

**PRELIMINARY MINUTES**

**TOWN OF LUDLOW  
BOARD OF SELECTMEN**

**REGULAR MEETING**

August 17, 2009

**BOARD MEMBERS PRESENT:**

John Neal, Vice Chairman  
Douglas Ficken

Brett Sanderson  
Bruce Schmidt

**STAFF PRESENT:**

Frank Heald

**OTHERS PRESENT:**

Sue Poirier  
Peter Kolenda

Ted Reeves

Dave Guerrera Love (LPC-TV)

1. **Call to Order**

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

2. **Approve Minutes of Previous Meetings**

A. Howard Barton advised that the minutes to be approved are from the regular meeting of July 6, 2009, the public hearing of July 6, 2009 and the Special meeting of July 13, 2009.

B. **MOTION by John Neal and seconded by Brett Sanderson to approve the minutes from the regular meeting of July 6, 2009, the public hearing of July 6, 2009 and the Special meeting of July 13, 2009 as presented. Motion passed unanimously.**

3. **Comments from Citizens**

A. Sign Regulations

- i. Frank Heald advised that he had received letters from the Black River Academy Museum and Ralph Pace regarding enforcement of the sign regulations, particularly sandwich boards.
- ii. Howard Barton asked if the signs were in the Village or town.
- iii. Frank Heald said they were at the park, which is the town's jurisdiction, but the concerns were more appropriate for the village ordinance. The signs were in violation of the village ordinance and state statute Title 10.
- iv. Howard Barton asked for copies of the ordinance and suggested the board review it at the next meeting.

4. **Discuss Fire Department Building Addition: Chief Kolenda**

- A. Peter Kolenda advised that the main part of the fire station was built in 1977, with an add-on done in 1986. There is no storage room and they have been using a trailer. The members have decided that they would like to put an addition off the back of the building and get rid of the trailer. He passed out plans for the construction and said that it would be 14' by 28'. They would pay for it with the proceeds from the auction. He added that the 1986 section needs a new roof and that would be done when they are putting the roof on the new addition. There would be a 10' by 10' door and brick veneer as indicated on the north side elevation. The other sides would have vinyl siding. They will also remove the Masonite siding on the 1986 section and replace that with the same vinyl siding. Steve Mungeon did the plot plan. They will need a variance from the DRB as the property is in the flood plain.
- B. Howard Barton asked the approximate costs.
- C. Peter Kolenda said he estimates about \$50,000, but has not put the numbers together yet. They would sheetrock the inside and insulate it. They would put in radiant heating tubes, but the building will not be heated yet. They hope to start construction in the spring. They are asking for approval from the Select Board before going for the permits.
- D. There was general consensus from the board that it is a good idea and gave their okay to proceed with the permit process.

5. **Open Swing Door System ADA Door Opener Bids**

- A. Frank Heald advised that the bids are for the outside back door and two hallway doors in the town hall building. The will comply with ADA push buttons and the town has a grant for them.

<b>Bidder</b>	<b>Price</b>	<b>Comments</b>
Royal Glass	\$8,805.00	Bid received by fax. Price is all-inclusive. Deduct \$1,056 if power done by others
RH Associates & Co.	\$9,600.00	Bid received by fax. Power and prep by others
Wright Construction	\$14,100.00	Power and prep by others. Many details included with bid.

- B. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to give the bids to Frank Heald for review and recommendation. Motion passed unanimously.**

6. **Liquor Control Board**

- A. Frank Heald advised that there is an application to transfer the current liquor license for Trappers to Bradley D. Scott.
- B. Bruce Schmidt asked if there is still a requirement that someone from the company be a Vermont resident.
- C. Frank Heald said that there used to be, but he was not sure. He tried to call Ulla Cook, but there was not answer.
- D. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the application pending verification from the Town clerk on residency requirements. If residency is required, application is not approved. Motion passed unanimously.**
- E. Board members will come in sign the license if approved.

7. **Receive & Act on Errors & Omissions from the Ludlow Board of Listers**

- A. Board members reviewed report.
- B. **MOTION by John Neal and seconded by Bruce Schmidt to accept the Errors and Omissions report from the Listers as submitted. Motion passed unanimously.**

8. **Review Incidental Contractor Prices/Use/FY2009**

- A. Howard Barton asked for a history of the report.
- B. John Neal said that he has received inquiries regarding use of various contractors from concerned citizens. He asked Frank Heald to pull the invoices from last fiscal year and provide a breakdown. Based on the data provided, John Neal said that it appears that work has been spread fairly. This is all public information and people may wish to see it. The town uses specific contractors for specific tasks.
- C. Bruce Schmidt noted that some of the costs, such as George Tucker's, also include materials, such as sand. That must be taken into consideration also. People need to know what was included. The board needs to have transparency, but also hire the best contractor for a job. He has also received calls from people about this and John Norton did come to a meeting about it. We should bid out whenever possible. The pricing sheets that were provided by the contractors are useful, but may also be used against the contractor by competitors. He gives credit to the contractors who have provided prices.
- D. John Neal said it is important to show people what goes on.
- E. Brett Sanderson said that breakdown shows a lot of good information.
- F. Frank Heald said the office does this on a regular basis.
- G. Bruce Schmidt said that he is comfortable with the information shown in the report. He added that, while Brett Sanderson is on this board, he also does work for the town and keeps that separate.

9. **Ludlow Armory Committee Update**

- A. Authorize Purchase and Sale Agreement
- B. Frank Heald indicated that the Purchase and Sale agreement was prepared by the military attorney and is very brief. Our town counsel has reviewed and signed off on it. The only issue is personal property. There are a few things we could use, such as lockers for the recreation department. We will do an inventory of everything that is there. They will take what they want to retain.
- C. **MOTION by John Neal and seconded by Bruce Schmidt to authorize Frank Heald to sign the Purchase and Sales Agreement on behalf of the town. Motion passed unanimously.**
- D. John Neal advised that the committee has met a couple of times and also held one public hearing. They took a survey of people at the hearing regarding use of the building and are compiling the input. They will hold a second public hearing on August 26, 2009. They are making good progress.

- E. Brett Sanderson asked the turnout at the hearing.
- F. John Neal said about 30-40 people.

10. **Appoint Delegates to VLCT Annual Meeting**

- A. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to appoint Frank Heald as delegate to the VLCT Annual meeting. Motion passed unanimously.**
- B. Frank Heald said that VLCT has some interesting sessions and they may be interested in attending some of them. He will get them schedules.

11. **Department Head Reports**

- A. Howard Barton advised that all reports are in.
- B. Highway Department
  - i. Bruce Schmidt asked if VELCO is going to grade Barker Road.
  - ii. Frank Heald said that he would be meeting with VELCO either Tuesday or Wednesday to discuss this. The town cannot do it because the under-stone is too big.
- C. Ambulance Service
  - i. John Neal said that the Ambulance Service report provided some interesting data. He added that he attended their July 9th meeting and learned a lot about what they do. The new coordinator, Sue Poirier, is doing a good job. She is here tonight to answer any questions.
  - ii. Bruce Schmidt asked about members.
  - iii. Sue Poirier said she does not have an exact count tonight. They are paring down the membership roster because of inactivity. She will get the board members that information tomorrow. There are a number of trainees ready to take the tests.
- D. Recreation Committee
  - i. Frank Heald said they would advertise the opening created when Marty Harrison resigned. They will be able to appoint someone at the next meeting.
  - ii. Bruce Schmidt asked if the Recreation Committee had not met since May.
  - iii. Frank Heald said there has been a quorum problem, but they did meet last week.

12. **Other Business**

- A. Veterans' Park Activities
  - i. Bruce Schmidt said that it is great that the town is getting activities at the park, but he noted that there was a problem with parking, traffic and people crossing the street. He suggested that for large events in the future, they might want to consider a police officer and maybe cones to limit parking.
  - ii. Howard Barton said that maybe they could move the activities.
  - iii. Brett Sanderson said maybe some NO PARKING signs.
  - iv. Frank Heald said he would get together with the folks to discuss it.
- B. Street-side Plantings
  - i. Howard Barton noted that some of the plantings –notably the sunflowers by Benson's and by Elm Street – are obstructing traffic views. He suggested lower plants in the future
- C. Ranta Road Gate
  - i. Howard Barton said that he has asked about this before. The DRB said they need a gate on that road. The DRB does not have the authority to close a town road.
  - ii. Frank Heald said this item might be on the agenda for the next few meetings. He has researched the records and he cannot find anything in the DRB meeting minutes or the Act 250 minutes that say the road must be gated. He did see records that indicated that the Select Board did listen to Ranta Road residents. He also cannot find any documentation where the road was deeded. Larry Slason (represented Okemo at the time) was away and when he returns, Frank Heald will ask him to check his records. Doug Richard represented the town. This item needs to be revisited.
  - iii. Howard Barton asked if the Select Board held a public hearing.
  - iv. Frank Heald said there was a public hearing. The action to gate off the road may have come from that, but it is not in the minutes. Since nothing is documented, we can only assume how the gate came to be there.
  - v. Howard Barton said the gate is confusing to some people. Sometimes it is open and sometimes it isn't. The road is a good detour for traffic.
  - vi. Frank Heald said that if the gate is left open, it is another uncontrolled entrance onto Route 103.
  - vii. Bruce Schmidt said people on that road use it.
  - viii. Frank Heald said that this issue is coming back to the Select Board.
  - ix. Bruce Schmidt said that for the time being, we should ask Okemo to give a key to the Police and Fire departments.

- x. Ted Reeves said that the gate has been locked for the last several weeks. His recollection is that the gate is to be locked in the winter and open in the summer. The records in his office are also vague.

13. **Sign Warrant Orders**

- A. Warrant orders have been signed.

14. **Set Date for September Meeting**

- A. The September regular meeting will be held on September 21, 2009 at 7:00 p.m.
- B. Frank Heald advised that they would also warn a public hearing for that night, to re-adopt the town plan.
- C. Bruce Schmidt suggested that the board consider holding its regular meetings on the night following the first Monday, if the first Monday is a holiday. Moving it to the 3rd Monday confuses some people.
- D. Howard Barton said that the board lists the 3<sup>rd</sup> Monday as the alternate date. If there is no agenda posted, there is no meeting.
- E. Bruce Schmidt suggested the possibility of putting together an email list to citizens who would sign up for an agenda. The school is doing that to disperse information and it works well.
- F. John Neal said we could put something on the website.
- G. Frank Heald said emailing the agendas would not be a problem as long as people sign up for it. We can put an ad in the paper and on the website for people who are interested to sign up.
- H. John Neal said it would be a great way to communicate.

15. **Possible Executive Session – Personnel/Contracts**

- A. Frank Heald said that a short Executive session is needed.
- B. MOTION by Bruce Schmidt and seconded by John Neal to enter into Executive Session. Motion passed unanimously.
- C. Board entered into Executive Session at 7:55 p.m.
- D. Board exited Executive Session at 8:15 p.m. No action taken.

16. **Adjourn**

- A. **MOTION by Doug Ficken and seconded by Bruce Schmidt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:16 p.m.

Respectfully submitted,

Lisha Klaiber

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Howard Barton, Jr., Chairman

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Brett Sanderson

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Doug Ficken

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Bruce Schmidt

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John Neal