

***PRELIMINARY MINUTES***

**VILLAGE OF LUDLOW  
BOARD OF TRUSTEES**

**REGULAR MEETING**

**6:00 PM**

Tuesday September 4, 2018

**BOARD MEMBERS PRESENT:**

Bob Gilmore, Chairman      David Rose      Earl Washburn

**STAFF:**

Scott Murphy      Rose Goings

**OTHERS PRESENT:**

Chuck Craig      Nick Patel      Rina Patel  
Wayne Elliott      Prayas Patel      Ed McEneaney – Okemo Valley TV

1. **Call to Order**

A. Chairman, Bob Gilmore, 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. Scott Murphy advised that item #10 would be removed.

3. **Approve Minutes from Previous Meetings**

A. Bob Gilmore advised the minutes to be approved are from the regular meeting of August 7, 2018.

B. **MOTION by Earl Washburn and seconded by David Rose to approve minutes from the regular meeting of August 7, 2018 as submitted. Motion passed unanimously.**

4. **Comments From Citizens**

A. There were none.

5. **Wastewater Treatment Facility Upgrade Project Update & Village Trustees to Consider Possible Bond Vote**

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- A. Scott Murphy said that there is a time line for the project and in order to get it to a village vote by November 6, 2018, the board would need to decide tonight, if they want to continue. The papers for the bond would be reviewed at the October 2, 2018 meeting. There must be an informational public hearing 10 days prior to the vote.
  - B. Wayne Elliott said they are currently working toward 30% design. He asked the board if they do want to have the vote on November 6<sup>th</sup>. He advised that the original total cost estimate was \$2,800,000, but due to increased costs and new tariffs, that estimate is now \$2,950,000. He asked if the board wants to contribute Capital funds toward the project. He recommends going for the total estimated costs for the bond. He said that the bond documents will be ready for the October meeting.
  - C. Scott Murphy said that a \$2.7 million 20-year bond at 2% per year will run \$165,000 and the cost to users would be an additional \$69/year. If the bond is increased to \$2.95 million, that cost would increase to about \$73.
  - D. Bob Gilmore asked if those figures included Capital contribution.
  - E. Scott Murphy said no.
  - F. Wayne Elliott said that he recommends getting the bond for the total 2.95 million and the annual payment would be \$175,000. (That includes the \$95,000 subsidy.) He said that the current residential rate is \$231/year and it would increase to about \$304/year. He said that the average rate in the state is \$450/year. He asked if they want to contribute to the costs from capital funds. He said that for every \$400,000 contributed to the cost of the project, it would bring the residential rate down about \$10/year and for every additional \$200,000; it would bring the residential rate down another \$5 per year.
  - G. Scott Murphy asked when the board has to decide.
  - H. Wayne Elliott said October. He said it is important to tell the public about the projected increases.
  - I. David Rose said they did that with the Water project and the town manager went on the local TV station.
  - J. Scott Murphy said that the Capital balances are \$645,000 in the Sewer Construction fund and \$331,000 in the Operations funds.
  - K. David Rose asked if the \$331,000 is allocated anywhere else.
  - L. Scott Murphy said no.
  - M. **MOTION by Earl Washburn and seconded by David Rose to proceed with preparation of bond documents.**
  - N. Wayne Elliott suggested they add the bond amount.
  - O. **Motion to amend the motion by David Rose and seconded by Earl Washburn to include the amount of \$2,950,000. Motion passed unanimously.**
  - P. David Rose said that the discharge permit will expire next year and asked if it would be affected by this.
  - Q. Wayne Elliott said no. They are not changing the flow rates.
  - R. Scott Murphy said they should schedule the public hearing for October 30, 2018.
  - S. Wayne Elliott distributed a flyer that was an example of one he suggested that the board hand out at the public hearing and also have available prior to the hearing at town hall.

6. **Road Closure Request – Annual Rotary Chili Cook-off**

- A. Bob Gilmore advised that this is for the Rotary and has been done for years.
- B. **MOTION by David Rose and seconded by Earl Washburn to approve the Rotary request for road closure of Depot Street, between Main and Pleasant Streets on Saturday, October 6, 2018 between 7:30 AM and 3:00 PM for the Annual Chili Cook-**

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**off. Motion passed unanimously.**

7. **Update on Vacant & Dangerous Buildings Ordinance Possible Enforcement RE: 83 Main Street**

- A. Scott Murphy advised that the hot water heater at the Stone House at 83 Main Street at the corner of Commonwealth Avenue exploded in January 2015. The fire marshal inspected the structure and declared it unsafe and no access. He did a follow-up inspection on February 24, 2016 and said that a structural engineer should inspect the house. Since the explosion, the house was sold within the family. In October 2016, Wright Construction had an engineer inspect it. He said the cost for demolition is about \$50,000 and it would cost about \$475,000 to \$575,000 to rebuild. In November 2016, the owner applied to the DRB for a Conditional Use permit to raze the house and that was granted in December 2016. Recently, Scott Murphy said that he and Rose Goings and the new owner visited the house.
- B. Nick Patel said they have been trying to sell the house, went to a real estate and does not see the listing.
- C. Rina Patel said that they signed a contract with Mark Gauthier and he was supposed to come over once with a customer, but no one showed up. They can't sell it privately. The listing was about 6 to 7 months ago. They signed for 6 months.
- D. Bob Gilmore suggested they look for another real estate and sign with them.
- E. David Rose said that the building is supposed to be taken down.
- F. Nick Patel said they don't have the funds to take it down.
- G. Scott Murphy said that the former owner told the DRB that the insurance would cover the costs to take it down.
- H. Rina Patel said they don't have any documents saying that. She said they are paying commercial taxes on it.
- I. Bob Gilmore asked the Patels if they knew when they bought the building that it was to be torn down.
- J. Rina Patel said no and it was not in the paperwork.
- K. Bob Gilmore asked if they inspected it when they bought it.
- L. Nick Patel said it was January and they couldn't see it.
- M. Bob Gilmore suggested they table this discussion, saying the Patels should have looked into this.
- N. Rina Patel said they heard about the property and that it was a nice business. They didn't get a chance to see it because they came here on the day of the bid.
- O. Bob Gilmore said the Stone House was all boarded up.
- P. Rina Patel said they didn't get a chance to inspect it because there was too much snow.
- Q. David Rose asked if they bought it without going inside.
- R. Rina Patel said yes.
- S. Nick Patel said he thought the roof looked okay.
- T. Rina Patel said they heard the Best Western was doing well.
- U. Earl Washburn said this board needs to know where this is going. Are they going to sell the property or reconstruct it?
- V. Nick Patel said, sell.
- W. Earl Washburn said they should find another real estate and list it.
- X. Bob Gilmore said who is going to buy a condemned building.
- Y. David Rose said they should come back next month with a contract or other plan.
- Z. Bob Gilmore said they should put in the listing that the building has to be torn down.
- AA. Rina Patel said that someone suggested offering it to the town.

- BB. Bob Gilmore said the building is wrecked. What purpose would the town have for a building that would have to be torn down?
- CC. Nick Patel said the floors are flat, the tubs are broken, there is too much damage, the boiler is blown out, and the pillars are staying.
- DD. David Rose said the walls are buckler.
- EE. Bob Gilmore said this board has to follow the guidelines in the state engineering report.
- FF. David Rose said this board should table this for one month and they should return with a new real estate sales contract and have a plan. They should put a fence around it.
- GG. Bob Gilmore suggested listing it for \$50,000 – the cost to raze it.
- HH. Nick Patel asked about taxes.
- II. Scott Murphy said they could apply to the Board of Civil Authority for abatement.
- JJ. David Rose asked Scott Murphy the value on the Grand List.
- KK. Bob Gilmore asked who owns the property. He asked if it is Patel.
- LL. Scott Murphy said the land is at \$108,000 and the total is \$119,900. It was revised in May 2018.
- MM. Bob Gilmore said they had already had an adjustment.
- NN. Scott Murphy said they could look into the land value and see if it is worth going back to the BCA. He said he would get that information for the Patels and also get the information to the Trustees.
- OO. Bob Gilmore said that Scott Murphy will talk to the Listers and the Patels need to relist the property with another real estate agent – possibly just to unload it.

8. **Possibly Consider Conflict of Interest & Ethical Conduct Policy**

- A. Scott Murphy advised that the state has now required that all towns have a Policy for Conflict of Interest and Ethical Conduct Policy in place by July 1, 2019. He has distributed to board members an outline, prepared by the VLCT. The Select Board and the Water Commissioners have voted to delay action and look for what similar towns are doing.
- B. Bob Gilmore said that 10 years ago this came up and he was not comfortable with it at that time. He said we will comply, but not at this point.
- C. Earl Washburn said that he reviewed the draft and some of his main concerns were addressed. He said it wouldn't hurt to wait and see what other similar towns are doing.
- D. Scott Murphy said he would search out other towns.

9. **3/5 Highway Funding Discussion**

- A. David Rose said that he had asked Scott Murphy to look into the \$36,500 town contribution to the village for roads.
- B. Scott Murphy said that Ron Tarbell said that they will sure pack Bridge Street for the winter and are grinding Andover Street. He said that the \$36,500 amount has been flat for years.
- C. David Rose said that last year, they used id for sidewalks, along with some reserves. He would like to see work continue on sidewalks.
- D. Bob Gilmore asked about the straw baskets with the flowers.
- E. Scott Murphy said there was vandalism last year.
- F. Bob Gilmore said he would like to get more money from the town.
- G. David Rose asked if the Select Board has discussed the local options tax.
- H. Scott Murphy said no.

- I. Bob Gilmore said his goal would be to have the people vote on this at town meeting. He said that Stratton, Stowe and Manchester are doing it. We need to explain to the people how it would really benefit them.
- J. Scott Murphy said the towns use it for different purposes such as lowering the taxes or projects.

10. **Allocation Fees/Hook-on Fees at North Village Road**

- A. Removed from the agenda.

11. **Municipal Manager Updates**

- A. **Andover Street Truck/House Accident**
  - i. Scott Murphy advised that they are dealing with 2 insurance companies – one for the owner and one for the trucker. The building is unsafe and he has been chasing the insurance companies. The engineer for the homeowner’s insurance company will have to decide. He is on vacation. We should have an answer soon. On the other side, Route 100 South is unsafe. He said that he sent a letter to Secretary Flynn of the Agency of Transportation and received a response from Wayne Symonds a Chief Engineer. In his letter, Mr. Symonds advised that the state is aware of the situation. He said that he received a phone call from the state on Friday afternoon and was told that a work order has been signed to replace all of the signs coming down the mountain and add more, one will be STEEP GRADE NEXT 5 MILES. The orange signs will be replaced with neon yellow and there may possibly be a blinking light. Hopefully work will begin within the next few weeks.
  - ii. Earl Washburn said that with the “Trucks Use Lower Gear” signs, the truckers should already know about lowering their speed.
- B. **Bridge Street**
  - i. Scott Murphy said that Gurney has started work, but not with a huge crew. They are looking at the key components of the infrastructure and the paving will be done next spring. There is no estimated completion date.
  - ii. Bob Gilmore asked if they would sure pack it.
  - iii. Scott Murphy said for the winter.

12. **Other Business**

- A. **Paving**
  - i. David Rose asked when Fuller is scheduled to return.
  - ii. Scott Murphy said the week after next.
  - iii. Bob Gilmore suggested work on Pleasant Street.
  - iv. David Rose asked Scott Murphy to research past 3/5 Highway funds.
  - v. Scott Murphy said he would pull the information for the next meeting.
- B. **West Hill**
  - i. David Rose asked about West Hill.
  - ii. Scott Murphy said the manhole had an 8” line going in and a 4” line going out and there were lots of back-ups. They are going a full manhole replacement.
  - iii. David Rose said they were made of old brick and we should look for other similar

- manholes. He said it would be better to fix them now than to have them fail in the winter.
  - iv. Scott Murphy said Chuck Craig keeps an eye on them. This one was in rough shape.
  - C. 36 High Street
    - i. David Rose asked about the sidewalk for the new house.
    - ii. Scott Murphy said it will be repaired when the new house comes in and is put in place.
  - D. Old Sweeper
    - i. David Rose asked about the old sweeper.
    - ii. Scott Murphy advised that it is dead. The good news is that the new one will be here within 2 weeks, complete with sweeper and loader.
  - E. Wooden Bollard by the Stoplight
    - i. David Rose said that the bollard had gotten hit and asked about repair.
    - ii. Scott Murphy advised this is on his “To Do” list to be done before the winter.
  - F. Special Events
    - i. David Rose noted that there was a bike race about which no one had ever advised this board. He asked if there are any other special events scheduled.
    - ii. Scott Murphy said no.
  - G. Junkyard Ordinance Complaints
    - i. David Rose asked if there were any new Junkyard Ordinance complaints this month.
    - ii. Scott Murphy advised that he is keeping track of a property on Gleascott. Most of the junk has been removed. He said there was a bear looking for trash today.
  - H. Vendor Permits
    - i. David Rose asked if there were any vendor permits issued this month.
    - ii. Scott Murphy said no.
  - I. Unmowed Lawns
    - i. David Rose noted that one lawn was mowed.
    - ii. Scott Murphy said there are no new ones.
    - iii. Earl Washburn asked who is responsible for the strips in front of the sidewalks
    - iv. David Rose noted one by Sport’s Odyssey.
  - J. Plant Boxes
    - i. Bob Gilmore said he thinks the village planters look great.
  - K. School Spending
    - i. General board discussion regarding educational spending rules from the state.
13. **Set Date for Next Meeting**
- A. Meeting set for Tuesday, October 9, 2018 at 6:00 p.m.
14. **Possible Agenda Items for Next Meeting**
- A. None mentioned
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 David Rose and seconded by Earl Washburn. Motion passed unanimously.**
- B. Meeting adjourned at 7:09 p.m.

Respectfully submitted,

Lisha Klaiber

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Robert Gilmore, Chairman

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David Rose

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Earl Washburn