

PRELIMINARY MINUTES

TOWN OF LUDLOW

BOARD OF SELECTMEN

January 9, 2023

HEALD AUDITORIUM

6:00 P.M.

Join Zoom Meeting

<https://us02web.zoom.us/j/81468174000?pwd=N1lsRDhkOWVzVlYrdGRQTXFzQlJJQT09>

Meeting ID: 814 6817 4000

Passcode: 760686

One tap mobile

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BOARD MEMBERS PRESENT:

Bruce Schmidt, Chairman
Scott Baitz

Bob Brandt
Justin Hyjek

Brett Sanderson

STAFF PRESENT:

Scott Murphy
Stephanie Grover

Ulla Cook (ZOOM)
Bill Davis

Nick Miele

OTHERS PRESENT:

Eric Alden
Gary Blodgett
Andrea Goldman
Jeff Hall
Beth Lee
Steve Meyers

Meredith Milliken
Logan Nicoll
Ian Nugent
Michael Parker
Pat Pullinen

Charlie Rimer
Noah Schmidt
Marissa Selleck
Ryan Silvestri
Rebecca Washburn

AGENDA

1. CALL TO ORDER

- A. Bruce Schmidt called the meeting to order at 6:00 p.m. He led the meeting in the Pledge of Allegiance.

2. **CONSIDERATION OF ANY CHANGES, ADDITIONS OR REMOVALS TO THE AGENDA**

- A. Scott Murphy said that John Boulay from RHR Smith (Item #6) is not able to attend the meeting tonight and will be rescheduled for the February meeting.
- B. Justin Hyjek suggested that they discuss Item #8 – Skate Park to between #4 and #5.
- C. Bruce Schmidt said that the items before that will move quickly and to leave the agenda as is.

3. **APPROVE MINUTES OF PREVIOUS MEETINGS**

- A. Bruce Schmidt advised that the minutes to be approved are from the Regular Meeting of December 5, 2022 and the Special Meeting of December 19, 2022.
- B. **MOTION by Brett Sanderson and seconded Bob Brandt to approve the minutes of the Regular Meeting of November 7, 2022 and Special Meeting of November 28, 2022 as presented.**
- C. Justin Hyjek said that for item 4viii, he said that there was response to Ms. Baldwin and it should be noted that the Rental Registry Committee had no hidden agendas and that their minutes are on the town website and the meetings are on Okemo Valley TV, and people can see how the committee progressed.
- D. **Motion passed unanimously.**

4. **COMMENTS FROM CITIZENS**

- A. There were none

5. **LIQUOR CONTROL BOARD**

- A. Scott Murphy said that they received requests for 2 special events permits and this is for the board's information only.
- B. January 13, 2023 - Outside Consumption – Jackson Gore Road, Cold Spring Spirits LLC.
- C. January 20, 2023 – Outside Consumption – 57 Pond Street – Rutland Beer Works.
- D. No action required.

6. **RHR SMITH AUDITOR JOHN BOULAY TO REVIEW FY2022 AUDIT**

- A. Postponed until the February meeting.

7. **POSSIBLY APPROVE BANK NOTE FOR FY2023 HIGHWAY TRUCK**

- A. Scott Murphy advised that the Highway Department purchased a 2023 single axle Western Star and a Chevy 1-ton truck which requires a bank note for \$219,000 as approved for the FY2023 Budget. The Western Star was \$192,000 less \$20,000 trade-in for a total of \$172,000 and the Chevy was \$87,000 less \$40,000 trade-in for a total of \$47,000. Combined \$219,000. The bank has not sent over the note. He is asking the board to approve the note and when it does come in, he will send them a HIGH IMPORTANCE email to come in and sign the note.

- B. Bruce Schmidt said this is not the usual way it is done and asked the board members if they are okay with this.
- C. **MOTION by Bob Brandt and seconded by Brett Sanderson to approve the bank note for the FY2023 Highway truck in the amount of \$219,000.00, with the condition that all board members sign the note. Motion passed unanimously.**

8. **REVIEW SKATEPARK BIDS AND POSSIBLY AWARD CONTRACT**

- A. Scott Murphy advised that they had sent out an RFP and received 3 bids. Standard Construction is the low bidder by \$75,000, but their bid uses less materials than the other 2 bids. He said that the Skate Park Committee had worked with one of the other bidders. He said that he got references for Standard: Warren said they did a great job, Johnson said their work was top notch and they also received a good reference from a town in Pennsylvania.

VENDOR	BID
Grindline Skateparks, Inc.	\$235,740.00
Parker Construction, Inc.	\$235,000.00
Standard Construction, LLC	\$160,000.00

- B. Justin Hyjek said there was an RFP in October to demo and the committee decided that they demo the whole thing due to safety issues and rebuild in phases. The total square footage will be about 7,000 square feet. This bid is for 3,050 square feet in the first phase. He said there is a blank slate now. They did fundraising and received a grant for a total combined of \$240,000
- C. Scott Murphy said they had spent about \$15,000.
- D. Justin Hyjek said the best thing is to go bid in phase 1 and gather more funds for phase 2. He said that the 2 other proposals contained other options.
- E. Jeff Hall said listening to the conversation, the budget is \$220,000 and we can provide different proposals. Our rendering was not exciting. He said that the RFP was not that straightforward.
- F. Justin Hyjek said the bid was not inclusive to allow for creativity.
- G. Marissa Selleck said she had spoken to Nick Miele and they have references for the other bidders
- H. Mike Parker said they included 2 more exists and a ¼ pipe and more square footage.
- I. Bruce Schmidt said the select board did not see the RFP. This is messy. There is a significant difference in the size and construction and such a difference in prices. The bid was not clear
- J. Scott Murphy said we need to compare bids to bids. We asked for 3,050 square feet and that what should have been bid on. He added that the grant agreement had not been received and we only have a draft grant. One requirement is that the town conducts bids per the procurement policy. Only the Select Board can award a contract. He said that his recommendation is to go with Standard. They have a great history. We have \$220,000 for the project and we will also need to do landscaping.
- K. Scott Baitz asked why the board members didn't receive copies.
- L. Scott Murphy said they are 40 pages.
- M. Bruce Schmidt said we used to open bids at our meetings and end up sending them back to the department heads. We can open them here, but it slows the process.
- N. Justin Hyjek said we have copies of the pictures that were sent with the RFP to see the design. There are differences. He said that he is not worried about quality; all of the contractors do

- good work. He is more concerned with paving and creativity and having many features. He said he would like to have a conversation with all 3 bidders.
- O. Bruce Schmidt asked what is the basic design
 - P. Jeff Hall said that they will add – at no extra charge. He said that he wants to be able to use the park. He will look at your budget and will give you more than what is expected. He said that he would end up as Grindline’s subcontractor. He said that he tries to give more than what the contract calls for.
 - Q. Bruce Schmidt asked why we put the budget amount in the RFP.
 - R. Scott Murphy said the RFP doesn’t have the amount.
 - S. Bruce Schmidt asked the timeline for opening the park.
 - T. Justin Hyjek said he would like to open by June 1st.
 - U. Scott Murphy said probably June 30th.
 - V. Bruce Schmidt asked what if we waive the bid process and let the committee recommend. He suggested having the skate park committee meet with the bidders and come back to this board.
 - W. Scott Murphy said if it is in the best interest of the town, it can be done.
 - X. Bruce Schmidt said we have a bid for \$160,000 and the next bidder is \$235,000.
 - Y. Scott Murphy suggested awarding the contract for \$160,000, and then add on with Time and Materials.
 - Z. Justin Hyjek said the costs will probably be closer to \$240,000 and we will have \$225,000 after the demo. The goal is to make the best possible park and he would hate to have it only 3,000 square feet.
 - AA. Bruce Schmidt said that one bidder was higher than 4,000 square feet.
 - BB. Scott Murphy said there was only \$740 difference between the 2 high bids at 3,050 square feet.
 - CC. Steve Meyers said that the budget was on the internet.
 - DD. Jeff Hall said there was also a GO FUND ME page. He said that he will work with your budget. His design and scope was loose. We can do more than Parker.
 - EE. Charlie Rimer said it is a good idea to interview all three bidders. It is better to do it once and spend more once.
 - FF. Bob Brandt said that his concern is that we are not comparing apples to apples.
 - GG. Justin Hyjek said that Standard’s price is less per square foot, but it is not apples to apples. We need to make sure the funds available are being used to maximize the park and layout.
 - HH. Ian Nugent said to ask all 3 to bid on the same bid and leave the landscaping and benches to Phase 2.
 - II. Bruce Schmidt said this board has a recommendation from the Town Manager and we could also give it to the Rec department. If we reject the bids, they can come back. This board knows very little about this. What does the Skate Park committee say?
 - JJ. Mike Parker said he will give a quality, on time and budget. He said that his bid had two designs and also has others. We can look at cost savings measures and build as much as possible for the most user satisfaction.
 - KK. Nick Miele asked if this is about using all of the money we have. We have the money; this is what we want to do. He doesn’t want this delayed.
 - LL. Justin Hyjek said that he thinks that we can’t ignore the \$75,000 difference.
 - MM. Jeff Hall said that his bid is lower. He suggested checking out his other projects.
 - NN. Justin Hyjek said we need more information about the \$160,000 bid.
 - OO. Bruce Schmidt said we can have a motion to reject all bids, and instruct the Park and Recreation committee to return to discuss something that fits with the budget.
 - PP. Scott Murphy said that he cautions the board that they must meet the grant requirements. We have exceptions, but the state may not have exceptions.
 - QQ. Justin Hyjek said it may jeopardize the grant.

RR. Scott Murphy said he will find out if we can choose not to award the bid and the committee can get together.

SS. **MOTION by Brett Sanderson and seconded by Scott Baitz to table this discussion until the February meeting. Motion passed unanimously.**

9. **FY 2024 BUDGET REVIEW AND POSSIBLE FINAL APPROVAL**

- A. Scott Murphy said that there were no changes since their last meeting. The increase in the amount to be raised in taxes is 3.9%. He still is concerned about inflation being 7 – 8% and the rising costs of fuel. He does not recommend going any lower.
- B. Justin Hyjek said that he recalls discussions at the last meeting about cutting in some areas.
- C. Scott Murphy said that the High School phone is required for the elevator. Chief Billings said they can't change the police phones.
- D. Justin Hyjek read from the December 19th minutes, items mm through oo.
- E. Scott Murphy said the discussion was about offering a stipend for use of personal phones. We looked into it and with our Municipal Discount it is less expensive this way.
- F. **MOTION by Brett Sanderson and seconded by Bob Brandt to accept this draft budget for FY 2024 with an increase in the amount to be raised in taxes of 3.9%. Motion passed unanimously.**

10. **MUNICIPAL MANAGER UPDATES**

- A. Christmas Week Traffic Update
 - i. Scott Murphy said that they had traffic issues last year and since then, has many conversations with Okemo. They have made changes this year and it seemed to work well.
- B. 2022 Property Valuation and Review (PVR) Equalization Results
 - i. Scott Murphy said that the PVR is at .87% and if it were down to 85, they would be required by the state to do a full reappraisal. This was partially from condo sales.
 - ii. Ryan Silvestri said they had gone back through 3 years of sales (including COVID) and that 2/3 of the towns in the state were ordered to reappraise. He said the biggest issue is interior improvements. We have no way to track them. If the owner does not change the footprint of the home, no permit is required. We can do a statistical analysis in 2026.
 - iii. Justin Hyjek asked about the CLA that is 90%.
 - iv. Ryan Silvestri said it did drop about 10 points.
 - v. Justin Hyjek asked if that was resulting from volume and value.
 - vi. Ryan Silvestri said both.
 - vii. Logan Nicoll said that the State Legislature is aware of this problem and are looking into it. He said that Ludlow slipped in just under the wire.
- C. Transfer Station Bathroom Project
 - i. Scott Murphy advised that we have contracted with a septic tank designer.
- D. Opioid Settlement Check in the amount of \$9,868.89

- i. Scott Murphy said that we received an additional check for the Opioid settlement and that the last two checks were for about \$2,400 and \$2,500. He said that Stephanie Grover is here tonight for the Ambulance Service.
- ii. Stephanie Grover said in December we had 4 OD's. We had to administer NARCAN, they had to be ventilated, they refused to go to the hospital and we gave them NARCAN kits and recovery information. The service needs a power lift for the new ambulance and it runs about \$24,000. We have \$2,500.
- iii. Bruce Schmidt said that they will put this on the agenda for the February meeting as the board cannot vote on an item under OTHER BUSINESS. He said that he thinks they should put this money to other uses. He suggested that they invite the other 2 organizations to submit proposals.

11. **DEPARTMENT HEAD REPORTS**

- A. All reports are in

12. **OTHER BUSINESS**

- A. Warning
 - i. Scott Murphy said that he had re-arranged articles on the warning. He also added an article to eliminate the Ambulance Service as a proprietary fund and to include it in the town's General fund beginning FY 2025.
 - ii. Bruce Schmidt noted that Article 11 is to allow electronic delivery of the Annual Town Report and asked if it would save money.
 - iii. Scott Murphy said about \$6,000. He said that Ulla Cook suggested it.
 - iv. Bruce Schmidt said last year it was \$4,700 and he feels that it is not worth it. He said that people like to have the report.
 - v. Ulla Cook said that young people don't. People move and we get mail back that is undeliverable.
 - vi. Justin Hyjek said they should put it to the voters and have copies available at town office.
 - vii. Bruce Schmidt said he really doesn't want people walking into town meeting and seeing this for the first time.
 - viii. Justin Hyjek said electronic copies are optional.
 - ix. Scott Murphy said if people want to receive a hard copy, they can call or stop by.
 - x. Bob Brandt said he likes to get a copy.
 - xi. Brett Sanderson said he likes to get a copy.
 - xii. Charlie Rimer said anyone who wants to see it will come into the office. It's a waste of time mailing it.
 - xiii. Bruce Schmidt said he is not in favor of including it as an article.
 - xiv. Scott Murphy said we can get public input at town meeting.
 - xv. Bruce Schmidt said they will discuss it at town meeting.

13. **POSSIBLE ITEMS AND DATES FOR NEXT MEETING**

- A. Next Regular Meeting
 - i. Monday – February 6, 2023

- B. 5:00 Public Hearing for Dam Review of Public Participation Plan
 - i. Bruce Schmidt suggested changing it to 5:30.
 - ii. Scott Murphy said they had asked for an hour.
- C. Set Date to Sign Warning for Town Meeting
 - i. Scott Murphy said that the first day to sign would be January 26th and the last day would be February 5, 2023.
- D. Certify Highway Mileage for VTRANS
- E. Bruce Schmidt said he would also like to add:
 - i. Planning Commission – decrease lot size square footage
 - ii. Discuss interior additions as described by Ryan Silvestri.
 - iii. Bruce Schmidt advised that he would not be running for another term on the Select Board. He reminded others to get their petitions in.

14. **SIGN WARRANT ORDERS**

- A. Bruce Schmidt said that warrant orders have been signed.

15. **ADJOURN**

- A. **MOTION to adjourn by Justin Hyjek and seconded by Scott Baitz. Motion passed unanimously.**
- B. Meeting adjourned at 7:14 p.m.

Respectfully submitted,

Lisha Klaiber

Bruce Schmidt, Chairman

Justin Hyjek

Scott Baitz

Brett Sanderson

Bob Brandt