

PRELIMINARY MINUTES

**VILLAGE OF LUDLOW
BOARD OF TRUSTEES**

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

TUESDAY, October 5, 2021

6:00PM

TRUSTEES PRESENT:

David Rose, Chairman

Bob Brandt

Earl Washburn

STAFF:

Scott Murphy

Chuck Craig

OTHERS PRESENT:

Ed Floyd

Sarah Devereux (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.
- B. All members present

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

- A. Scott Murphy advised he would like to add another Wastewater Allocation. He said it would be added to item #5. He suggested that the address item #8 before item #7
- B. The board agreed.

3. Approve Minutes from Previous Meetings

- A. David Rose advised the minutes to be approved are from the regular meeting of September 7, 2021.
- B. **MOTION by Bob Brandt and seconded by Earl Washburn to approve minutes from the regular meeting of September 7, 2021 as submitted. Motion passed unanimously.**

4. Comments from Citizens

- A. There were none.

5. Sewer Allocation Request

- A. Riverside Veterinary Clinic.
 - i. Property address is 72 Pond Street (Parcel #030368.000)
 - ii. David Rose advised that veterinary clinic is moving from its current location to 72 Pond

- Street (formerly Chrisandra's.)
- iii. Scott Murphy said they currently have an allocation of 360 GPD and are requesting this be increased to 750 GPD. The additional 390 GPD will be billed at \$.50/GPD or \$195.00.
 - iv. **MOTION by Earl Washburn and seconded by Bob Brandt to approve this application for additional 390 GPD at \$195.00. Motion passed unanimously.**

B. Michael & Alissa Theberge

- i. Property address is 220 Upper Crossroad
- ii. David Rose advised that this is a request to add a single family home with 6 bedrooms on the sewer system.
- iii. Allocation fee – 6 bedrooms @ \$780.00/bedroom \$4,680.00
- iv. 1 Hook on fees @ \$4,500 \$4,500.00
- v. **MOTION by Bob Brandt and seconded Earl Washburn by to approve this application for an allocation for a 6 bedrooms, single family dwelling at \$780 per bedroom and a hook on fee of \$4,500 for an allocation total of \$9,180.00**

6. **79 Pleasant Street – Review of Wastewater Allocation**

- A. Scott Murphy said that in 2006, the property owner was given an allocation for a single unit with 4 bedrooms. They only put in 2 bedrooms, and only paid half of the fee (\$2,1800.) They paid the \$2,200 for the hook-on fee. There is now a 2nd unit on the property and the line is split and the second unit could be attached. They still owe the 2nd half of the original fee.
- B. David Rose asked if there will be an additional hook-on.
- C. Chuck Craig said we have other properties with more than one unit on a property. They are only hooked on to the sewer at one point..
- D. David Rose said they owe the allocation for the house.
- E. Scott Murphy said \$300.00 He said he will send one letter to the owner with information for both the Water and Sewer sides. .

7. **Financial Update**

- A. Scott Murphy said that the auditors will be in tomorrow. They have been requesting a lot of electronic information, causing a substantial increase in work for our office staff and additional Administrative costs. He said that at the end of 2020, the Village ran a deficit of \$35,520. In 2021, they showed a positive of \$61,940, leaving an end fund balance of \$26,420. He said the state didn't fund the highway grant. \$23,000 was received for extra revenue.
- B. David Rose said we should be in better shape this year. We didn't spend the 3/5 Highway money or do any sidewalks this summer..
- C. Scott Murphy said that delinquent taxes this year were \$116,000 and last year, they were \$186,000.
- D. David Rose asked about sewer bills.
- E. Scott Murphy said that sewer delinquencies were \$46,281 and water was \$26,840. None of them caused red flags. He said we are working with the state program.
- F. David Rose said that the state has a program for assistance with utility bills for COVID related issues. He said that people should contact the Municipal office for more information and the program ends at the end of December 2021.

8. **Allocation Reserve for Jewel Brook Hotel Project**

- A. Scott Murphy said that this project was originally approved as condominiums in 2006. The permit was for 7,140 GPD and the allocation fee was \$43,600, due within 30 days of the issuance of the letter and the hook-on fee was \$74,800, which would have been due when they hooked on to the system. In 2017, the permit was amended to a hotel instead of condos. The reserve allocation remained at 7,140 GPD. The allocation fee was never paid, but we have reserved the allocation.
- B. Ed Floyd said that the project was fully permitted, but with COVID stopped. They have the financing and the Hilton is still on board. He said that Section 220 of the Ludlow zoning regulations requires that a project must start within one year of the DRB permit issuance and be completed within 2 years. They will have to resubmit to the DRB for a new permit. The project will be exactly as on file, but with an updated traffic report and walkway. They are moving forward and expect to begin construction within 2 years.
- C. David Rose noted that the original letter to the applicant said that the \$43,600 was due with the issuance of the letter and the reissued letter also said the fees were due within 30 days. He suggested we send them a letter to pay within 90 days or lose the allocation. He asked if there was anything in the file that says the payments can be in parts.
- D. Scott Murphy said there is a letter from Sal Maratolli advising that it cost them \$780,000 to remove the mill.
- E. David Rose asked what the rate would be with the hotel.
- F. Ed Floyd said \$43,600.
- G. David Rose asked about hook-ons.
- H. Scott Murphy said it would be reduced to one hook-on.
- I. David Rose said that the policy at the time was to pay when the letter was issued. South Face Village paid the allocation in pieces.
- J. Scott Murphy said they had changed the permit from condos to a hotel and it is confusing to track.
- K. David Rose asked if we should collect the allocation fee now or wait for the CO and still keep the reserve.
- L. Earl Washburn said we are still reserving the allocation and not leaving it for someone else to use.
- M. Scott Murphy said he will reissue a letter with the allocation fee due within 90 days and if not paid, the allocation will be withdrawn.
- N. Bob Brandt asked what if the allocation is removed.
- O. Scott Murphy said they can reapply.
- P. **MOTION by Earl Washburn and seconded by Bob Brandt to reallocation 7,140 GPD reserve for \$43,600 due within 90 days of the issuance of the letter or the allocation will expire. Motion passed unanimously.**
- Q. David Rose asked Scott Murphy to put a tickler to remind them when the 90 days are up..

9. **Municipal Manager Updates**

- A. High Street Project

- i. Scott Murphy said that they are close to being finished. They paved last week. Today, they did side work – seeding and haying. They have started to demobilize. There will be a walk-through on Friday at 1:00 p.m. with the engineer and contractor. He and Ron Tarbell will attend. There is a punch list and they worked on it today and will again tomorrow. The paving came out well.
- ii. David Rose asked about the budget.
- iii. Scott Murphy said the water side was \$209,000 and the sewer side is \$278,000. We are waiting for reimbursement from the state.
- iv. David Rose asked if the project numbers has money built in for contingencies.
- v. Scott Murphy said he sent a letter and they will review this at the November meeting. We did approve extra work.
- vi. David Rose asked about the manhole tops being 1 inch low.
- vii. Chuck Craig said he will cold patch them.
- viii. David Rose asked why they can't be raised.
- ix. Chuck Craig said it is easier to access them. The ground settles and they are also hit by the snowplows. We leave them down and cold patch them.
- x. David Rose said if we do a new project, we should have them raised.
- xi. Bob Brandt said he did a street in Proctorsville and tried to get risers. They paved them as is and don't even cold patch them
- xii. David Rose said the project does look good.

B. Bowker Court

- i. Scott Murphy said that they are still waiting for the Federal Court to issue a 14 day response to his motion to dismiss. Then we will respond.
- 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.

C. Stone House Rubble

- i. Scott Murphy said the rubble will be cleaned up this month.

D. Vail Bridge

- i. Scott Murphy said that is a state project to rehabilitate the bridge, scheduled to be done in the spring of 2022. He said the contractor will have a 21 day window to complete the work (closing and fixing the bridge.).
- ii. He said that the storm water drain runs through the abutment and the pipe is rusted out. There was a new hole in the deck that we fixed. We have spent \$30,000 on this. The state is coming on Friday at 2:00 p.m. to look at the bridge and the original plans said that the abutments are fine. He thinks we may need to fix them. He said that the project cost does not include fixing the abutment and thinks the state should be responsible for the replacement of the abutment.
- iii. Earl Washburn said that he has been concerned about that bridge for a long time. The state stands at risk of being sued if something happens.
- iv. Scott Murphy said next spring.

10. Other Business

A. Mill Street Bridge

- i. David Rose asked for an update on the Mill Street Bridge.

- ii. Scott Murphy said it is in progress and scheduled for the summer of 2023. He said our share is only 2.5%.

B. Sidewalks

- i. David Rose said we should think about doing where to do sidewalks next year and possibly using the ARPA funds.
- ii. Scott said that they can spend the funds on water/sewer projects..

C. Speed Reports

- i. David Rose noted that the average speed near Veterans' Park was 28 MPH.
- ii. Scott Murphy said it was a 3-day survey. The other was for a week, and the speeds were still below 30 MPH.
- iii. David Rose said they portable radar sign that the village has also records speed if more data is needed. We could move it around.

11. Set Date for Next Meeting

- A. Next regular meeting will be on November 2, 2021 at 6:00 p.m. The meeting will be in the conference room.
- B. Scott Murphy said there will also be a town vote on the Cannabis issue on that day. He said that absentee ballots are available by contacting the town clerk. Ballots may be mailed in, dropped off in person at the town clerk's office or deposited in the drop box by town hall.
- C. David Rose said there will be an informational meeting on November 1 at 6:00 p.m.
- D. Scott Murphy said there will be a moderator.
- E. Earl Washburn said he will not be here on November 2nd..

12. Possible Agenda Items for Next Meeting

- A. Budget workshop dates.
- B. Pleasant Street Extension
- C. David Rose asked for an update on the sewer.
- D. Scott Murphy said we are waiting. The state has to approve our application and contract with A&E..
- iv. .

13. Sign Warrant Orders

- A. David Rose said the warrants have been signed.

14. Possible Executive Session/Personnel/Contracts/Legal Issues

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

15. **Adjourn**

- A. **MOTION by Earl Washburn and seconded by Bob Brandt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 6:30 p.m.

Respectfully submitted,
Lisha Klaiber

David Rose, Chairman of Trustees

Earl Washburn, Vice Chair

Bob Brandt, Clerk