

PRELIMINARY MINUTES

**VILLAGE OF LUDLOW
WATER COMMISSION**

**5:00 PM
Tuesday August 4, 2020**

HEALD AUDITORIUM

BOARD MEMBERS PRESENT:

David Rose, Chairman George Abraham Ron Bixby

STAFF:

Scott Murphy Chuck Craig

OTHERS PRESENT:

Bob Brandt Abby Lechthaler Patrick Cody – Okemo Valley TV

1. **Call to Order**

- A. David Rose called the meeting to order at 5:00 p.m., all members present. David Rose welcomed George Abraham to the board.

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

- A. Scott Murphy advised that they had received the Water Capacity Report from Robert Clark of Otter Creek Engineering

3. **Approve Minutes from Previous Meetings**

- A. David Rose advised the minutes to be approved are from the regular meeting of July 7, 2020.
- B. **MOTION by Ron Bixby and seconded by George Abraham to approve minutes from the meeting of July 7, 2020 as submitted. Motion passed unanimously.**

4. **Comments From Citizens**

- A. There were none.

5. **Possibly Approve Gill Terrace Project**

- A. Scott Murphy said that they had discussed this previously. The project is mostly the responsibility of the Trustees, but there is a small component – less than \$5,000 – for a flushing hydrant at the top of the waterline.
- B. David Rose asked if this is part of the storm drain project.
- C. Scott Murphy said yes.
- D. There was general consensus among board members to do this.

6. **Water Service Removal & Abatement Request – Susan Arndt – 8 Andover Street**

- A. Scott Murphy advised that an abatement requests had been received from Ms. Arndt. The building is the old Grange and was purchased in 2003. Ms. Arndt’s email said that when she purchased the building, Rose Goings told her that if she removed the residential downstairs unit, she would lose the commercial rights. At this time, she would like to remove the allocation for residential downstairs unit and is asking for a rebate on water since 2003.
- B. David Rose noted that she currently has a residential unit and a commercial unit on the 2nd floor. He asked why she had not brought this to the board prior to now.
- C. Ron Bixby agreed that this should have been brought to the board before now.
- D. Scott Murphy said that Rose Goings does not remember the conversation from 2003.
- E. David Rose said the latest bill went out recently and asked about it.
- F. Scott Murphy said it was for \$41.00 and that she has not paid that bill, nor has she paid for the bill that went out for the period January 2020 through June 2020.
- G. George Abraham asked if she had paid bills prior to these and wants a refund for those.
- H. Scott Murphy said yes.

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- I. **MOTION by Ron Bixby and seconded by George Abraham to abate the current bill of \$41.00 (July – December 2020) and the previous bill of \$41.00 (January – June 2020) for a total abatement of \$82.00. Motion passed unanimously**
 - J. **MOTION by Ron Bixby and seconded by George Abraham to remove the allocation for the 1st floor residential apartment. Motion passed unanimously.**
7. **Water Service change of Use Request – Marchica Law Office – 28 Main Street**
 - A. Scott Murphy advised that this is basically a housekeeping issue. The building will have the dame GPD. Mr. Marchica wishes to change the use from a bakery to a part-time commercial law office.
 - B. **MOTION by Ron Bixby and seconded by George Abraham to change the allocation from a bakery to a part-time commercial law office. Motion passed unanimously.**
8. **Possibly Consider Water Abatement Requests (Tabled from July Meeting)**
 - A. David Rose advised that abatement requests (for part of their water bills) had been received from Café at Delight, Mama’s and the apartment, Pot Belly Pub and the Ludlow Laundry. He said that while he is pro-business, he is not in favor of approving their requests. He said if we do it for one business, we will have to do it for all.
 - B. Scott Murphy said that 3 (Café at Delight, Pot Belly Pub and the Ludlow Laundry) of them were COVID related. He said that Mama’s is not. He said that this is a business distress and they have been trying to sell the building. He added that Abby Lechthaler is here to answer any questions regarding Mama’s.
 - C. Mama’s
 - i. Abby Lechthaler said that 2 years after they purchased the building and opened Mama’s, they realized that they could not successfully run that business. They closed Mama’s right after Columbus Day weekend - October 16, 2019. She said that the upstairs apartment is totally gutted and unlivable. She didn’t know that they would be paying water and sewer bills. They have paid \$4,000 since the pandemic started. She said that they would be able to get back on track with paying their bills if they did not have to pay back water/sewer bills. The shop was closed from October 16, 2019 through July, 2020. They have been paying Scott Murphy monthly. They are in a tough spot.
 - ii. David Rose asked if they have plans to do anything with the apartment.
 - iii. Abby Lechthaler said not at this time. She said that they haven’t used any water since October.
 - iv. David Rose explained that the Lechthalar’s have water allocation for the apartment which is a buy into the water systems reserving the water for that apartment. If the Lechthaler’s wanted, they could drop the allocation.
 - v. Abby Lechthaler said they didn’t want to drop the allocations because it would be a selling point. At one time, they thought they had a buyer, but the deal fell through. She said the apartment would be a great place, in a good location with great views. She said they want to keep the building in good standing. She said she is not sure that they would be able to pay their bills in full.
 - vi. David Rose said this is a business hardship issue.
 - vii. George Abraham asked her if they are still looking to sell the building.
 - viii. Abby Lechthaler said they now have a tenant. She added that the tenant is not in the position at this time to go forward with a purchase. She said that having the allocation is an asset.
 - ix. George Abraham said if there were a buyer and these outstanding bills have not been paid, it would be a lien against the property and payable at closing.
 - x. Abby Lechthaler said the renovations they did to the building were extensive and they have lots of outstanding debts that would have to be paid at closing.
 - xi. David Rose said he understands their situation. He asked if this board were able to abate part of the interest and penalties, would they be able to pay in 60 days.
 - xii. Abby Lechthaler said not at this time. They need any help this board can give. She said they are moving in the right direction to get in good standing. Maybe, they can look at October through March’s numbers and meet in the middle?
 - xiii. Scott Murphy said that is a large sum of money to pay now. The building is still for sale and the bills would be payable at closing. He suggested that if they keep the allocation, this board can keep the \$3,326 and put it aside as a lump sum. The board may waive the \$217.90 of interest and penalties. There would be a lien on the building of \$3,326, payable at closing. They would continue to pay the base fees and consumption.
 - xiv. Abby Lechthaler said they could continue to pay the new bills and they wouldn’t accrue interest and penalties.
 - xv. Scott Murphy said the base bill is \$168.00 and consumption is \$18.21, payable every six months.

- xvi. Abby Lechthaler said they would certainly be able to do that.
- xvii. George Abraham clarified that this is not COVID related.
- xviii. Scott Murphy said this is a business hardship situation.
- xix. David Rose said he would be open to this. He said he wants them to succeed and this board would like to collect its bills.
- xx. Scott Murphy said the base owed would no longer collect interest and penalties.
- xxi. Ron Bixby said this is a fair start. We would put the \$3,326 on hold and not collect interest or penalties on it.
- xxii. David Rose said that they must stay current on new bills.
- xxiii. Ron Bixby asked Abby Lechthaler how comfortable she is that they may sell the building.
- xxiv. Abby Lechthaler said she is not sure. The tenants are friends with lots of experience and are happy to be in the building. This has a lot to do with what Okemo does this winter. She said she feels very positive.
- xxv. **MOTION by Ron Bixby and seconded by George Abraham to take the base and consumption amount owed of \$3,326.40 and set it aside, with no further interest or penalties on that. They will put a lien on the building in that amount to be paid when the building sells. This board will waive the \$217.99 interest and the \$290.66 penalties on the condition that the owners stay current on their bills. This is due to a business hardship. Motion passed unanimously.**

D. **Ludlow Laundry, Café at Delight and the Pot Belly Pub**

- i. David Rose said that this board cannot abate one business without abating all of them. He said he is not in favor of abating for these businesses. He said if they want to come back in 6 months, we can review it at that time.
- ii. Ron Bixby said that he agrees.
- iii. **MOTION by Ron Bixby and seconded by George Abraham to deny the abatement requests from the Ludlow Laundry, Café at Delight and the Pot Belly Pub requested due to COVID 19. The businesses may come back in 6 months for review. Motion passed unanimously.**

9. **Other Business**

- A. David Rose asked Chuck Craig how things are going.
- B. Chuck Craig said good. He said they replaced one valve and added a new one at the intersection of Elm and Pleasant Streets. He said that he is concerned about the valves at the intersection of Depot and Pleasant Streets. They are lacking a good valve. He said the one is leaking after the construction and they have adjusted it.
- C. George Abraham asked if it should be replaced.
- D. Scott Murphy said they are waiting a week to see if it stops. It needs 4 valves.
- E. David Rose asked about the costs for Elm Street
- F. Scott Murphy said he doesn't have them yet. He added that they are monitoring the intersection of Depot and Pleasant Streets.
- G. David Rose asked Chuck Craig about the flows.
- H. Chuck Craig said it's about 50/50.
- I. David Rose recommended to George Abraham a tour of the plant.

10. **Set Date for Next Meeting**

- A. Meeting set for Tuesday, September 1, 2020 at 5:00 p.m.

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

- A. Scott Murphy advised that Robert Clark of Otter Creek Engineering will be here at the September meeting to discuss the Water Capacity Report. Scott Murphy gave copies of the board members for their review before the meeting.

12. **Sign Warrant Orders**

- A. Warrant orders were signed.

13. **Possible Executive Session/Personnel/Contracts/Legal Issues – Possibly Approve Wage Increases**

- A. Scott Murphy said that an Executive Session is needed.

- B. **MOTION by George Abraham and seconded by Ron Bixby to enter into Executive Session for Wages. Motion passed unanimously.**
- C. Board entered into Executive Session at 5:37 p.m.
- D. Board exited Executive Session at 5:46 p.m.
- E. **MOTION by Ron Bixby and seconded by George Abraham to approve salary increases as recommended by the Municipal Manager. Motion passed unanimously.**

14. **Adjourn**

- A. **MOTION to adjourn by George Abraham and seconded by Ron Bixby. Motion passed unanimously.**
- B. Meeting adjourned at 5:47 p.m.

Respectfully submitted,

Lisha Klaiber
Recording Secretary

David Rose, Chairman

Ron Bixby

George Abraham