

PRELIMINARY MINUTES

**VILLAGE OF LUDLOW
BOARD OF TRUSTEES**

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

TUESDAY, AUGUST 3, 2021

6:00PM

TRUSTEES PRESENT:

David Rose, Chairman Bob Brandt Earl Washburn

STAFF:

Scott Murphy Chuck Craig

OTHERS PRESENT:

Scott Baitz Lisha Klaiber, Recording Sec. Patrick Cody - OVTV

1. Call To Order

- A. David Rose called the regular meeting of the Village Trustees to order at 6:00 p.m.
- B. All members present

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

- A. Scott Murphy advised that no changes are needed. He said they will need to add an agenda item for the Board of Listers Errors.
- B. David Rose said they would address it after the review of minutes.

3. Approve Minutes from Previous Meetings

- A. David Rose advised the minutes to be approved are from the regular meeting of July 6, 2021 and the Special Meeting of July 23, 2021.
- B. **MOTION by Earl Washburn and seconded by Bob Brandt to approve minutes from the regular meeting of July 6, 2021 and the Special Meeting of July 23, 2021 as submitted. Motion passed unanimously.**

3A. Errors & Omissions from the Board of Listers

- A. David Rose noted that the property is located at 20 Tapper Street and owned by Ken Saccardo. The property is in the Village, but has not been assessed the Village Taxes. The amount is \$618.00.
- B. **MOTION by Bob Brandt and seconded by Earl Washburn to accept the Errors & Omissions from the Board of Listers. Motion passed unanimously.**

4. Comments from Citizens

- A. There were none.

5. Sewer Allocation Request

- A. Adam Pedicino.
 - i. Property address is 33 Pleasant Street Ext. (Parcel #230567.000)
 - ii. David Rose advised that this is a request to add one bedroom at the property to the sewer system. This will be a total of 3 bedrooms.
 - iii. Allocation fee – 1 bedrooms @ \$780.00/bedroom \$780.00
 - iv. **MOTION by Earl Washburn and seconded by Bob Brandt to approve this application to add one additional at the property at \$780.00 per bedroom. Motion passed unanimously**
- B. Matthew Graves

- i. Property address is 146 Main Street (Parcel #230418.000) 3rd Floor at DJ's
- ii. David Rose advised that this is a request to change the use from Gym Office/Commercial to residential – a 3-bedroom apartment
- iii. There is no change in the rates.
- iv. **MOTION by Earl Washburn and seconded by Bob Brandt to approve this application to change the use of the 3rd floor from Commercial to Residential. Motion passed unanimously**

6. **Sewer Abatement Request**

- A. David Rose said that we have received a request from Village Pizza owner David Nelson for a reduction on his sewer rates.
- B. Scott Murphy said that the restaurant has been closed for inside dining since March, 2020 due to COVID-19 and has remained closed to inside dining, recently due to lack of staff. He said that the board had received similar requests last year, including the Laundromat, Café at the Light and the Pot Belly Pub. All were denied.
- C. David Rose said the Water Commissioners denied this request. He added that there are other programs available
- D. Scott Murphy said they will help him work with those programs.
- E. **MOTION by Earl Washburn and seconded by Bob Brandt to deny the request from Village Pizza for Sewer Abatement. Motion passed unanimously**

7. **Review and Possibly Approve Contract for Lower High Street Stormwater Project**

- A. Scott Murphy said that they put this together quickly for possible end of season work. The water runs from Gill to the church then to Veterans' Park. There is a decline in the sewer lines. We received one quote for \$148,500.
- B. David Rose said they had also asked for an extra on the sidewalk, but the contractor didn't bid on it. The bidder was Adams. He suggested that they table this until the winter and put it out to bid again.
- C. Bob Brandt asked about the paving grant.
- D. Scott Murphy said we did get a paving grant for Class II – Lower High Street.
- E. Bob Brandt said if we put it out again in the winter or early spring, we may get more bids.
- F. There was consensus among board members that the bid seemed to be high and to table this at this time.
- G. David Rose said to thank Adams for bidding.

8. **Possibly Consider Ludlow Rotary Club's Road Closure Request of Depot Street for the Annual Chili Cook-off on October 9, 2021**

- A. David Rose said they have allowed this in the past.
- B. Scott Murphy said it was cancelled last year because of COVID. It is a great event and draws a lot of people
- C. David Rose said the road would be closed from 7:00 A.M. to 3:00 P.M.
- D. **MOTION by Earl Washburn and seconded by Bob Brandt to approve the request for the Depot Street road closure from the Rotary. Motion passed unanimously**

9. **Review RFQ Responses by Water & Wastewater Engineering Firms**

- A. Scott Murphy said that they had 3 responses: Aldrich & Elliott (A&E), Weston & Sampson (W&S) and Wright-Pierce (W-P). He said they are familiar with A&E. He said that Weston & Sampson finished up the 70% design phase of the Commonwealth FEMA project. He said that we did not qualify for the next phase because the costs, over the past years, have escalated so much. He said that Holden was the initial engineer. He said that Weston & Sampson were not as responsive and they would have liked and had to be pushed. They also looked to add to the costs. Scott Murphy said that they would have to rate the responses 1, 2, and 3. He said that all 3 are qualified. He recommends that you choose A&E to be #1. They are the best in Vermont. Then you start to talk to them about costs. If you are not comfortable with the costs, you can talk to the #2 firm. You are not obligated to stay with A&E.
- B. David Rose advised that the Water Commissioners ranked them with A&E as #1, W&S as #2 and W-P as #3. He thinks this board should do the same. We can also get costs for Lower High Street and Pleasant Street Ext.

- C. Scott Murphy said that the Pleasant Street Ext. water line is a higher priority. He would like to see preliminary engineering on both projects. He said he only needs board consensus to go to A&E and then he will get some costs for their next meeting.
- D. David Rose said he had asked for other qualifications to see if there were other contractors that were close.

10. **Review & Possibly Adopt Village of Ludlow Solid Waste Management Ordinance**

- A. Scott Murphy said that they added item 5.05 on page 4 of the Village Ordinance Regulating Outdoor Storage of Junk and Junk Vehicles to give the ordinance some teeth: “Violations enforced in the Judicial Bureau shall be in accordance with the provisions of 24 V.S.A. §§ 1974a and 1977 et seq. A civil penalty of not more than \$500.00 per violation may be imposed for the violation of this ordinance.” He said if they adopt this ordinance tonight, it will become effective in 60 days. He said this ordinance has been approved by the Select Board.
- B. David Rose said when the 60 days are up; we can get rid of the other ordinance.
- C. Earl Washburn asked how this will affect Pond Street.
- D. Scott Murphy said that is an issue because it is construction material. It is a gray area.
- E. **MOTION by Earl Washburn and seconded by Bob Brandt to adopt the Village of Ludlow Solid Waste Management Ordinance. Motion passed unanimously.**
- F. Scott Murphy said after the 60 days, they can repeal the Junk/Junkyard ordinance.

11. **Municipal Manager Updates**

- A. Stone House Rubble
 - i. Scott Murphy said the Select Board offered to take some of the unassigned funds and use it to clean up this property. He said that the owner wanted something in writing and he sent them a letter. The letter was lost and he sent a second copy. It would give us permission to enter and remove the rubble from their property. He will follow-up tomorrow. Once the rubble is removed, they will smooth over the property and plant grass. He said they will send out an RFP for clean-up.
 - ii. David Rose asked who sends out the RFP.
 - iii. Scott Murphy said he will let them know next month.
- B. High Street Project
 - i. Scott Murphy said that they had started yesterday. There was a small snag; they had to relocate a manhole. Then today, they had an emergency at their previous job and had to go to Rutland. They got back here after lunch. He said hopefully, there will not be anymore issues.
 - ii. David Rose asked if they will have project meeting. He said they will bomag for the sewer line and then go back and bomag for the water line and it will leave a strip in the center.
 - iii. Scott Murphy said they will go the full width for paving above and the full width for paving below. He asked if the strip could be left in place.
 - iv. Bob Brandt said it would probably break up. He said that in the contract, we paid for 5’ paving and they’re at about 6 ½ ’ now.
 - v. David Rose said they tore up more than they are being paid for.
 - vi. Bob Brandt said they will have to eat the overage, but it’s a good question.
- C. Bowker Court
 - i. Scott Murphy said that they received a response from the Federal Court – they kicked it back. We will file with the Environmental Court soon, and hopefully get a court date. Then, they will enforce the ordinance and have daily fines.
 - ii. David Rose what happens if the court agrees and he does not pay the fines, can we put a lien on his property.
 - iii. Scott Murphy said yes. Also, the property is in the foreclosure process with the bank.

12. **Other Business**

- A. Kirkbride Clock
 - i. Bob Brandt asked about the installation of the clock.
 - ii. Scott Murphy said everything is ready except for the brass plaques and the Rotary is waiting for them. The electric and base are in.
- B. Dog Park
 - i. Scott advised that the Dog Park opened today. There was a good response and there is lots of room for the dogs to run.

- C. Pond Street
 - i. Scott Baitz asked if someone has construction equipment on their property, do they have to have a business.
 - ii. Scott Murphy said he would check with the Zoning Administrator. That is construction material.
 - iii. Scott Baitz said that he had to go to the DRB for a permit for a home business.
 - iv. Earl Washburn said if the owner would just put up a fence so we can't see it.
 - D. 74 Pleasant Street
 - i. Scott Murphy said the house is listed as both a 2 and a 3 bedroom house. We amended it to a 3-bedroom house. He added that the billing is the same.
13. **Set Date for Next Meeting**
- A. Next regular meeting will be on September 7, 2021 at 6:00 p.m.
14. **Possible Agenda Items for Next Meeting**
- A. Update on the Stone House.
 - B. Update on High Street Project.
 - ii. .
15. **Sign Warrant Orders**
- A. David Rose said the warrants have been signed.
16. **Possible Executive Session/Personnel/Contracts/Legal Issues**
- A. Scott Murphy said that an Executive Session is not needed.
17. **Adjourn**
- A. **MOTION by Bob Brandt and seconded by Earl Washburn to adjourn. 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