

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

REGULAR MEETING

November 1 2010

BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

Frank Heald

OTHERS PRESENT:

Jeff Billings	Rogan Lechthaler	Ted Reeves
Joanna Bombadil	Michael Maston	Charles Ripchik
George Fairchild	Susan McNeely	Chris Rowen
Leo Graham	John Naess	Steve Stengel
Frank Greiner	Suzanne Naess	Brigid Sullivan
Glen Heitsmith	Ralph Pace	Terry Thane
Peter Kolenda	Howie Paul	Herb Van Guilder
Abby Lechthaler	Patty Potter	Duncan Love (LPC-TV)

1. Call to Order

A. Chairman Howard Barton called the meeting to order at 7:33 p.m. All members present.

2. Approve Minutes of Previous Meetings

A. Howard Barton advised that the minutes to be approved are from the special meeting of October 1, 2010 and the regular meeting of October 4, 2010.

B. **MOTION by John Neal and seconded by Doug Ficken to approve the minutes of as presented. Motion passed unanimously.**

3. Comments from Citizens

A. Charles Ripchik Transfer Station Letter

1. Charles Ripchik read a letter into the minutes that he has written to the board regarding an incident at the transfer station. (A copy of that letter is at the end of the minutes.) He had complaints against George Fairchild resulting from an argument they had and the No Trespass Notice that was issued barring him from going to the transfer station. He asked the board to overturn the notice.
2. George Fairchild refuted the statements made by Charles Ripchik and said that Patty Potter had been there at the time. He explained that the individual that takes the computer parts, repairs computers and gives them to children and has been doing this for quite some time. He said – regarding the allegation of the smell of malt beverages

- that Chief Billings could come at any time- without notice- and he would take a breath test for alcohol. He said that he has received many complaints about Charles Ripchik. He said that Charles Ripchik frequently takes things from the boxes and curses at people. He said that Herb VanGuilder has had 2 incidents with Charles Ripchik. He said that Charles Ripchik speeds at the station.
3. Howard Barton asked Frank Heald if he has spoken with Charles Ripchik about this.
 4. Frank Heald said twice. Once was today after Charles Ripchik was served with the No Trespass Notice. We need to have a meeting to work out new rules with Charles Ripchik and George Fairchild as soon as possible and that the notice will stay until that takes place.
 5. Howard Barton advised Charles Ripchik that this board may only take action when an item is on the agenda, not under Comments from Citizens. This is the first time this board has heard about this problem.
 6. Charles Ripchik said that he does not take things from boxes or curse at people. He said the No Trespass Notice is discriminatory and harsh.
 7. Herb Van Guilder said that he is happy that the Swap Shop was created and it is good for recycling. He said that there are individuals who abuse it. He said that George Fairchild does a good job up there and so does Patty Potter.. He said that he has had differences with Charles Ripchik and that Charles Ripchik took cans out of his truck. He said that Charles Ripchik has tried to run into him with his truck, not only at the transfer station, but also at the stoplight in town and the Shell station. He said that Charles Ripchik is harassing people.
 8. Howard Barton said that he wants George Fairchild and Charles Ripchik to meet with Frank Heald and settle this issue and if they cannot come to an agreement, Frank Heald will make the decision on how to settle it.

4. **Consider & Accept The Gift of 20 Acres of Land From The Oalaf M. Naess Heirs**

- A. Frank Heald advised that the land is adjacent to land currently owned by the town near Dam Site #5. He indicated, on a drawing, the location of the land. He said that the heirs of Oalaf Naess want to donate this land to the town as a wilderness area with no uses other than logging. He introduced John and Suzanne Naess. He said that a letter describing the history is in the packets. The heirs would like a sign put up indicating “Oalaf Naess Wilderness Area.” He said that this board needs to take action in order to accept this bequest and said that all the required deeds are coming in.
- B. Howard Barton said it is nice to get the history and the board appreciates this donation and will accept and protect the land.
- C. Bruce Schmidt asked the distance from the road to the property.
- D. Frank Heald showed the road and cul-de-sac on Smoke Rise on the map.
- E. Bruce Schmidt asked if it would be realistic to use this land for camping for the boy scouts. He wants to make sure that this land gets recognized.
- F. Frank Heald said he would like to take a hike up there.
- G. Glen Heitsmith said that this board denied the offer of the ice rink at West Hill. Are they concerned about costs to the town for this, also.
- H. Frank Heald said there should not be any costs to the town. He noted that it is good for the town to own land. He added that there may even be some income from timber every 35 years or so.

- I. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to accept this very generous donation of the Oalaf M. Naess Wilderness Area from the Naess family. Motion passed unanimously.**
 - J. Joanna Bombadil suggested that they put the story and map in the paper.
5. **Liquor Control Board**
- A. Howard Barton advised that there are 2 applications to consider.
 - B. **The Downtown Grocery**
 1. Abby Lechthaler advised that she and Rogan Lechthaler are the new owners of Cappuccino's and the new name will be The Downtown Grocery
 2. Bruce Schmidt asked when they plan to open.
 3. Rogan Lechthaler said the end of November or beginning of December.
 4. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the application for a liquor license for The Downtown Grocery. Motion passed unanimously.**
 - C. **Frank's Tavern**
 1. Frank Greiner advised that this is the tavern portion of Trappers and he wants to have local artists and musicians and have it be a family atmosphere. He will be applying for a cabaret license.
 2. **MOTION by John Neal and seconded by Doug Ficken to approve the application for a liquor license for Frank's Tavern. Motion passed unanimously.**
6. **Open Fire Hose Bids**
- A. Peter Kolenda advised that he had solicited bids from 3 area vendors.
 - B. Howard Barton read the bids as follows
 1. Lee Phillips, Weston, VT - \$6,693.00 with 10-year warranty.
 2. Frontline, Essex Junction, VT - \$7,176.00
 3. Fire Tech & Safety, Springfield, MA - \$7,188.00
 - C. Howard Barton gave the bids to Peter Kolenda for review.
 - D. Peter Kolenda reviewed the bids during the meeting and came back with the recommendation to go with Lee Phillips for \$6,693.00. This is also the low bid.
 - E. **MOTION by John Neal and seconded by Bruce Schmidt to approve Peter Kolenda's recommendation and to accept the bid from Lee Phillips for \$6,693.00. Motion passed unanimously.**
7. **Approve & Sign Paramedic Intercept Agreement**
- A. Frank Heald advised that this is the agreement for the southern end of the area formerly run by LeFevre Ambulance and now being served by Golden Cross. We use Rutland Regional in the northern sections.
 - B. **MOTION by Brett Sanderson and seconded by John Neal to authorize Frank Heald to sign the agreement. Motion passed unanimously.**
 - C. Bruce Schmidt noted that we won't be using this service as much now that we have a paramedic on staff.
 - D. Frank Heald said there will still be situations when we need this service.
8. **Discuss Fitness Center Equipment Bids**

- A. Frank Heald said when we opened the original bids, they came in much higher than we could afford to pay. He met with Howie Paul and researched remanufactured equipment. We can fit the weight room with the equipment as presented for a much lesser amount. We obtained a quote from Healthline (TX) for \$16,000. The price for new equipment was \$28,000. The remanufactured equipment is Cybex or Precore and the remanufactured equipment will last.
- B. Howie Paul said that all of the remanufactured equipment comes with a new equipment warranty and service.
- C. Bruce Schmidt said that we went through the bid process and the quotes did not fit into our budget. Now we have received 2 prices.
- D. Frank Heald said these are quotes for remanufactured equipment.
- E. Bruce Schmidt asked why we did not rebid for new equipment.
- F. Frank Heald said that the baseline bid was \$28,000. Howie Paul has raised the \$16,000 from other sources and went to the remanufactured equipment companies for quotes for the same equipment and got a price for the amount that we have in the coffers.
- G. Bruce Schmidt said that if we are using town money, we should get new bids, but if we are using donated funds, it is okay to do it this way.
- H. Howard Barton asked if some of the funds were from the Enterprise Fund.
- I. Frank Heald said that was some of the money obtained.
- J. Jeff Billings said that he is familiar with the equipment and this is a good deal. It is a great job to fit within our costs.
- K. Frank Heald said it is \$16,115.00
- L. **MOTION by John Neal and seconded by Bruce Schmidt to accept the quote from Healthline for \$16,115.00.**
- M. Susan McNeely asked if this would be open to town residents.
- N. Frank Heald said the committee is working on it. There will be a fee and it will not be available to the public all of the time. It will be used by the physical education departments and by student athletes during specified blocs of time. When open to the public, there will be per use or monthly fees.
- O. Susan McNeely asked if someone would be on duty.
- P. Frank Heald said yes.
- Q. **Motion passed unanimously.**
- R. Howie Paul said that delivery for the equipment would take 4 – 4 ½ weeks.

9. **Discuss Listers' Reappraisal**

- A. Terry Thane said that they sent out 6-page documents to assessors and initially 9 expressed interest. Of that 9, 4 may bid. They sent out the bid packages on Thursday and set November 24, 2010 as the deadline for responses. They will be using our software.
- B. Bruce Schmidt asked how many BCA appeals there have been this year.
- C. Terry Thane said there were 304 grievances and 260 of those were settled. Of the balance, 31 went to the BCA.

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

- A. Howard Barton noted that there is one property on Solitude Road and the listers have suggested a change from \$1,874,900 to \$1,807,700. The building was only 40% complete.
- B. Howard Barton noted that there were also differences in the bathroom count and kitchen rating.

- C. **MOTION by John Neal and seconded by Brett Sanderson to accept the Errors & Omissions change suggested by the listers. Motion passed unanimously.**

11. **Discuss Holiday Party**

- A. Frank Heald advised that there is an in-house consensus to hold the holiday party at the Community Center this year and to have it catered. They will deal with the larger issues at the next meeting. The Community Center will be used for all sorts of activities and the events will be catered. The caterers will need to have liquor licenses. There is a town-wide policy of no alcohol on town property. VLCT said that if a licensed caterer would have the necessary insurance, then VLCT would not have a problem with alcohol on town property. He proposes getting quotes from caterers and have a cash bar situation. This party should happen in the beginning of December.
- B. John Neal said it is a great idea to use the Community Center and solicit prices from caterers.
- C. Frank Heald said that we would have to use the cafeteria tables.
- D. Bruce Schmidt said it would be a good idea to use the building. He added that if people use the building for events, they will want to be able to have alcohol.
- E. Frank Heald said the caterer would be responsible to enforce liquor laws.
- F. Herb Van Guilder asked about BYOB.
- G. Frank Heald said he would not be in favor of that as there would be no way to control it.
- H. Howard Barton said it would be hard to monitor.
- I. Frank Heald said he is interested in the board members' thoughts.
- J. There was a general consensus to use the Community Center.
- K. Frank Heald said that he would proceed in trying to get caterers' bids.

12. **Discuss FY 2012 Budget Meeting Schedule**

- A. Frank Heald advised that the department heads would have their budgets this week and he would probably have the 1st draft for this board's next meeting. They may want to meet again in December or a couple of times in January. The biggest issue will be Health Care. The league prices are up 17% and there are 3 health care providers in Vermont. We are asking for quotes from all 3. We may need a special meeting if we don't use the league again. We need to give them 30 days notice.
- B. Howard Barton asked if you could go back to the league insurance if you leave it.
- C. Frank Heald said you need to make a multi-year commitment. He said that some towns left and came back, while others stayed away. We need to get quotes.
- D. Howard Barton asked if this also concerns buildings and vehicles.
- E. Frank Heald said just health.
- F. Howard Barton said they have completed the budget in 3-4 meetings in the last few years.
- G. Frank Heald said other than health, he sees no other major issues and they should have a pretty complete package by December.

13. **Projects Updates**

- A. **Community Center/Tenant Building**
1. Frank Heald advised that the Community Center is finished. There was one issue about the hood in the kitchen that fits over the tilt skillet, oven and range. The state wants it designed for char broilers and fryers. It will add costs and time. The balance is complete. The corrective measures for environmental issues are complete. The

reports came back this week. We have a state CO on everything except the kitchen. The BRGN portion of the tenant building is almost complete and they should have their CO this week. The LPC TV section is a fair distance away from completion.

B. Water/Sewer

1. Frank Heald said that they will start the curbs and sidewalks on Andover Street later this week. On Tuesday or Wednesday of next week, they will put a 2 ½" base shim coat down. They will do the shim top in the spring. On the water project, the patch paving issues will be done tomorrow. The stop light will be done on November 16th. He noted that due to the time problems that they have had with CEA, he has been looking for someone else who does that work. He located and engaged a new contractor called Coastal Signals from Deerfield NH.
2. Howard Barton said that the streets that are done look good. He noted that the hydrants are red,
3. Frank Heald said they would be painted yellow.
4. Peter Kolenda said that the tops are color coded to indicate flow capacity. He added that he would like to see flow test reports when they are complete.
5. Joanna Bombadil asked about the storm drains and if they went into the river.
6. Frank Heald said that they always have gone there, but the flow is through catch basins that are periodically pumped out.

C. Walker Bridge

1. Howard Barton asked if this was complete.
2. Frank Heald said yes.
3. Howard Barton said the paving seemed a little ripply.
4. Frank Heald said that curbing will be going in there.

14. Department Head Reports

- A. Howard Barton advised that all reports are in. He noted that the Ambulance Squad had hired a new paramedic.
- B. Bruce Schmidt asked about minutes from the Recreation department.
- C. Frank Heald said they have not met in several months.

15. Other Business

A. Jamie Farquhar Recognition

1. Frank Heald advised that on October 29, 2010, Jamie Farquhar retired after working over 40 years for the town. There was a plaque and luncheon. He suggested that the board authorize him to write a letter of appreciation on behalf of this board to Mr. Farquhar.
2. **MOTION by John Neal and seconded by Doug Ficken to authorize Frank Heald to write a letter to Mr. Farquhar from this board expressing appreciation for his many years of service to Ludlow. Motion passed unanimously.**
3. Howard Barton said that Mr. Farquhar did a great job – for many years for the town.

B. Dorsey Park

1. Bruce Schmidt said that Frank Heald, Howie Paul and the Recreation Department did a great job keeping Dorsey Park going this year. The field held up pretty well and Howie Paul was at every game.

16. Sign Warrant Orders

- A. Warrant orders have been signed.

17. **Set Date for December Meeting**

- A. Next meeting will be held on December 6, 2010.

18. **Possible Executive Session/Contracts**

- A. Frank Heald advised that an Executive Session is not needed.

19. **Adjourn**

- A. **MOTION by Brett Sanderson and seconded by Doug Ficken to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:47 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

Doug Ficken

Bruce Schmidt

John Neal