

PRELIMINARY MINUTES

**VILLAGE OF LUDLOW
BOARD OF TRUSTEES**

REGULAR MEETING

6:00 PM

HOWARD BARTON, JR. CONFERENCE ROOM

Tuesday September 3, 2019

BOARD MEMBERS PRESENT:

Bob Gilmore, Chairman David Rose Earl Washburn

STAFF:

Scott Murphy

OTHERS PRESENT:

Eric Chattergee – Okemo Valley TV

1. **Call to Order**

- A. Chairman, Bob Gilmore called the meeting to order at 6:00 p.m., all members present. Bob Gilmore noted that at their meeting last night, the Select Board dedicated the town hall conference room to Howard Barton, Jr. He said that while he did speak at that meeting, there were two major items that he meant to include.
- i. About 18 years ago, at the time of the Okemo expansion, we were all aware of the impacts that would have on the town. Howard Barton, Jr. had the idea to establish a fund (the Enterprise Fund) when Okemo would contribute \$.50 per lift ticket sold to the town. He added that the Emergency Services Building was built with money from that fund.
 - ii. Bob Gilmore said that Chief Peter Kolenda of the Fire Department was once asked if he had to go into a burning building, who he would choose to be with him. Mr. Kolenda's answer was Howard Barton, Jr. This shows the courage that Howard Barton, Jr. had.

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

- A. Scott Murphy advised that 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 August 6, 2019.
B. **MOTION by David Rose and seconded by Earl Washburn to approve minutes from the regular meeting of August 6, 2019 as submitted. Motion passed unanimously.**

4. **Comments From Citizens**

A. There were none.

5. **Village Trustees to Receive Proposed Municipal Plan from the Planning Commission & Possibly Set Date for Public Hearing**

- A. Scott Murphy advised that tonight, the trustees have received the proposed Municipal Plan. In the past, the plans were only in effect for 5 years, now that is 8 years. The Planning Commission is requesting that the trustees warn and open a public hearing to receive comments on the proposed municipal plan. The Trustees will then close the public hearing and then discuss the plan and comments received. If there are no major changes, then the plan takes effect 21 days from the date of the hearing, unless a petition for change is received within those 21 days. He said that if there are major changes proposed, then a new hearing must be scheduled. He added that major changes are undefined.
- B. David Rose advised that per their minutes, the Planning Commission has been discussing crosswalks and speed limits. Is that included in the plan?
- C. Scott Murphy said no. He added that the Select Board discussed this at their meeting last night and is not concerned.
- D. David Rose said that there was mention, in the Planning Commission minutes of crosswalks every 200 feet and parking on Pond Street from the Okemo Access Road to the Totem Pole.
- E. Bob Gilmore said when he owned the businesses there, Dean Brown told him that he had to provide on-site parking or make arrangements for parking elsewhere. Mr. Brown told him what was available for parking.
- F. David Rose said this should be a topic for another time.
- G. Scott Murphy suggested to the board, that instead of meeting on October 1st, they may want to consider meeting on October 8th. He noted that the Select Board will be holding their public hearing on the Municipal Plan on October 7th and the trustees may want to wait to see what the Select Board decides.
- H. **MOTION by David Rose and seconded by Earl Washburn to warn and schedule a public hearing on the proposed Municipal Plan on Tuesday, October 8, 2019 at 6:00 p.m. Motion passed unanimously.**

6. **Possibly Approve Board of Listers Errors & Omissions**

- A. Scott Murphy advised that the property involved has been being taxed as if totally in the Village. It is only 10% in the village.
- B. Bob Gilmore said the change would be going forward.
- C. **MOTION by David Rose and seconded by Earl Washburn to accept the recommendation from the Board of Listers to change the property located at Bear Ridge Road, Parcel 220627.000 to 10% in the village as it was being inadvertently taxed 100% in the Village. Motion passed unanimously.**

7. **Discuss & Possibly Approve Additional Paving on Lower Pleasant Street**

- A. Scott Murphy said that the portion of Lower Pleasant Street below Mill Bridge was paved and the portion above was paved. There is a section that is deteriorated and should be paved. There is a paving contractor on Pleasant Street and we should consider doing this section. He said that Ron Tarbell is doing work on the culvert, drainage and stonework. He said that Ron Tarbell estimated

this to be about 346 feet with a 1” overlay. The cost should be about \$3,700. With the remaining 3/5 funds (\$1,846) the balance should be about \$1,854. The work on the culvert, drainage and stonework is covered in the budget.

- B. David Rose noted that the paving contract has already been awarded, so this will be an extra.
- C. Scott Murphy agreed, saying Fuller is doing the work.
- D. Earl Washburn said it would be smart, in future budgets, to include a contingency fund for unexpected situations of maybe \$10,000 or similar amount. It would be up to this board to decide how this money would be used.
- E. Bob Gilmore suggested that it is time to reconsider the Value Added Tax. He said that the other ski towns are already doing it.
- F. Scott Murphy said that is on the Select Board agenda for October.
- G. David Rose said that in the past, he has been opposed to this, but now is in favor of it.
- H. Bob Gilmore said it would be wise to explore it.
- I. Scott Murphy said that the Local Options Tax is a good option for Ludlow. He said that this time around, the businesses may go along with it.
- J. David Rose said the town is losing out on a lot of funding.
- K. There was general consensus among board members to pave that section of Lower Pleasant Street.

8. **Possibly Approve Contract for Pleasant Street Sidewalk Replacement**

- A. Scott Murphy advised that Heiden is doing High Street and, except for the drains, id basically done.
- B. Earl Washburn asked if they are installing granite curbs.
- C. Scott Murphy said they are very pricey.
- D. David Rose said that area sets back and he does not think we need granite curbs.
- E. Earl Washburn suggested they look at the curb on the street side of the poles.
- F. Scott Murphy said the Select Board increased the 3/5 money this year to do sidewalks. He suggested that for the next budget, the Trustees ask for more.
- G. Bob Gilmore said that in 1988, he recommended that any sidewalk improvements include granite curbing. We should do that now if it is affordable.
- H. David Rose said there is no curb there now.
- I. Earl Washburn suggested they look into it.
- J. **MOTION by David Rose and seconded by Earl Washburn to approve the proposal from Heiden for sidewalk work on Pleasant Street as presented for \$24,548.58. Motion passed unanimously.**

9. **Sign Ordinance Relating to the Operation & Parking of Motor Vehicles & Bicycles**

- A. Scott Murphy advised that at their last meeting, the Trustees approved the request from the General Manager to exclude the portion of Pleasant Street Extension from Route 103 to Soapstone Road from the tractor-trailer truck restrictions. This board verbally agreed, but did not sign the ordinance. He said the board should sign it tonight and start the 60 day clock. The Select Board signed it last night. The new article 5.07 reads:
“All tractor-trailer vehicles are restricted from travel on Pleasant Street and Pleasant Street Extension in either direction, except from Route 103 to Soapstone Road and when in compliance with the direction of a Ludlow Police Officer or other Emergency Personnel.”

- B. **MOTION by David Rose and seconded by Earl Washburn to re-adopt the ordinance as indicated. Motion passed unanimously.**
- C. Bob Gilmore asked why bicycles are included in the ordinance.
- D. Scott Murphy said they are referred to in the ordinance.

10. **Sewer Removal Request – True North Development (9 properties)**

- A. Bob Gilmore said that they have received a request from The Views at Okemo, LLC. (Now True North Development) to remove lots from the sewer allocation.
- B. David Rose noted that there is no water connection up there. He said that there were 13 lots approved and they wish to retain only 5. He said the owners know that if they ever want to increase the allocation again, they will have to reapply to the Village. The lots to be removed are numbers: 12, 14, 15, 16, 17, 18, 24, and 25.
- C. **MOTION by David Rose and seconded by Earl Washburn to remove, at the owner's request, lots listed above from the sewer allocation. Motion passed unanimously.**

11. **Other Business**

- A. The board members had no other business.

12. **Municipal Manager Updates**

- A. **Stone House Rubble**
 - i. Scott Murphy said that he received a letter from the state threatening action about the property. He has tried to work with them for a period of months. He spoke with the town attorney and the attorney said that the state is not saying who they are threatening. He said the language is unclear. Scott Murphy said that legally, we don't have the right to remove the rubble. It belongs to the owner. The owner refuses to let us go on the property if the removal will cost him anything. He is responsible for its removal and he would be sanctioned. He said that he has made no headway with the owner. There are 2 potential buyers, one for the entire property including the motel and the other for just the corner property. The owner wants to get the assessed value and refuses to take the market value.
 - ii. Bob Gilmore asked what the assessed value is.
 - iii. Scott Murphy said close to 7 figures, but it is not worth it. He said the listers have dropped the value.
 - iv. David Rose asked if Scott Murphy would respond to the state.
 - v. Scott Murphy said he would get back to the state in writing. The Village cannot remove the rubble without the owner's permission. The state gave us two weeks.
 - vi. Earl Washburn said Scott Murphy should tell the state that he is forwarding their correspondence to the owner.
 - vii. Scott Murphy said he would do that. He said he thinks the state is looking for the source of the largest possible available monies. He added that at some point, we may have to remove it and put a lien on the property.
 - viii. Earl Washburn was not in favor of that.
- B. **Complaint about Shaw's**
 - i. Scott Murphy advised that they had received a complaint from a person saying that Shaw's

was in violation of the ordinance regarding drugs and smoking paraphernalia. They are selling CBD oil. Scott Murphy said that he went into Shaw's looked around for it and didn't see anything. He said that he also checked with the police and there is no violation.

13. **Set Date for Next Meeting**

A. Meeting set for Tuesday, October 8, 2019 at 6:00 p.m.

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

A. Scott Murphy advised that they will have the public hearing for the Municipal Plan.

15. **Sign Warrant Orders**

A. Warrant orders were signed.

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

A. Scott Murphy said that an Executive Session is not needed.

17. **Adjourn**

A. **MOTION to adjourn by Earl Washburn and seconded by David Rose. Motion passed unanimously.**

B. Meeting adjourned at 6:38 p.m.

Respectfully submitted,

Lisha Klaiber

Robert Gilmore, Chairman

David Rose

Earl Washburn