

# *MINUTES*

## **TOWN OF LUDLOW BOARD OF SELECTMEN**

### **REGULAR MEETING**

May 5, 2014

#### BOARD MEMBERS PRESENT:

Howard Barton, Jr., Chairman	Logan Nicoll	Bruce Schmidt
John Neal	Brett Sanderson	

#### STAFF PRESENT:

Frank Heald

#### OTHERS PRESENT:

Josh Bagnato	Kevin O'Connor	Terry Thayne
Rick Chase	Ralph Pace	Alan Wironen
Woodrow Crouch	Ted Reeves	Scott Gwynn (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. **Approve Minutes of Previous Meetings**

- A. Howard Barton advised that the minutes to be approved are from the regular meeting of April 7, 2014.
- B. **MOTION by Brett Sanderson and seconded by John Neal to approve the minutes of April 7, 2014 as presented. Motion passed unanimously.**

#### 3. **Comments from Citizens**

- A. There were none.

#### 4. **Board of Listers Department Update**

- A. Terry Thayne advised that the State Education tax rate will be higher this year. He said that the Grand List has not been finalized, but should be close to last year. NEMC is coming in tomorrow to make minor adjustments. At this point the CLA is about 98 and the COD is 12<sup>+/-</sup>. Grievance information will be on the website. Cottage Industries may have an issue. He said that market sales are up about 15%, but prices are all over the place. It may be bottoming out.
- B. Bruce Schmidt asked about outstanding grievances from last year.
- C. Terry Thayne said there were none.

5. **Presentation: New England Clean Power Link**

- A. Josh Bagnato said that he is the project manager for TDI. He said that this is a hydroelectric power transmission project that will run about \$1.2 billion and transmit about 1,000 kW. It will come out of Canada travel under Lake Champlain (coming out in Benson) and run down to the Coolidge Substation. The lines will be buried and this project is not part of VELCO. The 1,000 kW can service about 1,000,000 homes. They expect the project to be on line in 2019. There is a similar project underway in New York. He added that natural gas usage is growing and nuclear plants are going off line. Hydro power is clean and renewable. The tax benefit to Ludlow would come from both the convertor station and 6 miles of cables running in Ludlow. The convertor station would be about \$200,000,000.00 to build. They hope to run the cable under the roads and would leave the roads in better shape than they found them. The cables are about 5" in diameter and would be armored under the lake. No liquids or gels would run in the cables. The cables are flexible and the splices are as good as virgin cable. There is no EMF as the emission is only magnetic and the magnetic is approximately equivalent to the magnetic field of the Earth. The cable would be buried about 4 feet down and the backfill would be thermal or native soil. The company is very critical about what they use to back fill where the cable is buried. They are careful to complete the roads to prevent ruts.
- B. Bruce Schmidt asked about fiber optic.
- C. Josh Bagnato said it would give additional capacity. He continued to describe the route as designed to minimize impacts to the environment. The cable would run 97 miles through Lake Champlain to Benson. It would run under Route 22A to Route 4 to Route 7 to Route 103 and go along town roads to the Coolidge Substation. They are considering Route 100 to East Lake Road to Pettner and would prefer to bury lines under the roads. This project is not part of VELCO and they have contacted and met with VELCO concerning running the Ludlow portion to the substation along the VELCO ROW, but have not gotten any response. He advised that his company owns 2 parcels of land on Nelson Road and that would be the site of the convertor station. He described the station complex to cover 4 ½ acres. The building would be 150' x 325' x 50' high. He said that details for the building would be supplied at later meetings. Regarding the time line for this project, he said that they hope to file with Act 248 in December 2014 and for the Presidential Permit with the US Department of Energy in the spring. They are starting the initial field surveys now with VTRANS approval.
- D. Frank Heald asked how many staff would be onsite.
- E. Josh Bagnato said less than 12.
- F. Frank Heald asked about fire issues.
- G. Woodrow Crouch said that the stations are designed to minimize fire incidents and will meet NYC fire codes as well as Vermont codes.
- H. Josh Bagnato said they would meet with the state Tax Assessors Dept. regarding tax assessments later this month.
- I. John Neal asked if the VELCO ROW status may change.
- J. Josh Bagnato said it is an option, but as time passes with no response from VELCO, it becomes more remote. The current proposal is to use the roads. He said that he would keep Frank Heald apprised of the progress and status of the project and that he would be available to attend public information sessions.
- K. Bruce Schmidt said they would also have to go through Ludlow's DRB process and that when the permitting process starts there would be open meetings.
- L. Frank Heald suggested that Josh Bagnato meet with Ralph Pace to do an information session on LPC-TV.

6. **Review and Sign Bridge Inspection Reports**

- A. Frank Heald advised that the reports are in the packets.
- B. John Neal asked if there are any deficiencies.
- C. Frank Heald said that the state inspectors usually find some faults. He advised that the Walker Bridge Project is scheduled in the spring of 2016. The Army Corps of Engineers has been working on it and the final design is expected to go out to bid by next summer.
- D. Frank Heald said that the Select Board members need to sign the reports.
- E. **MOTION by John Neal and seconded by Brett Sanderson to accept and sign the Bridge Inspection Reports as presented. Motion passed unanimously.**
- F. Frank Heald advised that he has submitted a grant application for repairs to the Pleasant Street Extension Bridge. He also submitted one last year, but the town did not receive it.

7. **Consider Alan Isaacson Appointment to Planning Commission**

- A. Frank Heald advised that Alan Isaacson had submitted his application to fill the vacancy on the Planning Commission. He noted that Alan had been a real working member of the Planning Commission in the past.
- B. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to approve the appointment of Alan Isaacson to the Planning Commission. Motion passed unanimously.**

8. **Liquor Control Board**

- A. Frank Heald advised that there is one liquor license application from Tom's Loft. He added that the two other applications are for information only, as they only need to be signed by the Town Clerk. Mr. Darcy's is for catering and Harry's is for outside consumption.
- B. Bruce Schmidt asked if Harry's was the same as in the past.
- C. Frank Heald said the same as Bella Luna.
- D. Bruce Schmidt asked the hours for Harry's.
- E. John Neal said the application says 12:00 p.m. to 11:00 p.m.
- F. Bruce Schmidt asked Frank Heald to please confirm that.
- G. **MOTION by John Neal and seconded by Bruce Schmidt to approve the liquor license for Tom's Loft Tavern. Motion passed unanimously.**

9. **Killington Sports Car Club Hill Climb Request**

- A. Howard Barton noted that this is the same as last year. The dates are June 6-7, 2014 and August 2-3, 2014.
- B. **MOTION by Bruce Schmidt and seconded by Brett Sanderson approve the request from the Killington Sports Car Club for the Hill climb as presented. Motion passed unanimously.**

10. **Adopt NIMS**

- A. Frank Heald advised the board had adopted the plan but did not put the date on it.
- B. **MOTION by Bruce Schmidt and seconded by John Neal to authorize Howard Barton to sign and date the NIMS. Motion passed unanimously.**

11. **Execute VTRANS Right of Way Agreement for BRF 025-1 RE: Walker Bridge**

- A. Frank Heald advised that he had brought this before the board before and they were hesitant to sign it because of the issue of Municipal Eminent Domain. Without board signatures, this project will not happen or they may get a temporary bridge. He advised that the current design is not much outside the back to the sidewalk and he thinks they probably would not have to use Eminent Domain for only a few feet. He suggests that the board sign the document.
- B. Howard Barton asked if it was the same footprint as previously submitted.
- C. Frank Heald said that at this point it is, but we still have to get final design. He did add that they had to narrow the design by one plank for historic reasons.
- D. Howard Barton said that as presently designed, there would probably not be a reason for Eminent Domain.
- E. **MOTION by Bruce Schmidt and seconded by Logan Nicoll to approve the VTRANS ROW agreement as submitted and to authorize Frank Heald to sign the document. Motion passed unanimously.**

12. **Update on Projects**

- A. **Commonwealth Avenue Project**
  - i. Frank Heald said that he met with Ray Doherty, from the State Hazard Mitigation section and a FEMA representative and they reviewed the proposal submitted for the design for Commonwealth. It starts upstream and goes underground all the way to the Black River. He would like to do this project at the same time they do the Walker Bridge project as truck traffic will be detoured away from town and cars will be up High Street. They will need to go under Route 103 and to do it when the detour is in place makes sense. We will need to go to the voters at the next Town Meeting for the local share. We will have to do a bond. We need to work further up the brook by the last house before the substation as there is trouble with the foundation.
- B. **Walker Bridge Project**
  - i. Frank Heald said this was discussed under item 6 above.

13. **Department Head Reports**

- A. Howard Barton advised that all reports are in.
- B. Bruce Schmidt asked about a comment in the Ambulance minutes regarding charges.
- C. Frank Heald said that they clearly understand that they have to come to the Select Board before they make any changes to charges.

14. **Other Business**

- A. **Replacement of Chairs in the Auditorium**

- i. Frank Heald advised that FOLA plans to replace the old benches/chairs in the auditorium and brought a sample of the chairs being purchased. They will purchase 150 chairs that will have to be assembled by FOLA members and are scheduled to arrive in June. The existing antique chairs will have to be removed. We are making it known that that will be available for a nominal fee. If they do not go, they will be listed on Craig's List.
  - ii. Bruce Schmidt noted that a recent email from Ralph Pace advised that FOLA was about \$1,000 short.
  - iii. Ralph Pace said that after that email went out, they got the needed funds.
  - iv. There was general consensus among board members that this was a good job on the part of FOLA.
- B. Green Up Day
  - i. Frank Heald advised that there were about 25-30 people and they collected about 3,540 pounds of trash, tires, metal and one toilet.
- C. Fuel
  - i. Frank Heald said that the schools will not be purchasing fuel with the town this year. He said he would start purchasing investigations now and keep the board advised.
- D. Planning Commission
  - i. Bruce Schmidt asked Logan Nicoll if he would give this board updates on what the Planning Commission is working on and how things are going.
  - ii. Logan Nicoll said that the Planning Commission will be bringing the Zoning Regulations to this board shortly. They are updating the sign regulations for the town and village and trying to make it easier for businesses. They have tabled further work on the zoning regulations for the Lakes District until the state finalizes its work. Since they have limited time left with Jason Rasmussen, they are focusing on things that they can finish while they still have time left. They are also trying to consider economic development.
  - iii. Bruce Schmidt asked if they could apply for another grant.
  - iv. Frank Heald said they can apply for another grant. He added that Jason Rasmussen and the Regional Planning Commission have been very helpful.

15. **Set Date for Next Meeting**

- A. Howard Barton advised that the next regular meeting would be June 2, 2014 at 7:00 p.m.

16. **Sign Warrant Orders**

- A. Warrant orders have been signed.

17. **Possible Executive Session/Personnel//Real Estate**

- A. Frank Heald advised that a brief Executive Session is needed for personnel and real estate.
- B. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to enter into Executive Session. Motion passed unanimously.**
- C. Board entered in to Executive Session at 7:57 p.m.
- D. Board exited Executive Session at 8:40 p.m. No action taken.

18. **Adjourn**

- A. **MOTION by John Neal and seconded by Logan Nicoll to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:41 p.m.

Respectfully submitted,

Lisha Klaiber

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Howard Barton, Jr., Chairman

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Brett Sanderson

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John Neal

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Bruce Schmidt

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Logan Nicoll