

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

REGULAR MEETING

April 5, 2010

BOARD MEMBERS PRESENT:

Howard Barton, Jr., Chairman	John Neal	Brett Sanderson
Douglas Ficken	Bruce Schmidt	

STAFF PRESENT:

Frank Heald

OTHERS PRESENT:

Ulla Cook	Rose Goings	Robert Miller
Casey Crompton	Leo Graham	Ron Tarbell
Mike Doran	Marilyn Ledoux	Duncan Love (LPC-TV)

1. **Call to Order**

- A. Chairman Howard Barton called the meeting to order at 7:00 p.m.
- B. All members present.

2. **Annual Board Reorganization**

- A. Elect Chair of the Board
 - 1. **Motion by Brett Sanderson and seconded by John Neal to elect Howard Barton Chair of the board. Motion passed unanimously.**
- B. Elect Vice Chair
 - 1. **Motion by Brett Sanderson and seconded by Bruce Schmidt to elect John Neal as Vice Chair of the board. Motion passed unanimously.**
- C. Elect Clerk of the Board
 - 1. **Motion by John Neal and seconded by Doug Ficken to elect Bruce Schmidt as Clerk of the board. Motion passed unanimously.**
- D. Appoint Union Negotiation Team Members
 - 1. **Motion by Bruce Schmidt and seconded by Doug Ficken to appoint John Neal and Brett Sanderson Union Negotiation team members. Motion passed unanimously.**
- E. Appoint Ludlow Enterprise Fund Committee Members
 - 1. **Motion by John Neal and seconded by Brett Sanderson to appoint Bruce Schmidt and Doug Ficken as Enterprise Fund Committee members. Motion passed unanimously.**
- F. Set Day and Time of Regular Meetings and Alternate Meetings
 - 1. **Motion by Bruce Schmidt and seconded by Brett Sanderson to continue with regular meetings to be held the first Monday of each month at 7:00 p.m. Special meetings, if needed will be held on the third Monday of the month at 7:00 p.m. Motion passed unanimously.**
- G. Appoint Recording Secretary
 - 1. **Motion by Bruce Schmidt and seconded by Brett Sanderson to appoint Lisha Klaiber as secretary. Motion passed unanimously.**
- H. Designate Newspaper of General Circulation

1. Frank Heald advised that an email had been received from THE MESSAGE indicating that they wish to be considered for newspaper of general circulation. The town has been using THE VERMONT JOURNAL for about three years. Frank Heald said that THE MESSAGE had gone out of business and is now backing circulation. They are about \$2.00 per inch less expensive than THE VERMONT JOURNAL. Staff is happy with THE VERMONT JOURNAL.
 2. Bruce Schmidt asked about how much money is spent per year on this.
 3. Frank Heald said about \$4,000 at the town level.
 4. Bruce Schmidt said that he is concerned about getting word out and does THE MESSAGE have enough circulation. He knows they used to have a large circulation.
 5. Frank Heald said that Robert Miller from THE VERMONT JOURNAL is present tonight to answer questions.
 6. Robert Miller said that THE VERMONT JOURNAL has taken over most of what THE MESSAGE once had. THE MESSAGE is not mailing to businesses, Proctorsville or Cavendish, nor is it doing any legals. THE VERMONT JOURNAL has increased its mailings to Shrewsbury and Bondsville and legals also go on the website. THE MESSAGE does not have a website.
 7. Rose Goings said that she is happy with THE VERMONT JOURNAL. She added that it is hard to change when everyone knows where to expect to find town notices.
 8. **Motion by John Neal and seconded by Bruce Schmidt to designate THE VERMONT JOURNAL as newspaper of circulation.**
 9. Bruce Schmidt said that he would like to encourage the papers to consider their fees.
 10. Frank Heald said that THE RUTLAND HERALD has been the back up paper.
 11. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to continue using THE RUTLAND HERALD as backup paper. Motion passed unanimously.**
- I. Adopt Roberts Rules of Order
1. Howard Barton advised that the Board would continue to use Roberts Rules of Order for the meetings.
3. **Approve Minutes of Previous Meetings**
- A. Howard Barton advised that the minutes to be approved are from the regular meeting of February 1, 2010, and special meetings of January 6, 2010 and February 23, 2010.
 - B. John Neal pointed out that on the minutes of February 1st, John Neal and Brett Sanderson were listed both as present and absent. They were present.
 - C. **MOTION by John Neal and seconded by Doug Ficken to approve the minutes of January 6, 2010, February 1, 2010 and February 23, 2010 as indicated above. Motion passed unanimously.**
4. **Comments from Citizens**
- A. Town Gazebo
 1. Frank Heald advised that George Dunnett had sent a letter saying that he does not feel that the gazebo needs to be replaced. He feels that it could be repaired. Frank Heald said that the RFP for the replacement has been prepared to go out. George Dunnett said that he would do an analysis to see what would be needed to fix it.
 2. Howard Barton asked if the gazebo is in good enough shape to remain open.
 3. Frank Heald said that George Dunnett said that it should not be open. He added that he would look at the gazebo tomorrow.
5. **Approve Municipal Planning Grant Request**
- A. Frank Heald advised that the state has money available for planning grants and the Planning Commission would like to apply for some to continue work on the Town Plan.
 - B. Rose Goings said that the request is for \$10,350.00
 - C. Bruce Schmidt asked for a little more information.
 - D. Rose Goings said that town plan was readopted in 2009 with no changes. There have been state statutory changes, Environment Court decisions and changes to zoning. These need to be included in the town plan. She expects that the work on the revisions will be completed in the next 18 months. The grant would start in May and the Planning Commission will be hiring expert consultants to assist them. New maps and goals for the town will also be included. This grant would also cover hearing costs, mailings and all fees.

- E. Bruce Schmidt asked if there would be any additional costs that that town would have to pay.
- F. Rose Goings said no.
- G. Bruce Schmidt said that the process seems to be going slowly.
- H. Rose Goings said that the grant would be for 18 months. The state did not offer grants last year and in the prior year, Ludlow did not receive a grant. The Planning Commission is putting its best effort forward and thinks that experts may expedite the process. There would be less need to go over things on several occasions. She has spoken with Jason Rasmussen from Regional and he agrees that hiring experts would help the process. He has also been attending Planning Commission meetings and assisting with the process.
- I. Bruce Schmidt asked if there would be anything that the Select Board could do to help speed up the process. Should some deadlines be established?
- J. Rose Goings said that each chapter is very technical and takes time to go over. The process would move faster with an expert for the section and the Planning Commission would set a new schedule. The Planning Commission members are not experts in the various areas covered by the Town plan.
- K. Bruce Schmidt suggested that as each chapter is completed, the draft be sent to the Select Board for review, ideally they would be sending a chapter every month. This way, the Select Board could review the chapter and then be able to make comments or suggestions. It would be easier than getting the whole town plan at one time.
- L. John Neal said that he would like to see redline copies along with the new draft. This would make it easier to see what changes had been made.
- M. Rose Goings said that she prepared binders for Planning Commission members that contain the redline copies and clean copies. She has asked the Planning Commission members to read each chapter again and make comments. They will submit chapters, as they are completed and approved by the Planning Commission, to the Select Board.
- N. **MOTION by John Neal and seconded by Doug Ficken to approve the resolution for application for the Municipal Planning Grant as presented. Motion passed unanimously.**

6. **Appoint Town Officers**

- A. Appoint Town Service Officer
 - 1. Howard Barton advised that Viola Wynne has served in this position for the past several years.
 - 2. **MOTION by Bruce Schmidt and seconded by John Neal to appoint Viola Wynne as Town Service Office. Motion passed unanimously.**
- B. Howard Barton advised board members that Phil Dunwoody had resigned from the Planning Commission.
- C. Bruce Schmidt referred to the list of town officers that had been presented. He noted that Ted Reeves and David Rose had not communicated that they would continue in their positions as CT River Transit Advisory Representative and Surveyor of Wood and Lumber, respectively. It is understood that they will continue. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to accept the slate of town officers as presented. Motion passed unanimously.**
- D. Howard Barton advised that the opening on the Planning Commission would be advertised.

7. **Open Highway Truck Bids**

- A. Frank Heald advised that there were 3 bid responses. He would like to give them, after opening, to Ron Tarbell for review and make the award on April 19, 2010. Net prices include trade-in.

Company	Net Price
J. B. International Trucks, Colchester, VT	\$77,040.27
Clarks, Underhill, VT	\$79,000.00
S. G. Reed, Claremont, NH	\$107,215 + options \$1360.00, 109.00, 700.00
- B. Frank Heald noted that the first 2 bids were for EPA '07 emissions. Reed's bid indicated that is no longer available and they would be providing EPA '10. He said that he and Ron Tarbell would go over the bids and check on that.
- C. Ron Tarbell suggested that Brett Sanderson be included in the review.
- D. Brett Sanderson said that if the EPA '07 is still available, they should get the truck right away and not wait until the 19th. Other towns and buyers may be looking to purchase now and if we wait, we may no longer be able to get the EPA '07.
- E. Howard Barton said that he is comfortable letting the committee make the decision.

- F. John Neal agreed. **MOTION by John Neal and seconded by Doug Ficken to allow the subcommittee to review and make a decision on the vehicle. Motion passed unanimously.**
- G. Howard Barton asked the committee to advise the board of their decision.
- H. Frank Heald said the next bid packages are for the fit-up package and there is no rush on them.

Company	Net Price
Osgood, Claremont, NH	\$72,677.00
Tenco, NE, Barre, VT	\$60,404.00 + Whalen DOT option \$1,720.00
Fairfield, Morrisville, VT	\$67,560.00 and a second option with different side dump body \$63,790.00

- I. **MOTION by Bruce Schmidt and seconded by John Neal to authorize the committee to review the bids and make a decision on the fit-up package. Motion passed unanimously.**

8. **Liquor Control Board**

A. **Outback Pizza Requests**

- Howard Barton noted that Outback Pizza has applied for 2 outside consumption permits and both have been approved by Chief Billings.
- The first request is for May 1 – November 1, 2010 from 1:00 p.m. until 11:00 p.m.
- Bruce Schmidt asked if abutting neighbors had to be notified.
- Ulla Cook said she did not think so.
- Frank Heald said, typically, no.
- Howard Barton said there had been some issues with the neighbors.
- Casey Crompton said they had been resolved and there is a good relationship with the neighbors, now. He requested that, since the weather has gotten nice so early, he would like to change the start date to April 24th. He advised that the second request is a one-time pig roast on April 11th.
- John Neal said they could probably change the request dates and initial the changes.
- Frank Heald said the Town Clerk signs the requests.
- Ulla said they could change the dates.
- Howard Barton asked if this affects the zoning permit.
- Ulla Cook advised that the DRB decision said that requests for outside consumption would go through the Liquor Control Board.
- Bruce Schmidt suggested they change the start date to April 11th for the outside consumption. He added that they have done a nice job with the changes up there.
- MOTION by John Neal and seconded by Bruce Schmidt to approve the 2 outside consumption permit requests from Outback Pizza, and change the start date from May 1st to April 11, 2010. Motion passed unanimously.**

B. **The following is a list of 2010 Liquor License Renewal Applications:**

<u>Applicant</u>	<u>Business Name</u>
American Legion Ballard Hobard Post #36	Same
Aminah & Rayhan, LLC	Ludlow Shell
AMS	Wicked Good Pizza
Barrich Corporation	Pot Belly Pub
Bella Luna Ristorante, Inc.	Bella Luna Ristorante
Brockton Corporation	Shaw's Beer and Wine
Bueller's Inc.	Christopher's Fine Food and Spirits
Cappucino's Inc.	Cappucino's Bakery & Cafe
Cool Moose Café, Inc.	Same
Cumberland Farms of Vermont, Inc.	Cumberland Farms #8015
Gaignard, Richard C	D.J.'s Restaurant
Goodfellas Petroleum	Goodfellas Petroleum, Inc.
JC Kubec, Inc.	The Governor's Inn
KMS Inc.	The Hatchery
L V P Inc.	Ludlow Village Pizza
Midway Oil Corporation	Ludlow Mobil
MWTGS, Inc.	Andre Rose Inn
Okemo Limited Liability Co.	EPIC
	Willie Dunn's Grille
	Sitting Bull Lounge-Base Lodge
	Vermont Pizza at Okemo

Outback of Ludlow, LLC
Rose Douglas and Ann
SBDS LLC
Sam's Steakhouse, Inc.
Stuart, Leslie Pearson
TBK Inc.
Vermont Irish Pub LLC
Wallace Joseph Corporation
Wayside Store, Inc.
Windrush Investments LLC

Sky Bar
Jackson Gore Inn
Corner Store at Jackson Gore
Same
Rose Douglas and Ann
Trappers
Sam's Steakhouse
The Wine and Cheese Depot
Tom's Loft Tavern
The Killarney
Panarello's
Ludlow Country Store, Inc.
Tyson Village Store

1. Bruce Schmidt requested that the board vote separately on the Okemo renewals.
2. Ulla Cook advised that Ludlow Country Store is being sold. The new owner will be Good Times LLC and will still be doing business as Ludlow Country Store. It will be a new and a renewal.
3. **MOTION by Brett Sanderson and seconded by John Neal to approve renewals for Okemo Limited Liability Co. Motion passed. Bruce Schmidt abstained.**
4. **MOTION by John Neal and seconded by Brett Sanderson to approve the above list of businesses, other than Okemo, for liquor license renewals. Motion passed unanimously.**
5. Board members signed liquor licenses.

9. **Adopt Basic Emergency Operations Plan (BEOP)**

- A. Frank Heald advised that this is the same plan that was referred to as Rapid Response in the past. The information is the same. He said that the plan is in the packets and is basically the same as in prior years. The state requires this report. It provides an operating plan in the event of a disaster and outlines responsibilities for each type of emergency.
- B. **MOTION by Bruce Schmidt and seconded by John Neal to adopt the Basic Emergency Operations Plan as presented. Motion passed unanimously.**
- C. Frank Heald said this plan provides continuing reminders of an emergency process.

10. **Department Head Reports**

- A. Howard Barton advised that all reports are in.
- B. Bruce Schmidt said that he was surprised to read about the break-ins in town.
- C. Frank Heald said that the police have an idea of who is doing this.
- D. Bruce Schmidt voiced his concerns about the homeless person who is walking around town with signs looking for work.
- E. Frank Heald said he would ask Chief Billings to look into it.
- F. Bruce Schmidt said we should try to find out if he needs help and try to direct him to places to get assistance, but he does not think it is good to have him walking around town or standing by Shaw's or at the park.

11. **Other Business**

- A. **CRT/Current Ridership**
 1. Frank Heald said he had received an email from CRT/Current and ridership in March for CRT was 868 and the Rutland run was 802.
- B. **April 19, 2010 Meeting**
 1. Frank Heald advised that they might need a meeting on April 19, 2010 to open RFP's.
 2. Bruce Schmidt said that he would not be able to make that meeting as his son is being confirmed.
- C. **Transfer Station**
 1. Frank Heald advised that there was not enough advertisement that the transfer station would be closed for Easter.
 2. Howard Barton said that it was on the schedule that people are given with their permits.

3. Frank Heald said they would put it in the paper next year.

12. **Set Date for May Meeting**

- A. Howard Barton noted that the date for the next regularly scheduled meeting is May 3, 2010.
B. Bruce Schmidt said he would be out of town on that evening.

13. **Sign Warrant Orders**

- A. Warrant orders have been signed.

14. **Adjourn**

- A. **MOTION by Brett Sanderson and seconded by Doug Ficken to adjourn. Motion passed unanimously.**
B. Meeting adjourned at 7:00 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

John Neal

Brett Sanderson

Earl Washburn

Bruce Schmidt