

PRELIMINARY MINUTES

**VILLAGE OF LUDLOW
BOARD OF TRUSTEES**

REGULAR MEETING

TUESDAY, MARCH 5, 2024

6:00 PM

HOWARD BARTON, JR. CONFERENCE ROOM

TRUSTEES PRESENT:

Bob Brandt, Chairman Earl Washburn, Justin Hyjek

STAFF:

Brendan McNamara

OTHERS PRESENT:

Leslie Cassano Larry Dockum Jean Strong
Abby Childs Paul Henson Emma Wright
George Cox Julie Nicoll

1. Call to Order

A. Bob Brandt called the meeting to order at 6:00 p.m. All members present.

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

A. Brendan McNamara asked that the board add Ludlow Farmers' Market to the agenda as Item 5A.

3. Approve Minutes from Previous Meeting

A. **MOTION by Justin Hyjek and seconded by Earl Washburn to approve the minutes from the regular meeting on February 6, 2024 and the special meeting on February 22, 2024 as presented. Motion passed unanimously.**

4. Comments from Citizens

A. There were none

5. Allocation Review and Possibly Approve

A. Eight Oh Brew - Requesting Rate Reduction due to Flood

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- B. Mr. Darcy's - Requesting Rate Reduction due to Flood
 - C. Brendan McNamara advised that the next two, Eight Oh Brew and Mr. Darcy's were discussed at the Water Commissioners' meeting tonight. The water commissioners voted to deny the requests. The Water Commissions were sympathetic, but did not want to set a precedent. They want to look for a model for possible future even, possibly to include coming to the board within a certain time frame. He advised that Diane Knight had put together some numbers for both properties. He added that Mr. Darcy's had paid their bill through 6/30/2024. Eight Oh Brew only paid through 12/31/2023. Both businesses will be reopening.
 - D. Justin Hyjek said this board is worried about setting precedents; we can set a process for the future.
 - E. Brendan McNamara said that consumption is based on seating capacity of the restaurant.
 - F. Justin Hyjek asked if this board approves the request, would the property owners have to reapply for future allocations.
 - G. Brendan McNamara said, no.
 - H. Earl Washburn asked if there is a precedent for private homes.
 - I. Brendan McNamara said no. He said we did approve the request for Timber Inn and Sam's, because they will not be reopening.
 - J. Justin Hyjek said the Eight Oh Brew is not the property owner.
 - K. Earl Washburn said that he is not afraid of setting a precedent. We should show heart. The flood was out of their control.
 - L. Brendan McNamara said the amounts are negligible and there are times when we should be sympathetic.
 - M. Justin Hyjek said that Eight Oh Brew paid through 12/31/2023 and did not pay for the period 1/1/2024 through 6/30/2024. He is not sure if they should be credited, but we could offer a rate reduction for the current billing period.
 - N. Earl Washburn said if they reopen before June 30th, it would go back to the regular rate.
 - O. Brendan McNamara said the base rate for them is \$154.42.
 - P. **MOTION by Justin Hyjek and seconded by Earl Washburn to approve the request from Eight Oh Brew to forgive the billing for 1/1/24 through 7/30/2024 with the caveat that if they reopen sooner than 6/30/2024, regular billing would restart. They would be credited for \$714.00. If they do reopen, they will have to reapply for a new allocation. Motion passed unanimously.**
 - Q. Brendan McNamara said that Mr. Darcy's is paid in full.
 - R. **MOTION by Justin Hyjek and seconded by Earl Washburn to apply credit to Mr. Darcy's in the amount of \$571.20 with the caveat that if they reopen sooner than 6/30/2024, they would return to regular billing rates. Also that the current ownership remains. Motion passed unanimously.**

5A. Ludlow Farmers Market

- A. Brendan McNamara said that he had met with Emma Wright from the board of the Ludlow Farmers' Market and they wish to revitalize the market.
- B. Emma Wright said that the Farmers' Market was going under and the space at OMS was difficult to use. They have a new board and are trying to revitalize the market. They would like to use Depot Street on Sunday mornings. She said that some people found it difficult to get there on Fridays. She said that holding on Depot Street will increase foot traffic in town. They are working with Stewwinds and Downtown Grocery. They would be open from 9:00 a.m. and 1:00 p.m. on Sundays.
- C. Justin Hyjek asked if they have letters of support from the local businesses.

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- D. Emma Wright said she will get letters. She added that most of them are not open on Sunday mornings.
- E. Justin Hyjek said that that 9:00 a.m. would be a tough time to open. Would they need to close the street the night before in order for the vendors to be able to set up?
- F. Emma Wright said they would close the street between 8:00 a.m. and 2:00 p.m. They are flexible about time.
- G. Justin Hyjek asked if they had spoken to Chief Billings.
- H. Brendan McNamara said there may be concerns about when the street is closed, parking and patrol.
- I. Justin Hyjek said he is in favor and it would make the town more pedestrian friendly, but he would like them to work with the police department.
- J. MOTION by Justin Hyjek and seconded by Earl Washburn to approve the closing of Depot Street on Wednesday, March 20, 2024 from 3:00 p.m. to 10:00 p.m.**
- K. Earl Washburn asked if this would be just for the one time.
- L. Emma Wright asked if this would be in 2 motions - March 20th and also the Sunday mornings from Memorial Day to Indigenous Peoples' Day - full closure from 8:00 a.m. to 2:00 p.m.
- M. Earl Washburn asked how they would anchor the tents.
- N. Emma Wright said there are weights available and the vendors will be required to use them.
- O. Earl Washburn said that at OMS, some of the vendors required that their vehicles be by their tents.
- P. Emma Wright said that will not be allowed, they will have to unload before the market opens and move their vehicles. We would suggest Shaw's or the municipal lot.
- Q. Greg Cox said the Rutland Farmers' Market closes the street and the vendors' access through the parking lot. It brings foot traffic. He said that for every \$1.00 sold, it brings \$2.6 in economic activity. Occasionally there is a problem with cars.
- R. Earl Washburn said that he does not have an objection.
- S. Bob Brandt asked if vendors are signing up.
- T. Emma Wright said they will have space for 30 vendors.
- U. Leslie Cassano asked if they would be able to use the park (Kesman) for music.
- V. Justin Hyjek said he is in favor, but wants to talk with Chief Billings.
- W. Brendan McNamara said the board can make its decision contingent upon approval from Chief Billings. The board can call a special meeting.
- X. Bob Brandt said he wants this tied up (with the Chief) first.
- Y. MOTION by Justin Hyjek and seconded by Earl Washburn to approve the Farmers' Market on Depot Street contingent upon: 1, Final meeting with Chief Billings and 2. Letters of approval from local businesses.**
- Z. Bob Brandt said we can do that, but he would prefer to come back to vote.
- AA. Emma Wright said that the group is tight on time, vendors may move to other locations.
- BB. Justin Hyjek suggested they vote at Annual Village meeting on March 26th.
- CC. Brendan McNamara said he will talk to Chief Billings and will set up a meeting for the group with the Chief.
- DD. Abby Childs asked about the contingency about approval from local businesses. She asked that if one business didn't approve, would that mean no.
- EE. Justin Hyjek said if over 50% of the businesses say no.
- FF. Bob Brandt said the local businesses will get more foot traffic. The big thing is how Chief Billings feels about the street being closed.
- GG. Justin Hyjek said we want to make sure that everyone is aware.
- HH. Brendan McNamara said if the business owners have questions, they can call him.
- II. Justin Hyjek rescinded his motion.**
- JJ. Earl Washburn rescinded his second.**

6. Department Head Reports

- A. Brendan McNamara said the plant is running well.

7. Aged Receivables

- A. Brendan McNamara advised that collections are going well and are moving in the right direction. There is \$19,000 over 120 days. Some are on payment plans. They are down \$10,000 from the last meeting. He said that you can't turn the sewers off. We are making good progress.

8. Other Business

A. Zoning By-laws

- i. Justin Hyjek asked about the new by-laws.
- ii. Brendan McNamara said the Planning Commission will be attending this board's April meeting. It will have to be warned.

B. 15 Commonwealth Avenue

- i. Brendan McNamara said there was a house on the property that was destroyed by a fire in the 1980's. At that time, when rebuilt, CO's were not being issued and it was listed as a 1 - 3 bedroom house. The property owners have paid their bills on that basis. He said that he will contact the Planning and Zoning office to determine whether it should be billed as a 1, 2 or 3 bedroom house. This will be on the agenda for next month's meeting.

9. Municipal Manager Updates

A. Water/Wastewater Treatment Plant

- i. Brendan McNamara advised that they are in the throes of the FEMA process. Other towns are relocating their plants. There is a possibility in Ludlow to relocate the plant to the property owned by the Black River Development Corp, located behind LaValley's and Jeld-Wen. There are 27 acres. FEMA will be wanting to know estimated costs to put the plant back the way it way, what the costs would be to make it flood resilient and now, to investigate relocation. What would be the cost differences? He said that he met, last week, with the State and FEMA. We are further behind than the other towns because at the time we were considering 30,000 people coming to town in 3 months. At present, the plant is 100% functional, but everything is temporary.
- ii. Justin Hyjek said that we are a mountain town, located on a river and need to manipulate the river. We need State and Federal assistance if we have to relocate the plant. .
- iii. Brendan McNamara said if we put the plant back where it is, and we have another flood, ten what. We will need to elevate the controls and then we would need an elevator. We are in the floodway, not just the flood plain.
- iv. Earl Washburn said we need to dredge the stream. It would not violate the river any more than the floods already have. The floods have made the river wider and shallower.

- v. Brendan McNamara said there is also a channel now; with an island that splits the river by the Pleasant Street Bridge. He said that the Timber Inn will be closed on March 12th and they will have 90 days to demolish the buildings.

- B. Paving Route 103
 - i. Brendan McNamara advised that there are plans to repave the Village portion of Route 103 in 2025. They will eliminate the parking in front of Dunkin' Donuts and relocate some fire hydrants.

- C. Depot Street Bridge
 - i. Justin Hyjek asked if there are any plans to work on the Depot Street Bridge.
 - ii. Brendan McNamara advised that the bridge was inspected and is in pretty good shape. The deck is in good shape.

10. Set Date for Next Meeting

- A. Next regular meeting on April 2, 2024 at 6:00 p.m.
- B. Village Meeting on March 26, 2024 at 7:00 p.m.

11. Sign Warrant Orders

- A. Warrant orders were signed

12. Possible Executive Session

- A. None needed

13. Adjourn

- A. **MOTION by Earl Washburn and seconded by Justin Hyjek to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 6:48 p.m.

Respectfully submitted,
Lisha Klaiber

Bob Brandt, Chairman of Trustees

Earl Washburn, Vice Chair

Justin Hyjek