, 2022.

B. **MOTION by Bob Brandt and seconded by Earl Washburn to approve minutes from the regular meeting of October 4, 2022, as amended. Motion passed unanimously.**

4. **Comments from Citizens**

A. There were none.

5. **Sewer Allocation Request**

A. 21 Prospect Street. – Okemo Limited Liability

i. Scott Murphy advised that this is an application to change from Residential to Commercial Use. Three (3) units – 42 beds; Additional Allocation fee \$3,822.00.

- 
- ii. **MOTION by Earl Washburn and seconded by Bob Brandt to approve the request from Okemo Limited Liability to change the use from Residential to Commercial of 3 units and a total of 42 bedrooms. Total \$3,822.00 Motion passed unanimously.**
  
  - B. Lot #53 Partridge Lane. – Robert & Miranda Richter
    - i. Scott Murphy advised that this is an application for a new single family home construction with 4 bedrooms.
    - ii. 4 bedrooms at \$780.00 per bedroom \$3,120.00.
    - iii. Hook-on fee of \$4,500.
    - iv. **MOTION by Bob Brandt and seconded by Earl Washburn to approve the request from Robert and Miranda Richter for a new single-family home with 4 bedrooms at \$780.00 per bedroom, plus hook-on fee of \$4,500. Total \$7,620.00 Motion passed unanimously.**
  
  - C. 5 Gill Terrace. – Vacation Properties VT 1, LLC
    - i. Scott Murphy advised that this is an application for a new 5-bedroom home on a proposed subdivision. Allocation fee is \$546.00 per bedroom = \$2,730 plus hook-on fee of \$2,200 for a
    - ii. 5 bedrooms at \$546.00           \$2,730.00
    - iii. Hook On Fee                       \$2,200.00   TOTAL \$4,930.00
    - iv. **MOTION by Earl Washburn and seconded by Bob Brandt to approve the allocation fees of \$2,730 and hook on fee of \$2,200 for a total \$4,930.00 Motion passed unanimously.**
6. **Consider and Possibly Approve Back Charges for Non-Payment of Past Allocation Usage**
- A. Scott Murphy said we have had many requests to add on bedrooms just prior to the sale of a home, which often indicate that the current owners had previously added on bedrooms, but did not pay for the additional allocations. He said that in order to sell a house originally listed as 3-bedroom and now has 6 bedrooms; they have to add to the allocation. We generally grant the request. The Trustees to consider requiring back-payments prior to the approval of the increased allocation request.
  - B. David Rose said there was also one property in the past that was hooked on without our knowledge. We pursued it and got the fees paid. We should do this, but we can't go back further than the current owner.
  - C. Scott Murphy said we don't need a motion as this has been done before.
7. **Review Possible Projects to be Funded by American Rescue Funds Plan (ARPA)**
- A. Scott Murphy advised that the Village has received approximately \$230,000 in ARPA funds. Several Projects have been identified for possible approval. He said that David Rose wants to see us do sidewalks.
  - B. David Rose said that he has spoken to Scott Murphy about the sidewalks and that should be our primary focus. The project by the park isn't getting done and we should take it away from them and move it into one larger project.
  - C. Scott Murphy said that project was \$73,900.00.

- 
- D. David Rose said that we get \$65,000 from the town for the 3/5 highway and we generally put \$15,000 to \$17,000 into the budget for sidewalks. We should roll the Harrison project over into one large contract. It will draw more bidders and may get us a better price. He said we should also do the Access Road drainage project below the railroad trestle.
  - E. Scott Murphy said that project will be about \$110,000. He said we should do that project in the spring and do as much of the sidewalks as we can.
  - F. Bob Brandt said that we have to commit the funds by December 2024. We should list the sidewalks to do first.
  - G. Scott Murphy said the Harrison project, lower Main Street, Mill and Meadow Streets, and Pleasant Street from Elm to Depot.
  - H. Bob Brandt said there are 2 tiles down here with a big gap between them.
  - I. David Rose said we will get a better price if we keep the sidewalk projects lineal.
  - J. Earl Washburn asked if Ron Tarbell could put together a list.
  - K. Scott Murphy said that we have a map from Regional that was done a couple of years ago.
  - L. David Rose said he would like to get this together and have the RPF go out early next year. He added that Ron Tarbell wants mill and pave the upper Access Road from the trestle up.
  - M. Scott Murphy said they have been talking with Okemo about adding a 3<sup>rd</sup> lane so that in the mornings there would be two lanes going up the mountain and in the afternoons, 2 coming down.
  - N. David Rose said he would like to commit the bulk of the funds to sidewalks... figure out what sidewalks are to be replaced and try to keep it linear. We can add in the 3/5 money and the money in the budget set aside for sidewalks. He asked Scott Murphy to call Wayne Elliott to ask if he knew the costs of what sidewalks are per linear foot have been running this year.
  - O. Scott Murphy said we would have to include granite curbing where needed.

8. **Possibly Ratify Court Filing for Bowker Court Ordinance Violation.**

- A. Scott Murphy advised that the Trustees to possibly ratify to continue to enforce the Junk and Junk Vehicle Ordinance violation on Bowker Court pursuant to the court filing and as previously authorized on September 1, 2020. He said that he was deposed by the defendant/self-attorney. He is still pursuing his defense. Our attorney suggested that we ratify the court filing to show that we are still interested.
- B. **MOTION by Bob Brandt and seconded by Earl Washburn to ratify the court filing for Bowker Court. Motion passed unanimously.**
- C. David Rose asked if there is any end in sight.
- D. Scott Murphy said the court date is soon, but he keeps filing appeals.

9. **Review and Possibly Amend Policy on Charging Interest on Delinquent Accounts**

- A. David Rose said that the Water Commissioner's consensus was that we should be charging interest on delinquent accounts. He said bills are dated June 1 and are due on July 1. We give them 30 days to pay. This is in advance of the 6 months service. We have not been charging penalties. He said that the Water Commissioners agreed to charge interest and penalties 30 days after the due date.
- B. Scott Murphy said the penalty is 8.5% and interest is 1.5%.

- 
- C. David Rose said that monthly, staff sends out bills and if the property owner can't pay, they can call and we will set up a payment plan.
  - D. Scott Murphy said we also were able help some with ARPA funds.
  - E. **MOTION by Earl Washburn and seconded by Bob Brandt to assess an 8% penalty and 1 1/2% interest per month for persons not paying their bill within 30 days after the bill's due date.**
10. **Possibly Approve Christmas/Holiday Party for Staff, Boards, etc.**
- A. Scott Murphy said that we have not been able to have a holiday party in 2 years because of COVID. For the last 2 years, we sent out gift cards to employees. The cost in the past was about \$34/pp and total was about \$3,800. He said that we have been looking for bids/proposals and one person has one price for all of his restaurants. We are looking at about \$40pp.
  - B. **MOTION by Bob Brandt and seconded by Earl Washburn to approve the Christmas/Holiday Party for Staff, Board, etc. Motion passed unanimously.**
  - C. Scott Murphy said that we generally buy hams and turkeys at Christmas.
11. **Other Business**
- A. **Sidewalk Project Delay**
    - i. Scott Murphy said that sidewalk project from Gleascott Ave to Main Street has been delayed and the contractor admits that it is his fault. The needed materials are 5 to 6 months out and no granite curbing is available. They offered to hold the price and do it in May, with completion by Memorial Day.
  - B. **Sink hole by High School**
    - i. David Rose said that it appears near the flush hydrant right in front of the high school a sink hole in the road may be. He said that he has mentioned it to Joe Gaudiana.
    - ii. Bob Brandt agreed.
  - C. **Vail Bridge Project**
    - i. David Rose asked when it will be done.
    - ii. Scott Murphy said it was October 30<sup>th</sup>.
    - iii. Bob Brandt said they are waiting for a membrane and hope to have it by the end of the week. They can't pave without the membrane.
  - D. **Main and Mountain**
    - i. David Rose said it looks like they are putting in conduit and have removed the sidewalk.
    - ii. Scott Murphy said he had just heard about it today and they had not come in for a curb cut permit.
12. **Municipal Manager Updates**
- A. **Ordinance Violations Update – Disposition Given on Bowker Court case**
    - i. This was covered under Item #8

- B. Backfill Preventer Installed at WWTF
    - i. Scott Murphy said it is complete
  - C. Pond Street Pump Station Repaired
    - i. Scott Murphy said this is also fixed.
  - D. Fillet Installation to occur on November 15<sup>th</sup> and 16<sup>th</sup> by Manosh Co.
    - i. Scott Murphy said they are coming on November 14<sup>th</sup> to flush and clean manholes.
    - ii. David Rose said they will cold patch over the crooked manhole covers after the cleaning. It should get us through the winter. He asked when Main Street is scheduled to be paved.
    - iii. Scott Murphy said about 3 years.
13. **Set Date for Next Meeting**
- A. Next regular meeting will possibly be on December 6, 2022 at 6:00 p.m.
  - B. David Rose said he will be on vacation.
  - C. Board agreed to hold the meeting on December 13<sup>th</sup> at 6:00 p.m.
  - D. Discuss FY24 Proposed Budget
14. **Sign Warrant Orders**
- A. Warrant orders have been signed.
15. **Possible Executive Session/Personnel/Contracts/Legal Issues**
- A. Scott Murphy said that an Executive Session is not needed
16. **Adjourn**
- A. **MOTION to adjourn by Earl Warren and seconded by Bob Brandt. Motion passed unanimously.**
  - B. Meeting adjourned at 6:27 p.m.

Respectfully submitted,

Lisha Klaiber

---

David Rose, Chairman of Trustees

---

Earl Washburn, Vice Chair

---

Bob Brandt, Clerk