

PRELIMINARY MINUTES

**VILLAGE OF LUDLOW
BOARD OF TRUSTEES**

**REGULAR MEETING
HOWARD BARTON JR. CONFERENCE ROOM**

Tuesday, February 1, 2022

6:00PM

TRUSTEES PRESENT:

David Rose, Chairman

Bob Brandt

Earl Washburn

STAFF:

Scott Murphy

OTHERS PRESENT:

Andrea Goldman

Meredith Milliken

Patrick Moore (Okemo Valley-TV)

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 Murphy said that they may need an Executive Session. He said they need to add discussion about the sewer charges for Johnson Loop situation
- B. David Rose said they will add it after the Trailside item under Sewer Allocation Request and Refund agenda item.

3. Approve Minutes from Previous Meetings

- A. David Rose advised the minutes to be approved are from the Regular Meeting of January 4, 2022 and the Special Meeting of January 11, 2022.
- B. **MOTION by Earl Washburn and seconded by Bob Brandt to approve minutes from the regular meeting of January 4, 2022 and the Special Meeting of January 11, 2022 as submitted. Motion passed unanimously.**

4. Comments from Citizens

- A. There were none.

5. Sewer Allocation Request and Refund

- A. Slawomir Pajak, 36 Komula Drive
i. Scott Murphy advised that the applicant has requested that the board grant an allocation for

an additional bedroom. They have been billed for a 5-bedroom house, and it is actually a 6-bedroom house. They have paid the additional \$780.00 allocation fee..

- ii. **MOTION by Bob Brandt and seconded by Earl Washburn to approve the request for sewer allocation of one additional bedroom at \$780.00 which has already been paid. Motion passed unanimously.**

B. **Michael Noone – 41D Trailside Road – Allocation Reduction**

- i. Scott Murphy explained that the unit has been classified and billed as a 4-bedroom unit and it really is a 3-bedroom unit. The unit was inspected on January 17, 2022 by the town zoning office. The owner paid the bills. At some point, a clerical error in our office was made and we started charging them for 4 bedrooms. They continued to pay their bills. The property is being sold and the error was found.
- ii. **MOTION by Earl Washburn and seconded by Bob Brandt to approve the request for allocation reduction from 4 to 3 bedrooms. Motion passed unanimously.**

C. **Nicholas and Adrienne Browning – 77 Johnson Loop**

- i. Scott Murphy said Diane Knight had written a brief explanation of the situation. Our office sent out billing for sewer service for the property. She said that the property has belonged to a bank due to a foreclosure and the last time we were paid was in December 2014. At some point, the property was sold to the Brownings. We received the last bill we sent out back in the mail, marked Address Unknown. She said she researched the situation and discovered the new owners. She sent them a bill. The current owner is willing to pay the back sewer charges of \$2,661.16, but does not feel they are responsible for the interest of \$1,278.71 or the penalty of \$195.26 (combined total of \$1,473.97.) They will proceed with attorneys if held responsible for that penalty and interest.
- ii. David Rose asked if our records show the current owners.
- iii. Scott Murphy said the bank may not have advised the office. He said it is possible that the attorneys, at the time of sale may not have seen it on the title search and not listed it on the closing papers.
- iv. Earl Washburn said that the owner should have realized that they would have to pay for the service.
- v. Bob Brandt agreed that the owner was receiving service. We did send out bills.
- vi. David Rose asked if there is a procedure for wastewater when properties are sold.
- vii. Scott Murphy said it would be up to the attorneys to notify the buyers.
- viii. Earl Washburn asked what our part is in this situation. Possibly we should split the penalty and interest.
- ix. David Rose said that we did not send bills to the owners.
- x. **MOTION by Earl Washburn and seconded by Bob Brandt to split the cost of the penalty and interest with the property owner 50/50 and the property owner will still pay the back charges of \$2,661.16. Motion passed unanimously.**

6. **Road Closure Request - Black River Academy Museum**

- A. Scott Murphy said that the Museum board has requested closure of Depot Street, from Main Street to Pleasant Street for July 9, 2022 (rain date July 16th) from 4:00 to 8:00 p.m. They wish to host an “Old Fashioned Community Block Party” such as ones held in the 1940’s and 1950’s. There will be square dancing, foods by local vendors, craft booths, a silent auction, children’s games and a baking contest. The purpose of the event is to further educational programs for the Museum.

- B. **MOTION by Bob Brandt and seconded by Earl Washburn to approve the request from the Black River Academy Museum for road closure on July 9, 2022 for road closure of Depot Street from Main to Pleasant Street as requested. Motion passed unanimously.**
7. **Coin Drop Request by the American Legion**
- A. Scott Murphy advised that the Legion has requested a coin drop on April 23, 2022 to benefit the Children’s Miracle Network. The hours would be from 10:00 a.m. to 2:00 p.m.
- B. David Rose said the Legion has done this for several years and it is a worthy cause. There are criteria they must follow.
- C. **MOTION by Earl Washburn and seconded by Bob Brandt to approve the request for a coin drop from the American Legion. Motion passed unanimously.**
8. **Review and Possibly Approve FY 2023 Village Budget**
- A. Scott Murphy advised that any changes since the last meeting have been highlighted in yellow. The bottom line shows a .8% increase in Expenditures and an increase of 4.74% increase in the amount to be raised in taxes (\$15,662.00.) There are no major changes. He said they no longer get revenue from the LED lights.
- B. David Rose said we have increase labor costs for our employees.
- C. Scott Murphy said our overall costs have increased.
- D. David Rose said the amount to be raised in taxes is \$346,048.00, a 4.7% increase over last fiscal year. He is okay with it. He agreed that our costs have increased and we are also trying to bring our employees’ wages up.
- E. **MOTION by Earl Washburn and seconded by Bob Brandt to approve the FY2023 Village Budget as presented. Motion passed unanimously.**
- F. Wastewater Budget
- i. Scott Murphy said that Sodium Hypochlorite was increased by \$1,500 because costs have increased. He said that the budget shows the beginning of the High Street sewer bond payment of \$14,613.03. He said that the amount to be raised in taxes will decrease by 55.6%. He said the board can look at rates in May.
- ii. **MOTION by Bob Brandt and seconded by Earl Washburn to approve the Wastewater FY2023 budget as proposed. Motion passed unanimously.**
- G. Sign Warning for Annual Village Meeting on March 21, 2022
- i. Scott Murphy said that the warning must be signed between February 9 and February 19, 2022.
- ii. Meeting to sign warning set for February 10, 2022 at 8:30 a.m.
- H. Village Meeting – via Zoom or In-person
- i. Scott Murphy said that the meeting will be held via Zoom as very few people attend in person village meetings.
- ii. Meeting to sign warning set for February 10, 2022 at 8:30 a.m.
9. **Hiring Update of Additional Staff Member for WW/Water Position**

- A. Scott Murphy said that they have been looking for an additional staff member without any success. They have run ads. It takes about 2 years for someone to get fully certified in both water and wastewater. There are tests for 4 types of systems that a person has to take and we only have one type of system. There are 2 issues: we are at the low end of the pay scale for senior, beginner and chief operator levels and Chuck Craig is looking to retire within the next year.
- B. David Rose said we have 2 fully certified people now and one is working on certification. Now, we will need to find someone who is fully certified. He added that Loren Greenslet can't get his certification back at this point. He said that the will talk more about this in Executive Session.

10. **Certify Highway Mileage for VTRANS**

- A. Scott Murphy said there has been no change in the Village Highway mileage of 9.805 miles (Class 1, 2, 3 and highway portions.)
- B. David Rose said we have to certify that we have spent a minimum amount on roads and that entitles us to get state aid for roads. We do this.
- C. **MOTION by Bob Brandt and seconded by Earl Washburn to Certify Highway Mileage for VTRANS for year ending February 10, 2022 and that the board sign the Certification. Motion passed unanimously.**

11. **Other Business**

- A. **Bowker Court**
 - i. Scott Murphy advised that the Court kicked out the motions from the property owner. He said that he has spoken with our Village attorney, Steve Ankuda and a conference call is set for February 14th. We will then be able to enforce the ordinance.
- B. **Audit**
 - i. David Rose asked about the Village Audit
 - ii. Scott Murphy said it is not in yet, but we are pushing them for the end of this week. It is a single audit.
- C. **COVID Funds**
 - i. David Rose asked about it,
 - ii. Scott Murphy advised that we have received \$115,000 and will receive an additional \$115,000. We must commit to its use by the end of December 2024 and spend it by the end of December 2026. He said they will give us guidance for uses. He said that any town that receives less than \$10,000,00 can use the funds as economic loss for standard allowances and can use the funds for various projects, such as sidewalks. He said that Tom Kennedy from the Regional Planning Commission will be at the Select Board meeting on February 8, 2022. He added that the VLCT will also be putting out guidelines. They are saying not to rush to spend the money. There will be recording technicalities.
- D. **Federal Infrastructure Bill Funds**
 - i. David Rose asked about money for Ludlow
 - ii. Scott Murphy said that it may trickle down from the state and we may be able to leverage ARPA monies. He added that Wayne Elliott had said this might happen.

E. Pleasant Street/High Street Engineering

- i. David Rose asked for status.
- ii. Scott Murphy said that he would have more information next month.

F. Vail Bridge Project

- i. David Rose asked for status.
- ii. Scott Murphy said that the contractor sent 4 or 5 options to the Regional VTRANS water engineer and he hadn't gotten back to them.
- iii. Earl Washburn asked when they will start
- iv. Scott Murphy said the RFP was sent out, but the bidders can't get prices on steel. They want the project finished by October. They received one valid bid from Cold River and they have until October 1 to finish the bridge work. Cold River sent an option to VTRANS for precast, but VTRANS said no. They are negotiating. We should hear within the week.
- v. David Rose asked if the bridge closure time will still be the same.
- vi. Scott Murphy said yes.

G. Green Mountain Pipeline Services

- i. David Rose asked for status.
- ii. Scott Murphy said that they have completed the lining, but have to come back for the manhole.

12. **Municipal Manager Updates**

A. Manhole near High School Building

- i. Scott Murphy said that Chuck Craig found an old abandoned water line and will look for it after they fix the leak from Pine Hill Road, hopefully tomorrow.
- ii. Bob Brandt asked how long it's been leaking.
- iii. Scott Murphy said the alarm started last Saturday.

13. **Set Date for Next Meeting**

- A. Next regular meeting will be on March 1, 2022 at 6:00 p.m.

14. **Possible Agenda Items for Next Meeting**

- A. Update on ARPA funds

15. **Sign Warrant Orders**

- A. Earl Washburn said the warrants have been signed.

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

- A. Scott Murphy said that an Executive Session is needed for Personnel/ Evaluation of Public Official

- B. **MOTION by Earl Washburn and seconded by Bob Brandt to enter into Executive Session for Personnel/Evaluation of Public Official. Motion passed unanimously.**
- C. Board entered into Executive Session at 6:33 p.m.
- D. Board exited Executive Session at 6:39 and no action was taken.

17. **Adjourn**

- A. **MOTION by Earl Washburn and seconded by Bob Brandt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 6:40 p.m.

Respectfully submitted,
Lisha Klaiber

David Rose, Chairman of Trustees

Earl Washburn, Vice Chair

Bob Brandt, Clerk