

**PRELIMINARY MINUTES**

**TOWN OF LUDLOW  
BOARD OF SELECTMEN**

**REGULAR MEETING**

May 1, 2017

**BOARD MEMBERS PRESENT:**

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

**STAFF PRESENT:**

Frank Heald

**OTHERS PRESENT:**

Susan Barton	Patti Potter	Ron Tarbell
Sharon Bixby	Julia Purdy	Chris Valente
Chris Miele	Ted Reeves	Ed McEneaney (LPC-TV)
Ralph Pace	Jim Rumrill	

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 3, 2017.
- B. Logan Nicoll pointed out that on page 6, item 18B, the motion was not seconded by Logan Nicoll. It should have read “seconded by Brett Sanderson.”
- C. **MOTION by Logan Nicoll and seconded by Brett Sanderson to approve the minutes of April 3, 2017 as corrected. Motion passed unanimously.**

3. **Comments from Citizens**

- A. There were none.

4. **Presentation from Black River Area Innovative Network (BRAIN)**

- A. Jim Rumrill read from a letter (copy attached) that the group will be sending to Vermont legislators regarding the damage that ACT 46 will do to Ludlow and the inequities and unfair penalties. There will also be a negative economic impact on the town if Black River High School closes due to a loss of traffic to local businesses and potential of people moving out of town to be closer to the high school where the students from Ludlow will be sent.

- B. Sharon Bixby added that the restaurants in town will also lose the business of people coming in after the high school ball games.
- C. Jim Rumrill said the students will no longer work in town without drivers' licenses.
- D. Chris Valente said it would be hard for students with 2 working parents to get to sports at the new school between homework and the 27 mile bus ride to school. This will also cause less family time.
- E. Chris Miele referred to a state map and showed towns affected by ACT 46. He said there are 140 towns in the same situation as Ludlow. The purpose of BRAIN is to find more innovative ways for the school to grow and stay open. Ludlow sends \$16 million to the state and we are the #2 sending town (Stowe is #1.) We are outvoted in Montpelier by the receiving towns. The LES annual budget only allows \$125 per teacher for supplies each year. He quoted from the letter mentioned above. "We believe our students deserve the opportunity to be educated in our community." He advised that BRAIN will be holding its next meeting on May 2, 2017 at 6:00 p.m. at the Community Center. He said we have to keep our infrastructure.
- F. Howard Barton noted that eh BRAIN meetings have conflicted with some of the sporting events.
- G. Chris Miele said they know this, but have to keep moving forward.
- H. Howard Barton said that the state has proven, time after time, that they are not good at the way they handle education. We need to fight to keep our school open. He said that people will move out of Ludlow if there is no high school and eventually, we will also lose the elementary and middle school.
- I. Chris Miele said businesses will also lose because of this. We can afford to give our kids what they need, but now we are giving money to other communities and losing here.
- J. Howard Barton said the board appreciates BRAIN's actions.
- K. Susan Barton said that as a school board member, she thinks that there has also been false advertising saying that Ludlow has closed programs because we can't afford them. That is not true. We have music programs, we have opportunities for the kids in school and we need more people to get involved. We hope that people make the right decisions when they vote. If we lose the high school, we will eventually lose the elementary school and people will move out of Ludlow.
- L. Chris Miele said as a result of the community efforts after Irene and people working together, the kids learned a lot about helping out in your community.
- M. Howard Barton said the state will still tax Ludlow because there is no other town to pick up the costs.

#### 5. **Transfer Station Update**

- A. Frank Heald advised that he had previously advised the board that the solid waste management district has decided to extend Casella's contract for C&D and MSW for one year. He said they will look at metals before July 1st. He said that for commercial haulers, \$.07 per pound across the scale covered our costs. Since we went to bags, some of the commercial companies have purchased the bags and are using them, so we are getting less across the scales. This has reduced our income. Regarding the single stream, we are still going with less than full loads and running \$5,000 to \$6,000 more in transportation costs. This is due to not have the additional compactor. He added that when the previous larger waste management district split up, our new Southern Windsor/Windham Counties Solid Waste Management District (SWWCSWMD) brought with it \$400,000 from the split; \$25,000 of that went to Capital Reserve and the balance was put in an interest bearing account. Over the past 10 years, the cash has increased to \$525,000. Three of the transfer stations have requested grants from the

district. The money in the account was generated off the trash from all of the towns and we know what percentages were attributed to each of the towns. In July 2017, we will vote to distribute the \$379,000 proportionately to the member towns. Ludlow's share is \$72,000. If the vote to distribute is passed, he suggests that Ludlow revisit the additional compactor which will cost about \$25,000 to \$30,000. We will also need electrical, design and location work. The balance of the money will go to the transfer station. Continuing, Frank Heald said that in July, the transfer station will have to start accepting organics. He asked the board if they want to start charging people per bucket or include the costs in the taxes. He suggested about \$1.00 to \$2.00 per bucket and added that he had not done the numbers yet.

- B. Howard Barton asked about restaurants.
- C. Frank Heald said we will only take residential and the restaurants are on their own.
- D. Bruce Schmidt asked if we should consider increasing permits fees to \$12.00; that would cover the organics and lack of over the scale revenue.
- E. Frank Heald said we only sell about 2,000 permits and at \$2.00 per permit, that would only be \$4,000.
- F. Howard Barton said we also pay for this in taxes.
- G. Frank Heald said organics collection and disposal is the right thing to do. He added that, depending on the volume we generate, ANR thinks it will lower the volume in the landfills and also lower methane gas.
- H. Bruce Schmidt said if management at the transfer station sees organics in the bags after July 1st, do they have to do something.
- I. Frank Heald said no, we are not responsible until 2020 when it will become mandatory. We will come back to that next month and will set fees effective July 1st.

6. **Award Bid for Single-Sort Recycling**

- A. Frank Heald advised that they received quotes from Casella and TAM and Casella is doing our Zero Sort. He advised that his son is the Chief Accounting Officer at Casella.
- B. Howard Barton asked if they are pretty close with pricing.
- C. Frank Heald said there is no huge difference. We do 80 – 90 T of single sort. We leave about \$20/T on the table with OCC. Breakdown below:

	Casella	TAM
SS Processing fee/ton	\$80.00	\$80.00
Revenue sharing above processing	50%	80%
Cost sharing under processing	0%	50%
OCC Processing fee/ton	\$30.00	\$10.00
Revenue sharing above processing	100%	100%
Pull charge (3 years)	\$215/\$220/\$226	\$289/\$294/\$300

- D. Frank Heald said that Casella maintains our equipment and we have been doing business with them for quite a while. He said that he expects that in a few years, TAM will be more competitive.
- E. **MOTION by Bruce Schmidt and seconded by John Neal to award the Single Sort Recycling contract to Casella. Motion passed unanimously.**

7. **Award Bids for 2018 Highway Truck**

- A. 1-Ton Truck Bid

- i. Frank Heald advised that this is bid in two parts. The low bidder on the truck was Benson's Chevrolet.

<b>Truck Vendor</b>	<b>Bid</b>	<b>Trade</b>	<b>Net (Includes rebates &amp; special offers)</b>
Durand Ford	\$38,433	\$12,500	\$25,933
John C. Stewart Ford	\$53,870	\$17,770	\$28,950
Benson's Chevrolet	\$51,330	\$16,000	\$25,576
Springfield Automart	\$50,365	\$8,000	\$33,588

- ii. Ron Tarbell said that even though the Chevrolet weighs 800 pounds less, he can make it work.
- iii. Bruce Schmidt asked if they had any brake problems with the Chevys.
- iv. Ron Tarbell said, no, but they had had problems with the brakes on the Fords.
- v. Howard Barton asked if they would need to make more trips with the lesser GPW.
- vi. Ron Tarbell said no.

**B. 1-Ton Truck Body & Equipment Bid**

- i. Frank Heald advised that Viking was the low bidder on the fit up.

<b>Equipment/Body Vendor</b>	<b>Bid</b>
Iroquois	\$34,475
Viking Cives	\$32,000

**C. MOTION by Bruce Schmidt and seconded by Brett Sanderson to award the bid for the Highway Truck to Benson's Chevrolet and the fit up to Viking Cives. Motion passed unanimously.**

**8. Liquor Control Board**

- A. Frank Heald advised that there are liquor license renewal applications that were submitted. He recommends approving Tom's Loft. He said that Outback needs to finish up its work with taxes and utilities. He suggested that the board sign the renewal and it will be held in the office until the financial piece is completed. Below is the list of applicants:

<b><u>Applicant</u></b>	<b><u>Business Name</u></b>
Outback of Ludlow, LLC	same
TBK, Inc.	Tom's Loft Tavern

- B. **MOTION by Brett Sanderson and seconded by Logan Nicoll to approve the applications for the Tom's Loft Tavern.**
- C. **MOTION by Brett Sanderson and seconded by Logan Nicoll that the Liquor License Renewal for the Outback and the application be held until they meet all of their financial payments.**
- D. Frank Heald advised that both applications include outside entertainment permits.
- E. **Motions passed unanimously.**
- F. Howard Barton asked when the deadline is.
- G. Frank Heald said soon or there will be no license and an 8% penalty.

**9. Bridge Update**

- A. Pleasant Street Extension Bridge
  - i. Frank Heald said that the concrete was poured on Friday and the approaches should be done this week. The guard rails will be done Monday and Tuesday. The bridge is scheduled to open for one way traffic on May 10<sup>th</sup>. However, a citizen was under the bridge and saw some spalling and also a problem with one abutment. The repairs were done. In the middle of last week, the rebar was put in place. Also, on Monday, a state OSHA inspector came by and the railings were not high enough. A citation will be issued.
- B. Route 100/103 Bridge
  - i. Frank Heald said that the construction started today. The bridge will be closed on May 10<sup>th</sup> for 10 days. There have been a number of discussions about the state detour. Some locals use East Lake Road to Nelson and others use Rod & Gun Club Road and Buttermilk Falls Road. An emergency route would be through the Okemo bus yard.
  - ii. Brett Sanderson noted that the entrance is blocked with grindings behind the storage building.
  - iii. Frank Heald said he would be interested in the emergency route.
  - iv. Bruce Schmidt said the police department would need a key to the locks and they can work with Ted Reeves.
  - v. Frank Heald said they will not put detour signs up for Rod & Gun Club Road and Buttermilk Falls Road.
- C. Walker Bridge
  - i. Frank Heald said that it is still on schedule. He said he will ask the stop light people to have the Main to Depot be the long primary. The bridge will close on June 9<sup>th</sup> and be one-way beginning June 1<sup>st</sup>.

**10. Discuss Paving vs. Reclaim on Portions of Buttermilk Falls Road & Brooks Road**

- A. Frank Heald advised that there was a memo and estimates in their packets.
- B. Ron Tarbell said they will shim/over up from the Pearson's. The culverts have been changed. It will be an easy shim. The upper section also has new culverts, but we can't pave it because the sub base is not good. We propose to Sure Pac it. The traffic is minimal except for June, July and August.
- C. Bruce Schmidt asked if dust will be an issue.
- D. Ron Tarbell said they didn't have an issue last year and it was graded once.
- E. Frank Heald said he drive up there this morning and there was no dust.
- F. Ron Tarbell said he will do Brooks Road the same way.
- G. Bruce Schmidt asked if there will be any other paving in town.
- H. Ron Tarbell said they will do some on West Hill and Trailside.
- I. Howard Barton said the developers of the new project should pitch in because of all of their trucks going up there. He asked about Ghia Road.
- J. Ron Tarbell said he has other plans for that, but wants to talk to Brett Sanderson first.
- K. Frank Heald said they need board concurrence, not a motion.
- L. There was general agreement among board members.

**11. Consider Resolution to Support the Vermont Route 100/103 Signalization Project as Proposed**

- A. Frank Heald said that the state wants a letter, signed by the board chair for this project.

- B. **MOTION by Brett Sanderson and seconded by Logan Nicoll to authorize Howard Barton to sign the Resolution to support the Vermont Route 100/103 Signalization Project. Motion passed unanimously.**
  - C. Frank Heald said it is supposed to start this fall.
  - D. Howard Barton noted that it was supposed to be done at the same time as the Route 100/103 Bridge.
  - E. Frank Heald said that it is two different VTRANS departments.
12. **Consider Resolution to Designate the North Exit of Locust Hill Road (TH#52) as “Right Turn Only”**
- A. Frank Heald advised that was included in the Vermont Route 100/103 Signalization Resolution.
13. **Consider Killington Sports Car Club Hill Climb Request**
- A. Howard Barton said that a letter has been received from the Killington Sports Car Club requesting hill climbs at Okemo on June 17<sup>th</sup> and 18<sup>th</sup>.
  - B. **MOTION by Brett Sanderson and seconded by John Neal to approve the request from the Killington Sports Car Club for hill climbs as indicated above. Motion passed unanimously.**
14. **Department Head Reports**
- A. Howard Barton advised that all reports are in.
15. **Other Business**
- A. **Green Up Day**
    - i. Frank Heald advised that this coming Saturday, May 5th is Green Up Day. It will start at 9:00 a.m. at the Community Center and lunch will be hot dogs and burgers at noon. Green bags and t-shirts will be provided.
16. **Set Date for Next Meeting**
- A. Howard Barton advised that the next regular meeting would be June 5, 2017 at 7:00 p.m.
17. **Sign Warrant Orders**
- A. Warrant orders have been signed.
18. **Possible Executive Session/Personnel/Contracts/Legal Issues**
- A. Frank Heald advised that an Executive Session is not needed.

19. **Adjourn**

- A. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:19 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

May 2017

Dear *(insert Senator or Representative )(insert last name of Legislator),*

Thank you for your service to our great state of Vermont. We are reaching out to inform you of our difficulties here in Ludlow and Mount Holly. We are formally asking that a provision to S.122 be added granting Ludlow and Mount Holly school districts a one-year extension on meeting the requirements of Act 46.

Our communities, along with 140+ other cities and towns in Vermont, have encountered many challenges and inequities in Act 46 that are of **grave concern**. Here are just a few:

- **Incentives and Penalties** - Act 46 and S.122 are unfair. Districts that were able to merge easily due to their geography, demographics and existing structures did so and are receiving incentives while those facing more challenges are penalized.
- **Act 153 Merger** – Rutland Windsor Supervisory Union (Ludlow and Mount Holly) merged with Windsor Southwest Supervisory Union (Chester, Cavendish and Andover) creating Two Rivers SU 4 years ago when the state REQUESTED. We were proactive and were working together on sharing resources, educational opportunities and increased consolidation and innovations until Act 46 halted our teamwork and moved focus onto forced consolidation, governance issues and dealing with significant tax rate differences. **In addition, our Union is only one of 2 in the State that has 2 High Schools in 1 SU** - which adds an extra burden on complying with Act 46. On that note alone we should be considered for an extension. It has torn our district apart and dismantled the work that was done.
- **Economic and Social Benefits** - In the upcoming town votes, we will be asked to close our high school and send our children 27 miles away to Mill River. As an S.721 merger, and not an Act 46 merger, a negative vote would not allow us the proposed extension on fulfilling the Act 46 mandates included in S.122. We feel more work can and needs to be done before we are directly penalized. Though we are a resort town, our local businesses will undoubtedly see a decrease in revenue due to the loss of our school and the business generated by community support of the extracurricular events. We are very concerned about our town's stability.
- **Quality Family Time** – With longer commutes for our children, 27 miles away, our families will lose the priceless everyday opportunities in our day to day lives. Families with various economic and personal challenges will be most negatively impacted as their opportunity to support their students will undoubtedly be limited. With over half of our school population receiving free and reduced lunch, this is another major concern.
- **Act 60/68 GOLD TOWN STATUS** – Mount Holly and Ludlow generate over double the funds we need to operate our PreK-6, and 7-12 schools.
  - Ludlow alone bills - 20 Million in Education Taxes
  - Ludlow Elementary and Ludlow's share of the Black River Union HS - 4 Million Dollars
  - Ludlow alone sends to the Education Fund- 16 Million Dollars

It is difficult to understand how we should be expected to close our school, when we have enough money to operate it and still assist other school districts. Over the years we have cut our budgets to keep spending down while we see other districts increase spending and add programs. As a result, our students are being deprived of programs that were common place in all schools. Why is it ok for our children to go without so others can have more? In Ludlow Elementary we have 110 students and each teacher has a supply budget of \$125 this year

Thank you for taking the time to further understand our unique issues in Ludlow and Mount Holly. Please keep our communities, families and students in mind as you make decisions that so deeply affect us. We ask that you share with your colleagues our plight.

Black River Area Innovations Network (BRAIN)

“We believe our students deserve the opportunity to be educated in our community.”