

MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

**PUBLIC HEARING AND
REGULAR MEETING**

January 6, 2014

BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

Frank Heald

OTHERS PRESENT:

Sharon Bixby Bob Kottkamp Ted Reeves
Glen Heitsmith David Nickels Isaac Wagner
Ginny Kottkamp Kevin O'Connor

**PUBLIC HEARING FOR APPLICATION TO THE STATE OF VERMONT FOR AN
IMPLEMENTATION GRANT**

- A. Howard Barton called the public hearing to order at 7:00 p.m. All board members present.
- B. Frank Heald introduced Isaac Wagner from the Windham and Windsor Housing Trust.
- C. Isaac Wagner explained that the Trust is partnering with Housing Vermont and will file an application for rehabilitation of Black River Overlook. The application is not much different from previous discussions with this board. They are moving along with funding and hope to file an application with the DRB by the end of this month. They hope to redevelop 15 of the units and use one for transition housing while others are being worked on. They will do new heating, insulation and floors. They also plan to drill a new well for the project.
- D. Bruce Schmidt said it would be a good thing for the project to go ahead.
- E. Isaac Wagner said that Black River Overlook is a silent resource and always has renters.
- F. Howard Barton asked if they needed anything from this board.
- G. Isaac Wagner said no. They have been working with Frank Heald. They have also included money in the application for administrative costs for the town.
- H. Robert Kottkamp said that he is on the board of Black River Good Neighbors Services and they have met with the Trust for this project. They are strongly in favor of the project and may consider a minor subsidy of one or two units. Speaking also for the United Church of Ludlow, he said that several of the church members have lived there.
- I. Howard Barton asked if the board needs to sign off on this.
- J. Isaac Wagner said the board would need to execute a Resolution.
- K. Frank Heald said that would be the same as the Tuckerville project.
- L. Isaac Wagner said the form requires all board signatures.
- M. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to support the Resolution from VCDP for the Black River Overlook Project. Motion passed unanimously.**
- N. **MOTION by Brett Sanderson and seconded by Doug Ficken to close the public hearing. Motion passed unanimously.**
- O. Public hearing closed at 7:08 p.m.

REGULAR MEETING OF THE SELECT BOARD

1. **Call to Order**

- A. Howard Barton called the meeting to order at 7:08 p.m.
- B. 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 December 2, 2013.

- B. **MOTION by John Neal and seconded by Doug Ficken to approve the minutes of December 2, 2013 as presented. Motion passed unanimously.**

3. **Comments from Citizens**

- A. Glenn Heitsmith asked if the Select Board would care to contact the Village Trustees regarding vehicles parking on sidewalks in the village, specifically 56 Main Street.
B. Frank Heald said that the Trustees would be meeting on Tuesday, January 7, 2014 at 6:00 p.m.
C. Brett Sanderson said that the Trustees also need to enforce the NO PARKING ordinance.

4. **Board of Listers Errors and Omission**

- A. Howard Barton advised that the listers have submitted an Errors and Omissions for the property owned by John Debick located on Ranta Road. The parcel was inadvertently assigned under the ownership of the remaining estate of Jeanette Taylor.
B. **MOTION by Bruce Schmidt and seconded by Doug Ficken to accept the Errors and Omissions as submitted by the Lister. Motion passed unanimously.**

5. **Verizon Wireless Application Update**

- A. Frank Heald advised that they are planning to put a tower up off of Rod and Gun Club Road. There has been no interaction with the town regarding this matter and no one seems to be concerned.
B. Howard Barton said it provide better service by the lakes.
C. Doug Ficken said they were doing testing in the spring.
D. Frank Heald said there is a 45 day input period,
E. Howard Barton asked if it would meet the town ordinance requirements.
F. Frank Heald said yes.
G. Bruce Schmidt asked if anything was needed from this board.
H. Frank Heald said he did not think so.

6. **Consider VTEL Wireless, Inc. Application**

- A. Frank Heald said that this project is a different story. The proposed site is on North Hill behind Carroll Sanderson's house and near Freedom Hill Extension. Several of the neighbors are interested because of the 140 feet height of the tower. It will provide lower cost Wi-Fi for 2,700 homes and there will also be space for co-location. The state is pushing service throughout the state. They floated a balloon this past weekend. Bassett's house at the end of Freedom Hill Ext. and the tower would be dead center of their Okemo view. Due to the fair amount of concern expressed, he would like to postpone the filing date from the end of January until after the Select Board's February meeting. Karl Rinker got together with Frank Heald and some property owners. Carroll Sanderson suggested moving the site of the tower 50 yards north in the spruce and hemlocks. They would shield the building and fence. The application will be posted on the web. This will come back to the board at the February meeting.
B. Howard Barton asked if they took pictures of the balloon from different locations.
C. Frank Heald said yes. They also did photo-simulations from different places in the community.
D. Brett Sanderson commented that it is hard to see the string and balloon, but would not be hard to see a tower.
E. Bruce Schmidt confirmed that the applicants know that they need to work with Frank Heald.
F. Frank Heald said that he has made it very clear.
G. Howard Barton asked if this would have to go before the DRB.
H. Frank Heald said no. He added that there is a move afoot to exempt towers from town zoning, Act 250 and even further.

7. **Ludlow Bike Path Update**

- A. Frank Heald said that there has been an interesting turn in this. On January 3rd, a letter was received from Diane Mueller stating that the Okemo Community Challenge would pledge \$40,000 per year for a minimum of three years for funding of the bike path. It would really affect the total of \$268,500 that the town would need to contribute to the project. He said that his suggestion is to acknowledge the \$120,000. Construction is still out there a ways and to put \$20,000 to \$25,000 per year into a Bike Path Fund from the town. If the project does not happen, put the \$50,000 to \$75,000 set aside in the Bike Path Fund by the voters to some other use. The project still has to get approval from VTRANS, Act 250 and gain ROW easements.
B. John Neal asked if they should do it as an article to be voted on.

- C. Frank Heald said yes, maybe put it in the Articles and vote on it Monday night.
- D. Brett Sanderson suggested Australian ballot.
- E. Howard Barton said yes, like Quest.
- F. Brett Sanderson said we still need maintenance and upkeep costs.
- G. Doug Ficken said that the board did not get a straight answer on that at the last meeting.
- H. Frank Heald said that the Bike Path Committee was not sure. He said that it is possible that Okemo could plow parts of it in the winter and VTRANS would maintain the guardrails. The parts on dirt would need grading and they would pave every 10 years or so. At this point, they have done the feasibility study and need to apply to go to design. We don't know when that will happen.
- I. Howard Barton said it is too bad that we don't have maintenance costs.
- J. Frank Heald said they could be developed.
- K. Sharon Bixby said that they could check with Springfield.
- L. Ted Reeves said that path has not been paved in over 5 years. The path is not open in the winter. He added that VTRANS wants the Ludlow path partially plowed in the winter.
- M. Frank Heald said the town would be responsible for the path, although Okemo may do some plowing.
- N. Howard Barton said that the portions on Route 103 could be dangerous in the winter with snow plows.
- O. There was a general consensus among board members to proceed with the path project.
- P. Howard Barton said we would need to warn it.
- Q. Frank Heald said that Section 5.2 says construction in the summer of 2018.

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8. **Authorize the Chairman to Execute Health Reimbursement Resolution**

- A. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to authorize the Chairman to execute the Health Reimbursement Resolution. Motion passed unanimously.**
- B. Frank Heald advised that there is a second resolution that needs to be executed. The Estate of Phyllis Agan has been settled and the town needs to execute a resolution for the bank, relative to the trustee to disburse the funds.
- C. MOTION by John Neal and seconded by Bruce Schmidt to execute the resolution for the Agan Estate funds disbursement. Motion passed unanimously.
- D. Bruce Schmidt asked how much the town would get.
- E. Frank Heald said \$100,000 less about 25% legal fees. The funds are designated for Home Economics Scholarships.
- F. Bruce Schmidt said that the bequest was very generous of Mrs. Agan.

9. **Confirm Annual Town Report Format**

- A. Frank Heald said that at the last meeting, the board discussed the format for the town report and had chosen 8 ½" x 11" and also not to include full financials. They would include a Summary of Income and Expenses as well as balance sheets. Copies of the full financials would be available at town hall and on the web.
- B. Bruce Schmidt asked how they would get the word out to the people.
- C. Frank Heald said that there would be a note at the bottom of the page.
- D. Bruce Schmidt suggested that they say at the meeting that they are trying to be fiscally responsible and green.
- E. Howard Barton suggested they have some copies available at the meeting.
- F. Frank Heald noted that by not printing the full financials in the town report, they would be saving approximately 62,500 pieces of paper or about 125 reams of paper.

10. **Continue FY2015 Budget Workshop**

- A. Frank Heald advised that there have been only been a few changes to report since the last draft.
 - i. The Transfer Station culvert was short about \$15,000
 - ii. \$15,000 was put in for the Lake Pauline Dam
 - iii. \$13,500 was put in for Highway and Public Works radios. That will come out of the Highway Fund.
- B. Frank Heald said that for the town side, there would be an increase of 1.78%. For the County, there is an added 100% or \$46,000 in Capital Costs and we pay 18%. The Cemetery budget is down 18,000. The overall increase is 2.42%
- C. Howard Barton asked about the County Capital costs.
- D. Frank Heald said that was the bond for the \$2,000,000 voted for last year for 10 years at about 3 to 4% interest. Our portion of that is 18%.
- E. Howard Barton noted that Ludlow pays \$83,000 in county taxes.
- F. John Neal commented that almost 50% of our increase is due to the county. He added that Frank Heald had done an excellent job on the budget.
- G. Howard Barton asked when the board should sign off.
- H. Frank Heald said he would like to get it off to the printers on January 22nd.
- I. Brett Sanderson asked when and if they would be replacing the Waste Oil furnace in the town garage.
- J. Frank Heald said we need to put money in the budget for it. He would like to see if they get a rebate from the lights.
- K. Brett Sanderson noted that both Black River Academy and the Library were also beneficiaries of the Agan Estate and asked that since we have been helping out with their fuel, could we ask them to help out.
- L. Frank Heald said that the Academy is at maintenance heating for the winter and other than the Valentine's Day event, they are holding all of their meetings here. Also, they are planning to put the money they receive to window weatherization. He said that he has not spoken to anyone from the library.
- M. Bruce Schmidt said we should ask.

11. **Department Head Reports**

- A. Howard Barton said that all reports are in.

12. **Other Business**

- A. There was none.

13. **Set Date for Next Meeting**

- A. Howard Barton advised that the next regular meeting would be February 3, 2014 at 7:00 p.m. He added that they will have a special meeting for the warning.

14. **Sign Warrant Orders**

- A. Warrant orders have been signed.

15. **Possible Executive Session/Personnel/Contracts/Legal Issues**

- A. Frank Heald said an Executive Session is needed.

- B. **MOTION by Bruce Schmidt and seconded by John Neal to enter in to Executive Session for Contracts. Motion passed unanimously.**
- C. Board entered in to Executive Session at 7:59 p.m.
- D. Board exited Executive Session at 8:10 p.m.
- E. **MOTION by John Neal and seconded by Doug Ficken to accept the gift from Carolyn Spaulding to the Town of Ludlow for the benefit of the Fire Department. Motion passed unanimously.**

16. **Adjourn**

- A. **MOTION by Doug Ficken and seconded by John Neal to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:11 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

Doug Ficken

Bruce Schmidt

John Neal