

MINUTES

**VILLAGE OF LUDLOW
BOARD OF TRUSTEES**

REGULAR MEETING

6:00 PM

Tuesday August 6, 2013

BOARD MEMBERS PRESENT:

Bob Gilmore, Chairman

Richard Harrison

David Rose

STAFF:

Frank Heald

OTHERS PRESENT:

Vincent Guerrero – LPCTV

1. **Call to Order**

A. Chairman, Bob Gilmore, called the meeting to order at 6:00 p.m., all members present.

2. **Approve Minutes from Previous Meetings**

A. Bob Gilmore advised the minutes to be approved are from the regular meeting of July 2, 2013 and the special meeting of July 10, 2013.

B. **MOTION by Richard Harrison and seconded by David Rose to approve minutes from the meetings of July 2, 2013 and July 10, 2013 as presented. Motion passed unanimously.**

3. **Comments From Citizens**

A. There were none.

4. **Sewer Allocation Reduction Request – John McDonald, 70-72 Pleasant Street**

A. Frank Heald explained that the applicant has requested a reduction in sewer allocation and water allocation. He removed one apartment, changing from 4 to 3 dwelling units. This is basically an administrative change.

B. **MOTION by David Rose to approve the sewer allocation reduction request made by John McDonald for 70-72 Pleasant Street resulting from the change from 4 apartments to 3 apartments.**

C. Richard Harrison voiced his concerns that the board has been receiving more reduction requests and each time they allow it, it does not help the water and sewer accounts. He said that he has 3 bedrooms that he does not use and has not asked for a reduction. He thinks that once an allocation is given, it is too bad and he does not think the board should give the money back.

D. Bob Gilmore advised Richard Harrison that there were structural changes to the building and a reduction in the number of dwelling units.

E. Frank Heald advised that water and sewer rates are based on actual number of bedrooms and dwelling units, not whether or not they are being used.

F. Richard Harrison said that that part of the building is still there.

G. David Rose said that sewer rates are billed on units.

H. Frank Heald advised that the building was inspected by the listers and the Zoning Administrator.

I. Bob Gilmore said there is a fine line, but the request is not for non-use.

J. David Rose said that the inverse would also apply. If the applicant decided to add a dwelling unit back in, they would have to come back to this board and apply for additional allocations.

K. **Bob Gilmore seconded the motion made by David Rose for purposes of discussion.**

L. Richard Harrison said that the square footage is still there.

M. David Rose advised that the board does not bill by square footage. Bills are based on dwelling units. In this case, the number of dwelling units was decreased from 4 to 3.

N. **Motion passed, 2 to 1. Richard Harrison against.**

5. **Sewer Rate Abatement Request – Mara Novak, 70 Main Street**

- A. Frank Heald advised that this is a little different, but also administrative in nature. The applicant went before the DRB to for a change of use permit for the building. The DRB approved the application and the property was billed based on the new uses. The adjacent property owners are appealing the DRB decision to the Environmental Court and the case is still pending. The changes in the use have not been made. The billing is now inappropriate and administration believes that approving this request is the right thing to do.
- B. **MOTION by David Rose and seconded by Richard Harrison to approve the request from Mara Novak for sewer rate abatement for change of uses at 70 Main Street not yet done. Motion passed unanimously.**
- C. Frank Heald advised that Mara Novak is the manager of Levey House LLC.

6. **Review Dog Complaint RE: Salem vs. Rolka**

- A. Frank Heald advised that an email had been received from Janet Salem who wished to file a complaint against Steve Rolka. She was walking her dog (leashed) and Mr. Rolka's dog ran up and jumped at her from behind, hitting her legs and knocking her over. The ambulance was called, but she declined medical treatment. The police report is in the packets. The incident occurred on July 16th and she sent her email to Frank Heald on July 30th. There was very little damage. Frank Heald suggested that he send a letter to Mr. Rolka, with a copy of the Dog Leash ordinance.
- B. David Rose asked if Ms. Salem was bitten.
- C. Frank Heald said no.
- D. Bob Gilmore said that Ms. Salem could go to civil court. He thought sending Mr. Rolka a letter with a copy of the ordinance is a good idea.
- E. **MOTION by David Rose and seconded by Richard Harrison to authorize Frank Heald to send a letter to Mr. Rolka with a copy of the dog leash ordinance, explained restraints of dogs. Motion passed unanimously.**

NOTE: Bob Gilmore added OTHER BUSINESS to the agenda.

7. **Other Business**

- A. Listers' Errors and Omissions List
 - i. Frank Heald advised that the Listers had submitted an Errors and Omissions report to the Select Board and it contained Village of Ludlow Electric Company at 9 Pond Street. This is a Village issue and the property was listed as taxable and should be tax exempt.
 - ii. **MOTION by David Rose and seconded by Richard Harrison to remove the Village of Ludlow Electric Company at 9 Pond Street from the Grand List. Motion passed unanimously.**
- B. **Radar Speed Devices**
 - i. Bob Gilmore asked about the portable unit.
 - ii. Frank Heald said that it is in his office and they are having trouble getting the software from the company. The new software may allow them to program a camera to take pictures of vehicles exceeding a certain speed. It will also have a tracking device that will enable the town to know where the device it at all times. It should be operating within a week and will be totally portable.
- C. **Union Negotiations**
 - i. Bob Gilmore asked when the union negotiations are set to begin.
 - ii. Frank Heald said the Police Union is in the fall, but that is for the town. He said the other union is set for the spring to take effect in July, 2014.

8. **Set Date for Next Meeting**

- A. Next regular meeting set for Tuesday, September 3, 2013 at 6:00 p.m.

9. **Sign Warrant Orders**

- A. Warrant orders were signed.

10. **Possible Executive Session/Personnel/Contracts**

- A. Frank Heald advised that an Executive Session is not needed.

11. **Adjourn**

- A. **MOTION to adjourn by Richard Harrison and seconded by David Rose. Motion passed unanimously.**
- B. Meeting adjourned at 6:19 p.m.

Respectfully submitted,

Lisha Klaiber

Robert Gilmore, Chairman

David Rose

Richard Harrison