

**PRELIMINARY MINUTES**

**TOWN OF LUDLOW  
BOARD OF SELECTMEN**

June 5, 2017

**BOARD MEMBERS PRESENT:**

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

**BOARD MEMBERS ABSENT:**

John Neal

**STAFF PRESENT:**

Frank Heald

**OTHERS PRESENT:**

Ron Bixby	Peter Kolenda	Terry Thayne
Bill Davis	Jen McBride	Ed McEneaney (LPC-TV)
Aaron Galley	Julia Purdy	
Glenn Heitsmith	Ron Tarbell	

**1. Call to Order**

- A. Chairman Howard Barton called the meeting to order at 7:00 p.m.
- B. All members present, except John Neal.

**2. Approve Minutes of Previous Meetings**

- A. Howard Barton advised that the minutes to be approved are from the regular meeting of May 1, 2017.
- B. **MOTION by Logan Nicoll and seconded by Brett Sanderson to approve the minutes of May 1, 2017 as presented. Motion passed unanimously.**

**3. Comments from Citizens**

- A. Glenn Heitsmith said that he had read the minutes from May and read the letter from BRAIN. He asked this board to consider having an Economic Impact Study done regarding the closing of Black River High School (BRHS).
- B. Logan Nicoll said that he would be open to it, but would like to see the costs first. He said that the town overwhelmingly voted to keep the school open and he would not want to put much money into a study. He would like the school to stay open and there is a clear impact on the economy from having the sports games in town.
- C. Glenn Heitsmith said people go to DJ's after games. He would like to know that the school is putting out kids ready for the 21<sup>st</sup> century and how the school impacts the economy of the town.

- D. Logan Nicoll said that people connected with the school recognize that something has to change, but the Mill River merger wasn't the way. The school is not sustainable and the board has a lot of work to do.
- E. Howard Barton said the board would consider it.

4. **Award Bid for Andover Street Culvert**

- A. Frank Heald said they had received 3 bids and the low bidder is Adams. Ron Tarbell agrees that Adams is capable of doing the work and we suggest awarding the bid to Adams.
- B. **MOTION by Logan Nicoll and seconded by Bruce Schmidt to award the bid for the Andover Culvert to Adams Trucking of Westminster for \$70,600.00. Motion passed unanimously.**
- C. Frank Heald said that another bid that goes along with this is for the portable stop lights on either side. It would cost \$8,900 and it would cost less to hire a flag crew.
- D. Howard Barton asked who's responsible for this.
- E. Frank Heald said the contractor.
- F. Howard Barton asked if it is included in the bid.
- G. Frank Heald said yes.
- H. **MOTION passed unanimously.**

5. **Award Bid for Mini Excavator**

- A. Frank Heald advised that the low bidder was CRW (option 2) – the Volvo EC60E (with options) for \$66,200.
- B. Ron Tarbell said that he checked this out and it will do fine. He said that Jason already has 3.
- C. Howard Barton asked if it has all the options that they need.
- D. Ron Tarbell said yes and there is one in stock and available for July 1<sup>st</sup>.
- E. **MOTION by Logan Nicoll and seconded by Brett Sanderson to award the bid to CRW for the Mini-Excavator Option 2 as presented for \$66,200. Motion passed unanimously.**
- F. Frank Heald said that parallel to this, is the equipment trailer bid. They sent out 4 RFPs and received 2: Earl's Truck for \$9,685 and Maurice for \$9,300. The trailer proposed by Earl's has a solid front and tilt back, while the one proposed by Maurice is straight tilt. The committee recommends the bid be awarded to Earls for \$9,685.00
- G. Ron Tarbell said there is a 4 feet deck upfront for storage.
- H. Bill Davis said it has removable fenders.
- I. Ron Tarbell said it should be ordered at the same time as the excavator.
- J. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to award the bid to Earl's for \$9,685.00. Motion passed unanimously.**

6. **Consider & Award Quote for Trackless**

- A. Frank Heald advised that there is only one Trackless dealer and only one machine can do the work that they need to have done. The dealer is HP Fairfield and the net price is \$123,661.00 (including trade-in). He said that \$126,000 was budgeted.
- B. Ron Tarbell said that this will be the 3<sup>rd</sup> one that they've had and they will be able to use the attachments that they already have.

- C. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to award the bid to HP Fairfield for \$123,661.00. Motion passed unanimously.**
- D. Howard Barton asked when they will be able to get it.
- E. Ron Tarbell said as soon after July 1<sup>st</sup> as possible.

7. **Consider Support Letter for TDI New England**

- A. Frank Heald said that TDI has requested a letter continued support for the project. They are in the process of bidding out in Massachusetts to sell the power.
- B. Howard Barton asked when construction is scheduled.
- C. Frank Heald said they will be beginning next summer with most of the work primarily in 2019.
- D. Bruce Schmidt expressed his concern that this board has not done a letter like this in the past to help someone sell their power. He said that TDI is great to work with, but he doesn't want to set a precedent. He is okay with saying that they are good to work with. It is not our responsibility to help them sell the power.
- E. Frank Heald said if we support the project, we'd support them selling the power. Without selling the power, there would not be a project.
- F. Bruce Schmidt said at first, they were going to sell the power in VT.
- G. Howard Barton said there were no takers.
- H. Bruce Schmidt said we are just the convertor station. He said that for the Ranger Solar project, he wouldn't have been in support if he knew the power wasn't going to be used in VT.
- I. Frank Heald said that Green Mountain Power (GMP) has animosity toward Ranger Solar. GMP never wanted that power because the rates were more affordable from Ranger. He added that VT can't sit by itself; it is part of the New England grid.
- J. Bruce Schmidt said he would have wanted more discussions if he knows the power wasn't going to be used in VT. We would be setting a precedent by telling MA to buy from TDI.
- K. Howard Barton asked if TDI was meeting resistance.
- L. Frank Heald said he thinks they are just trying to get everything in order. That seems to be the way they operate.
- M. Howard Barton said the letter will just state the facts.
- N. Logan Nicoll said that TDI has been very open since the start.
- O. Howard Barton said the project won't cost local taxpayers any money. He added that we have been on board with this since 2014.
- P. Brett Sanderson said he is okay with writing a letter.
- Q. Bruce Schmidt said he is okay with it, but we have to be careful what we say.
- R. Logan Nicoll agreed with Bruce Schmidt.
- S. **MOTION by Logan Nicoll and seconded by Brett Sanderson to authorize the chairman to sign a letter of support for TDI. Motion passed unanimously.**

8. **Award Bids for Fire Station Construction**

- A. **Entry Doors (3)**
  - i. Pete Kolenda said they sent out 3 RFPs and received 2 bids (Josselyn said they were not able to bid because of workload.) He said the two bids were from Dave Berry for \$3,100 and Abatiello for \$4,545. He recommends they award the bid to Dave Berry.
  - ii. **MOTION by Bruce Schmidt and seconded by Logan Nicoll to award the bid for the 3 doors to Dave Berry for \$3,100. Motion passed unanimously.**
- B. **Kitchen Cabinets**

- i. Pete Kolenda said they sent out 3 RFPs and received 2 bids (Josselyn said they were not able to bid because of workload.) He said the two bids were from Dave Berry for \$16,500 and Abatiello for \$13,450. He said that the bid from Dave Berry is for custom cabinets and the bid from Abatiello is for store bought cabinets. He said that the officers discussed this and thought the custom built cabinets would work better. This included sheet rock work. He recommends they award the bid to Dave Berry for \$16,500.
  - ii. Bruce Schmidt asked if the wording of the bid was confusing and did it say custom built cabinets. He said this is more than a few hundred dollars difference and asked if they should rebid it.
  - iii. Pete Kolenda said it could be rebid and that the bid was for store bought cabinets.
  - iv. Brett Sanderson noted that Dave Berry's bid is already out there.
  - v. Logan Nicoll agreed and said that other bidders will know his price.
  - vi. Bruce Schmidt said they shouldn't really go with custom if the bid was for store bought.
  - vii. Howard Barton said it should be rebid it and review it at next month's meeting.
  - viii.
- C. Vinyl Floor Covering
- i. Pete Kolenda said that the flooring that is there is Marmolium and has been there for 40 years and the bid was put out for it. Options have been received for vinyl, laminate and free floating over existing.
  - ii. Bruce Schmidt asked if the Marmolium lasted 40 years, can we find the additional money for it.
  - iii. Howard Barton asked about the Best Grade Vinyl.
  - iv. Pete Kolenda said that would last about 15 to 20 years. He suggested the Best Grade Vinyl with carpet tile in the hallway to keep the dirt out in the hall.
  - v. **MOTION by Bruce Schmidt and seconded by Logan Nicoll to go with Knockout Carpet Option #2, Best Grade Vinyl for \$7,450. Motion passed unanimously.**

9. **Board of Listers Grand List & Grievance Update**

- A. Terry Thayne advised that in 2016 the Grand List was \$1,353,956,793 and in 2017 it went up to \$1,370,838,543, an increase of about \$17,000,000. About \$10,000,000 is the new homes at South Face Village. The balance is 9 new dwellings. He said that Grievance letters were sent out last Tuesday and hearings will start on June 13<sup>th</sup>. At present there are only 4 hearings scheduled and 19 others have submitted information. In addition, there are 16 units from a condominium project being grieved.

10. **Consider & Approve FY2018 Transfer Station Rates**

- A. Frank Heald said this was discussed at last month's meeting. At this time, we have no plans to charge for organics.
- B. Bruce Schmidt commented that Patty Potter does a good job up there.

11. **Liquor Control Board**

- A. **Andrie Rose Liquor License Renewals**

- i. Frank Heald advised that the sale transaction for the Andrie Rose has not gone through yet and Mike will continue to hold the license.
  - ii. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the liquor licenses for Andrie Rose as indicated. Motion passed unanimously**
- B. **Brook Farm Vineyards (Circa 1810)**
- i. Frank Heald said the chief signed off on this. There is currently no liquor license in place because they have a Manufacturer's License. They would like to do tasting on the front porch.
  - ii. Howard Barton asked about the brick area.
  - iii. Jen McBride advised the chief did not approve this. This is just for the deck area.
  - iv. **MOTION by Brett Sanderson and seconded by Logan Nicoll to approve the liquor license request as indicated above.**
  - v. Glenn Heitsmith asked about the neighbor opening a bar at the All Seasons.
  - vi. Howard Barton said these are 2 separate properties.
  - vii. **Motion passed unanimously.**
- C. **All Seasons "Homestyle Hotel"**
- i. Frank Heald advised that Justin Hyjek is making the request, but they will not be opening until October 2017/.

12. **Consider Request from Ludlow Rotary Club RE: Okemo Bike Climb**

- A. Frank Heald advised that this is an annual event and the route is from Jackson Gore to Route 103 to Mountain Road. The proposed date is June 24, 2017
- B. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to support the Rotary request for an Okemo Bike Climb as presented. Motion passed unanimously.**

13. **Consider Disposition Plan for 8 Terrace Avenue/Carolyn Spaulding**

- A. Frank Heald advised that Carolyn Spaulding had bequeathed her house to the town for the benefit of the Fire Equipment Fund. He suggested having Doug Lamere give an appraisal and then sell the house. This is a generous gift from a special person who was in the downtown for many years.
- B. Howard Barton said it is a good way to go.
- C. Frank Heald suggested that the minutes reflect the Select Board's appreciation to Carolyn Spaulding.
- D. Howard Barton asked if there are family members to whom the board could send a letter.
- E. Frank Heald said no.
- F. Bruce Schmidt suggested the board send a letter to the editor or purchase a block in the paper to express its appreciation.
- G. Frank Heald said he would do that.

14. **Execute FY2017 Audit Agreement with Graham & Graham P.C.**

- A. Frank Heald advised that this is the last year of a 3-year contract and the prices were in the contract.

- B. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to authorize Howard Barton to sign the contract. Motion passed unanimously.**
- C. Frank Heald advised the board that VLCT recently settled with Coventry for about ½ million dollars for a town treasurer who stole town money. He said that Coventry is a town without a manager and the treasurer is an elected official. They do not have an auditor and just fill out a self-assessment. Ludlow fills out the self-assessment and has a parallel audit done by Graham and Graham and they test our controls and procedures. They then issue a management letter. Coventry did not do this. Here, if the town manager is not happy with the treasurer, he can go to the Select Board to hire a CFO type person to run the books. Ludlow has a marvelous town treasurer. Jeff Graham did the forensic audit of Coventry and they were missing about \$1.2 million. She had accounts in Panama and the Islands. Frank Heald said that in response to this he wrote a letter to the VLCT board suggesting that they institute more stringent criteria for towns that are not audited. The payment to Coventry came out of the VLCT insurance and we pay for that through our premiums.

15. **Approve Re-Appointment of Forest Fire Warden**

- A. Howard Barton said that Brett Sanderson has held that position for the last 15 years and asked if he would continue.
- B. Brett Sanderson said yes.
- C. **MOTION by Bruce Schmidt and seconded by Logan Nicoll to appoint Brett Sanderson as Forest Fire Warden. Motion passed unanimously.**

16. **Consider Request from Verizon Wireless**

- A. Frank Heald advised that Verizon has requested authorization to put an antenna on Town Hall. He suggested it be put inside, downstairs. They would use our internal power system and generator. The antennae would be flush mounted on the face of the building and colored to match the brick. They propose to pay \$2,000 per month rent, plus power costs for their usage, with 2% annual escalation for the initial 5-year term. He asked the board if they would want panels on the building. He referred to drawings to show proposed locations.
- B. Brett Sanderson said the most visible one would be in the back.
- C. Frank Heald suggested that Howard Barton negotiate the rent.
- D. Howard Barton asked if there would be other carriers over time and if we would want to limit them.
- E. Frank Heald said they say no, but if there were, yes we would want to limit them.
- F. Howard Barton said drawing C3 shows room for future panels.
- G. Bruce Schmidt noted that the contract says the first term of the contract is for 5 years, but if they are not terminated then, they renew for 20 years. The contract should allow us to opt out after 5 year increments, not 20.
- H. Howard Barton agreed.
- I. Bruce Schmidt asked why Verizon wasn't trying to put them on the VTEL tower.
- J. Logan Nicoll said they can't relocate with Verizon, only Sprint.
- K. Howard Barton said they are set up for 6 carriers.
- L. The Board consensus was to go forward with the negotiations.

17. **Execute FY2018 Renewal Notes**

- A. Frank Heald said these are renewal notes and we generally do them for 5 years or less.
- B. **MOTION by Brett Sanderson and seconded by Logan Nicoll to approve the FY2018 Renewal notes as presented. Motion passed unanimously.**

18. **Construction Updates**

- A. Pleasant Street Bridge
  - i. Frank Heald advised that the Pleasant Street Bridge is done. He said kudos to Glenn Heitsmith for noticing the repairs needed under the bridge and for bringing it to our attention. It added \$1500 to the cost of the repairs. The project came in about \$40,000 under budget and that will go to the Red Bridge project.
- B. Branch Brook Bridge
  - i. Frank Heald said that this project is almost complete. The paving will be done later this week.
- C. Walker Bridge.
  - i. Frank Heald said the road will close on June 10<sup>th</sup> for 35 days. There will be No Parking on Depot Street from the light to High Street. They will adjust the STOP signs south on Depot and North on High and Gleascott to Depot and leave the Pleasant Street signs. There will be some local trucks such as the La Valley and Budweiser trucks. Serious tractor trailer trucks will be diverted.
  - ii. Brett Sanderson said that he had read that where work would not be done on the Walker Bridge on weekends or nights.
  - iii. Frank Heald clarified that pertained to the Memorial Day weekend and this past weekend only. They will be working on weekends and evenings starting June 10<sup>th</sup>.
  - iv. Bruce Schmidt asked if there would be more police presence to stop trucks for the first few weeks.
  - v. Frank Heald said we will pay attention to it and we can't guarantee that trailers will not come into town. We will turn them around.
- D. Frank Heald advised that Belden got the bid for the light at the intersection of Routes 103 and 100N and if the equipment is in, it will be done this fall.

19. **Department Head Reports**

- A. Howard Barton advised that all reports are in for the May.

20. **Other Business**

- A. Planning Commission
  - i. Logan Nicoll said that the Planning Commission will be meeting on June 20<sup>th</sup> and inviting everyone to come to discuss the Vision Statement for the Town Plan. He added that the school vote sets the agenda for the town direction.

21. **Set Date for Next Meeting**

- A. Howard Barton advised that the next regular meeting would be July 3, 2017 at 7:00 p.m. He asked if they will be able to set the tax rate at that meeting
- B. Frank Heald said they will try.

22. **Sign Warrant Orders**

- A. Warrant orders have been signed.

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

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

24. **Adjourn**

- A. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:18 p.m.

Respectfully submitted,

Lisha Klaiber

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Howard Barton, Jr., Chairman

\_\_\_\_\_  
Brett Sanderson

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John Neal

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Bruce Schmidt

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Logan Nicoll