

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

REGULAR MEETING

June 7, 2010

BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

Frank Heald

OTHERS PRESENT:

Lorraine Bailey	Dawn Howlett	Ralph Pace
Michael Bailey	Margot Martell	Ted Reeves
George Fairchild	Mike Mullin	Ron Tarbell
Tom Fuller	Joe Mulvey	Duncan 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 May 3, 2010, and special meetings of May 17, 2010.

B. **John Neal noted that for the minutes of May 17th, he was present – not just by telephone.**

C. **MOTION by John Neal and seconded by Brett Sanderson to approve the minutes of May 3, 2010 and May 17, 2010 as indicated above. Motion passed unanimously.**

3. **Comments from Citizens**

A. There were none.

4. **Liquor Control Board**

A. Frank Heald advised this is an application from Brewfest Beverage Company, LLC for 199 Main Street. He said that everything is okay.

B. **MOTION by John Neal and seconded by Brett Sanderson to approve this application. Motion passed unanimously.**

5. **U. S. Postal Service – Location Briefing**

A. Frank Heald advised that Joe Mulvey is here from the postal service.

B. Joe Mulvey said that he and Dawn Holvett met with Frank Heald last week. The lease on the current post office location expires on July 31, 2010 and the postal service has not been able to reach an agreement with the property owner for the renewal of the lease. The postal service has been looking at other properties. They are in negotiations with Okemo Market Place. They would like to work with the town to keep the post office in Ludlow.

C. Bruce Schmidt asked when the drop-dead date is?

D. Joe Mulvey said July 31st. Moving the post office is a long procedure, but there is an emergency procedure for leasing temporarily.

E. Bruce Schmidt said that people would probably like to see the Post Office stay in the village.

F. John Neal asked how long it would take to get up and running in a new space.

G. Joe Mulvey said about 6 to 8 months. If they get the space at Okemo Market Place, they could put up a temporary wall and open the space in front under temporary conditions with plywood counters and be able to get the boxes in. They would prefer not to go into hold over status with the current location.

6. **Ludlow Rotary Club's Annual Bike Race**

- A. Howard Barton advised that the date is June 26, 2010 and the time is from 10:30 a.m. to 1:30 p.m. Biking will start at Jackson Gore and travel south on Route 103 to the Okemo access road and end near the summit of Okemo. They will be traveling on part of the town highway. They will coordinate with the police and ambulance departments.
- B. Frank Heald said that there are about 70+ entrants so far.
- C. **MOTION by Brett Sanderson and seconded by Doug Ficken to approve the request from the Ludlow Rotary. Motion passed unanimously.**

7. **Consider Route 100 Byway Letter**

- A. Howard Barton advised that the representatives were at the last meeting and this board decided to support this endeavor. This is to authorize signing of the support letter.
- B. **MOTION by John Neal and seconded by Bruce Schmidt to approve the letter and authorize Howard Barton to sign it for the board. Motion passed unanimously.**

8. **Open Summer 2010 Town Paving Bids**

- A. Howard Barton read the bids as follows:

<u>BIDDER</u>	<u>TOWN</u>	<u>COST PER TON</u>	<u>NOTES</u>
Fuller Sand & Gravel	Danby	\$61.50	
Wilk Paving	Center Rutland	\$66.70	
Springfield Paving	No. Springfield	\$75.55	
Pike Industries	Wallingford	\$71.64	
FW Whitcomb	Walpole, NH	\$74.17	
Lane Construction	Northfield, MA	\$77.50 (base) 945 –	Subj. to state funding. \$81.75 Town Farm Road

- B. Bids were given to Ron Tarbell to review.
- C. Ron Tarbell recommended going with the low bidder, Fuller Sand & Gravel
- D. **MOTION by Bruce Schmidt and seconded by Doug Ficken to go with the recommendation of Ron Tarbell and to award the bid to the low bidder, Fuller Sand & Gravel at \$61.50 per ton. Motion passed unanimously.**

9. **Open Ludlow Transfer Station Retaining Wall Bids**

- A. Howard Barton advised that there were two bids, as follows:

<u>BIDDER</u>	<u>TOWN</u>	<u>PRICE</u>
De Grasse Concrete	Ludlow	\$9,900.00
Record Concrete	Chester	\$14,390.00

- B. Bids were given to George Fairchild for review.
- C. George Fairchild briefly reviewed the bids and recommended that the award of the bid be tabled for the next meeting to give him a chance to discuss the bids with Brett Sanderson. The price difference of \$4,000 along with one of the bids being sketchy was his concerns.
- D. The board agreed with this suggestion.

10. **Open West Hill/Dorsey Park Stormwater Project Bids**

- A. Howard Barton read the bids, as follows:

<u>BIDDER</u>	<u>TOWN</u>	<u>PROJECT COST</u>	<u>TRUCKING ADD'L HOURS/HOUR</u>
Sanderson Contracting	Ludlow	\$21,500.00	\$80.00
Mosher	Killington	\$13,583.00	\$75.00
M&M Excavating	Chester	\$17,500.00	\$75.00
Belden	Rutland	\$16,742.00	\$65.00
Crown Point	Chester	\$15,000.00	\$70.00
Daniels	Ascutney	\$27,625.00	\$68.00

- B. The bids were given to Ron Tarbell to review.
- C. After reviewing the bids, Ron Tarbell recommended the bid be awarded to the low bidder, Mosher.
- D. Bruce Schmidt asked who controls how many trucking hours are used.
- E. Ron Tarbell said we do, but that the town will do most of the trucking.

- F. Brett Sanderson recused himself from the vote.
- G. **MOTION by Bruce Schmidt and seconded by Doug Ficken to go with the recommendation of Ron Tarbell and to award the bid to the low bidder, Mosher at \$13,583.00 and \$75.00 for additional trucking hours. Motion passed unanimously.**

11. **Execute Vermont Municipal Bond – Fire Pumper/Tanker Truck**

- A. Frank Heald advised that this is the \$150,000 that was approved at town meeting.
- B. Frank Heald advised that there are two pieces to this process. They need to act on the Chittenden Anticipation Notes, at a rate of 1.95% up to July 10,2010. The actual bond will be issued after that date, when the bond goes to market.
- C. **MOTION by Doug Ficken and seconded by Bruce Schmidt to authorize and sign the anticipation note. Motion passed unanimously.**

12. **Execute FY2010 Renewal Notes**

13. **Execute FY2010 New Notes**

- A. Frank Heald advised that items 12 and 13 could be handled together. These are annual and will be paid in 5 years. Each year there will be a one-year note at an interest rate of 2.3%, except for the chipper, which will be at 2.2%.
- B. **MOTION by John Neal and seconded by Brett Sanderson to sign the new and renewal notes. Motion passed unanimously.**

14. **Update: Southern Windsor/Windham Solid Waste Management Agreement for Solid Waste Transportation & Disposal**

- A. Frank Heald advised that the original agreement was signed 3 years ago and has worked out well. Rates have even been lowered. This is to extend the agreement for another 2 years. He recommends going forward with the extension.
- B. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to authorize Frank Heald to sign the extension for 2 years for the Southern Windsor/Windham Solid Waste Management Agreement for Solid Waste Transportation & Disposal. Motion passed unanimously.**
- C. Bruce Schmidt said that they have done a good job on that agreement.
- D. Frank Heald said that part of the challenge for change was a suggestion to consolidate solid waste districts. Our district has the lowest fees and possibly the most money in the bank. It worked out well when our towns broke from New Hampshire. He added that he sits on the Executive Committee.

15. **Armory Project Update**

- A. Frank Heald advised that the project is underway. The building has been cleaned out and demolition has begun. It is going well. George Fairchild came up with the idea to turn the lockers on their sides and use them for storage shelves. They found a pile of stuff wrapped in yellow plastic with signs that said “Hazardous Waste.” It turned out to be the waste from the shooting range. It is surprising that with all of the work done in Phase 1 and 2 studies, that this was not seen at that time. The military has agreed to come and pick it up.

16. **Department Head Reports**

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

17. **Other Business**

- A. **Transfer Station ½ Price Day**
 - 1. Frank Heald advised that they are considering a half price day. There will be a limit in tires.
 - 2. Bruce Schmidt asked when.
 - 3. Frank Heald said maybe in mid-July. They need time to get the word out.
- B. **Water Project – Andover Street**
 - 1. Frank Heald said that Markowitz has moved a lot of iron in. The Trustees have approved doing the sewers, road and sidewalks at the same time. There may be as many as 4-5 crews working there at one time. The plan is to advertise in THE VERMONT JOURNAL and on LPC-TV what the next week’s work schedule will be.
- C. **The Current**

1. Frank Heald advised that the town has received a letter from the Current thanking Ludlow for its participation and also requesting the reappointment of Ted Reeves as our representative. They advised that ridership on both the Connecticut River Transit and Marble Valley Transit is up considerably since last year. He added that we would need to reappoint Ted Reeves at the next meeting.
- D. Dorsey Park
1. Bruce Schmidt asked about Dorsey Park.
 2. Frank Heald advised that there has been no change since the last meeting. They are supposed to be coming on June 14, 2010 to repair the fields as they see necessary. They will be carefully monitored.
 3. Bruce Schmidt said that he thought that we were going to fix the fields and then get the money back from them.
 4. Frank Heald said that they went through the legal process and they want to make it right. To do the work ourselves and try to recoup the money could get interesting and very costly.
 5. Bruce Schmidt asked how would we know that the repairs have been successful unless it rains.
 6. Howard Barton said we could turn on the irrigation system.
 7. Bruce Schmidt said that we would really look foolish if September comes and the field is not right.
 8. Frank Heald asked Bruce Schmidt what he would like to do.
 9. Bruce Schmidt asked if we have any insurance that would cover the repairs.
 10. Frank Heald said no.
 11. Bruce Schmidt repeated that he does not know how we will know that the repairs worked.
 12. John Neal asked what the real problem with the field is. Is it the soil or something the contractor did. He added that we are not confident with this contractor's ability to fix the problem. He asked if we could do it and charge them back.
 13. Bruce Schmidt said that we would need some way to test it.
 14. John Neal said that we don't want to wait until the fall and find out there is still a drainage issue. Is there some way other than having this contractor do the work?
 15. Bruce Schmidt asked what the legal fees would be.
 16. Frank Heald said \$40,000 to \$50,000. He added that we are still in negotiations to fix the two spots that were identified. The topographicals appear that if the spots were fixed correctly, it would work. He added that the grass never took and there is clay underneath. He thinks they did not compact those two spot enough. It may be possible to take up the sod, fix the grade, re-compact and then re-sod. The other possibility is to get another contractor to fix it.
 17. John Neal said that since the contractor has agreed to come back to fix this, they must have a dollar amount for the cost in there mind.
 18. Frank Heald said they think they can fix the low spots, but I am sure their cost is lower than what I would do. If they try to fix it and it doesn't work, we will still have the warranty. It would cost a lot more if we do it.
 19. Bruce Schmidt said that we should have someone closely monitor what they do, including shooting the grade.
 20. John Neal said that Brett Sanderson could do that.
 21. Bruce Schmidt said it has been 2 years already. He would run away from this contractor.
 22. John Neal asked if it worth our while if we have an engineer there to keep oversight and shoot the grade.
 23. Howard Barton asked Brett Sanderson to meet with Frank Heald and possibly come up with some ideas.
 24. Frank Heald said that between he and Ron Tarbell and Brett Sanderson, they could oversee the work.
 25. John Neal said if we need to have an engineer there, get one.
 26. Frank Heald said that he will make it clear to the contractor that their work will be closely watched.
- E. DRB Appointments
1. Howard Barton advised that DRB appointments will be made at the July meeting.
- F. The Gazebo
1. Howard Barton commented that George and Ann Dunnett did a great job on the gazebo. It looks really nice. He noted that the maple tree is getting too big and does not allow sunlight to dry the roof of the gazebo.
 2. Frank Heald said they could either trim the tree or cut it down.
 3. Howard Barton said if the tree gets too big, it can cause other problems.
 4. Brett Sanderson said it detracts from the gazebo.

5. Frank Heald said they could have an arborist come in to look at the tree.
6. John Neal said that would be good and asked Frank Heald to get back to the board with the arborist's suggestions.

18. **Set Date for July Meetings**

- A. Special Tax Meeting – Tax Rate
 1. Frank Heald said that board would have the year-end figures by July 6th.
 2. Special Meeting set for Tuesday, July 6, 2010 at 8:00 a.m., pending receipt of figures from the state.
- B. Regular Meeting
 1. Howard Barton noted that the date for the next regularly scheduled meeting is July 19, 2010.
 2. Doug Ficken advised that he will not be able to make that meeting.

19. **Sign Warrant Orders**

- A. Warrant orders have been signed.

20. **Possible Executive Session/Listers Legal**

- A. Howard Barton advised that an Executive Session is needed. He added that Margot Martell would be invited to attend the session.
- B. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to enter in to Executive Session. Motion passed unanimously.**
- C. Board entered in to Executive Session at 8:15 p.m.
- D. Board exited Executive Session at 8:45 p.m.
- E. No action taken.

21. **Adjourn**

- A. **MOTION by Doug Ficken and seconded by John Neal to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:46 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

Doug Ficken

Bruce Schmidt

John Neal