

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

September 5, 2016

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

John Neal

STAFF PRESENT:

Frank Heald

OTHERS PRESENT:

Pete Kolenda Irene Pearson Ed McEaney (LPC-TV)
Dennis Pearson Ron Tarbell Larry Wilfong

1. Call to Order

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

2. Approve Minutes of Previous Meetings

- A. Brett Sanderson advised that the minutes to be approved are from the regular meeting of August 1, 2016.
- B. **MOTION by Logan Nicoll and seconded by Brett Sanderson to approve the minutes for the regular meeting of August 1, 2016 as presented. Motion passed unanimously.**

3. Comments from Citizens

- A. Dennis Pearson advised that he lives on Buttermilk Falls Road and had come to Frank Heald with concerns about the traffic in the past. He thanks the Police Department, Road crew and Frank Heald for their efforts to slow the traffic this summer. He noted that the volume in the last 2 years has increased significantly and this includes walkers, joggers and bikers. He would like to see the speed limit lowered and would like to see more signs.
- B. Frank Heald noted that paving of the road had been discussed, but that would probably increase the speed problem.
- C. Dennis Pearson noted that having the flashing speed sign did slow the speed.
- D. Howard Barton suggested a sign "RESIDENTIAL AREA – SPEED LIMIT ENFORCED."
- E. Dennis Pearson noted that the speed limit on Pleasant Street is 25 MPH; it is paved and has sidewalks on both sides. Buttermilk Falls Road is not paved, has no sidewalks, has curves and the speed limit is 35 MPH. He said when the police car is there, people do go slower.

- F. Frank Heald said that the board understands the issue. If we sure pack it, it will be smoother, but gravel and people may go slower and dust can be controlled about 98%. But, he added, about 1/3 of the people up there do not want that. We can lower the speed limit to 30 MPH. He noted that during the 2.5 weeks the counter was there, there was only a minimal number of cars in the 40 MPH range.
- G. Bruce Schmidt referred to the Police Report for August and noticed there were 26 verbal warnings, but it does not tell where those warnings were issued. He added that Buttermilk Falls is known as a great place to swim. He suggested the possibility of speed bumps. He added that the flashing sign is a good idea.
- H. Frank Heald said that the board will have to post intent to lower the speed limit.
- I. Brett Sanderson advised that next May, Route 100 will be closed for 10 days while they replace the bridge; traffic will be routed along Buttermilk Falls Road, but not usually trucks.
- J. Frank Heald advised that the town has been borrowing the portable speed sign from the village and this board may want to consider purchasing one. It costs about \$4,000 to \$5000.
- K. Bruce Schmidt suggested putting it in the budget for next year.
- L. Dennis Pearson said this sounds reasonable and sure pack is not his major concern.
- M. Frank Heald advised that the unit has a GPS locator in case someone takes it. He said that things will be status quo for the rest of this year and nothing definite has been decided.

4. **Award Bid for 2016 Summer Paving**

- A. Frank Heald advised that the minutes of the bid opening were included in their packets. The apparent low bidder was Fuller Sand & Gravel and they have done work for us before.
- B. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to award the bid for Summer Paving to Fuller Sand & Gravel for \$57/ton and \$97/ton for the two aprons on East Lake Road. Motion passed unanimously.**

5. **Award Bid for Screened Winter Sand**

- A. Frank Heald advised that the minutes of the bid opening were included in their packets. The apparent low bidder was Eastman Sand & Gravel and they have provided us with sand before. The committee reviewed the bids and recommend that we accept the bid of \$11.95 per cubic yard, delivered to our pit. The committee felt that we will save money by not having to truck the sand ourselves. It will save time spent on trips that we could be working on other projects, also saving on labor and fuel.
- B. Ron Tarbell agreed that the product was good.
- C. Frank Heald said that Eastman represents that they will provide the same specification sand as provided in 2014.
- D. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to award the bid to Eastman Sand & Gravel for \$11.95 per CY loaded at our pit. Motion passed unanimously.**

6. **Award Bid for Commonwealth Avenue Drainage Project**

- A. Frank Heald advised that this bid is for Engineering through the bid process, not for construction. He said there is a significant amount of pre-construction engineering. It will go from the point where it enters the culvert and wind down Commonwealth to the Miele and Governor's Inn

properties, between Ciufo to Ellison properties. He said that it was originally thought we could use a V-ditch, but that would impact the Ciufo and Ellison backyards and we would get tied up in taking the property. At your last meeting, we assured Frank Ellison and Sal Ciufo that we didn't want to take their properties. He said that the committee (he and representatives from the Regional Planning Commission) spent 3 hours analyzing the bids and recommend Holden (Concord, NH.) They had the best proposal. They spent time on the ground chatting to affected property owners. Based on the Work Task Hour breakdown, they have a clear understanding of what the project entails. Frank Heald said that he has spoken to the principal of the company and he verified the quoted price. The committee recommends awarding he bid to Holden for \$54,069.93. He added that this quote also includes archeological review which was required to be done before the bid requests went out.

- B. Bruce Schmidt asked if the other, lower bids covered the RFP.
- C. Frank Heald said not in detail.
- D. Howard Barton asked if that will cost us in the long run.
- E. Frank Heald said the analysis we made showed that they have the clearest understanding of the project. Hoyle Tanner also understood the project as they did the scoping for the project.
- F. Bruce Schmidt asked the town's share.
- G. Frank Heald said 25%.
- H. Bruce Schmidt asked about the Hoyle Tanner bid.
- I. Frank Heald said that would be an unadvised decision.
- J. Bruce Schmidt asked if they might know something the other bidders don't.
- K. Frank Heald said they are getting progressively more aggressive with their billing to the point where it is not what it is worth. He said he does not know their motivation.
- L. Bruce Schmidt asked if we are making the best decision staying on the same route.
- M. Brett Sanderson said there is a good volume of water and no place to route it.
- N. Bruce Schmidt asked if it has to be open.
- O. Frank Heald said it is an engineering decision. Also, we have to protect the fish. He added that Holden said that brown trout travel mostly at night.
- P. **MOTION by Brett Sanderson and seconded by Logan Nicoll to award the bid to Holden for \$54,069.93. Motion passed unanimously.**

7. **Award Bid for Transfer Station Paint Project**

- A. Howard Barton advised that 2 bids were received.
- B. Frank Heald advised that this is painting of the large building, patching and staining. The apparent low bidder is Mike Eno. Staff will do the other 3 buildings.
- C. Bruce Schmidt asked why we are providing the stain.
- D. Frank Heald said he thinks it is because we are doing the other 3 buildings and we want it all the same.
- E. Logan Nicoll recused himself as he has worked with both contractors.
- F. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to award the bid to Mike Eno for \$3,800.00. Motion passed unanimously.**

8. **Award Bid for Senior Center Paint Project**

- A. Frank Heald advised that this is painting of the Senior Center. The apparent low bidder is Nick Baitz for \$14,000.

- B. Logan Nicoll recused himself as he has worked with both contractors.
- C. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to award the bid to Nick Baitz for \$14,000.00. Motion passed unanimously.**

9. **Award Bid for Fire Station Apparatus Bay Roof**

- A. Howard Barton advised that 2 bids were received.
- B. Frank Heald advised that there was a minor issue with Workman's Comp, but it has been resolved.
- C. Pete Kolenda recommended awarding the bid to Tyrrell Enterprises for \$15,400.
- D. **MOTION by Bruce Schmidt and seconded by Logan Nicoll award the bid to Tyrrell Enterprises for \$15,400.00. Motion passed unanimously.**
- E. Pete Kolenda said that Tyrrell provided an alternate bid of going over the existing roof, but the committee does not recommend it.

10. **Adoption of Special Town Meeting Validation Resolution**

- A. Frank Heald advised the Special Town Meeting was publicized and warned before it needed to be. However, one of dates was within the required time. On the advice of counsel, we need to adopt a resolution to validate what we did.
- B. **MOTION by Logan Nicoll and seconded by Bruce Schmidt to adopt and authorize Validation Resolution for the Special Town Meeting. Motion passed unanimously.**

11. **Authorize Select Board Chair & Municipal Manager to Sign 2016 Audit Services Agreement**

- A. Frank Heald advised that in the past, only he and the treasurer signed the agreement. This year they have required that the Municipal Manager and the chairman of the Select Board sign it.
- B. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to authorize Frank Heald and Howard Barton to sign the Audit Services Agreement. Motion passed unanimously.**

12. **Designate VLCT Annual Business Meeting Delegate**

- A. Frank Heald advised that he will not be available to attend this meeting on October 5, 2016.
- B. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to appoint Logan Nicoll as delegate to the VLCT Annual Business Meeting on October 5, 2016. Motion passed unanimously.**

13. **Department Head Reports**

- A. Howard Barton advised that all reports are in, except the Fire Department.
- B. Pete Kolenda said it is ready and he would send it in.

14. **Other Business**

A. Cemetery Commission

- i. Frank Heald noted that, at the request of the Cemetery Commissioners, we (town manager) have offered to take over day to day operations of the cemetery. We will report to the Cemetery Commissioners. We made the proposal in mid-August. They are down to one outside employee and he does not have a driver's license. He can trim and mow lawns. They will get back to us soon. As town manager, the Cemetery commission also gets the services of the town manager. We will charge the labor hours back to them. We have the ability to propose budget preparation. He added that it is easier for him to ask Ron Tarbell or others to cost out projects. No action is required of the board.

B. Walker Bridge Project

- i. Frank Heald advised that the project goes out for bid opening at 11:00 a.m. on September 23, 2016.

C. Fire Department Auction

- i. Frank Heald commended the fire department on the incredible job they did with this year's auction. It was truly an impressive operation. They have raised over \$600,000 since Frank Heald started as town manager.
- ii. Pete Kolenda said that they had tremendous business and town support.
- iii. Brett Sanderson said the kids were great this year.
- iv. Pete Kolenda said the kids were there all day.

D. Dorsey

- i. Howard Barton said the dugouts and the field look good, but asked about the softball dugouts.
- ii. Frank Heald said we'll work it out. It is tight on the visitors' side.

E. Commonwealth Avenue Project

- i. Bruce Schmidt asked if we have a good plan for the landowners and having discussions with them.
- ii. Frank Heald said that Holden has already spoken with some of them.
- iii. Bruce Schmidt said it will be us communicating with them.
- iv. Frank Heald said he spoke to Frank Ellison already. There will be very careful engineering out there. The V-ditch won't work.
- v. Bruce Schmidt said the V-ditch wouldn't work all along. These things end up in front of us. We need to take care of this up front. He suggested making up an email list of all affected property owners to keep them informed.
- vi. Frank Heald said it took 4 years to get FEMA approval. There is no point in meeting with them now, until we have a technical person, working on the project to tell them how we can make this work. He said that he understands their concerns and within the next couple of weeks we will be able to start having open dialogues with them.
- vii. Bruce Schmidt said this is a tight spot we are in. Brett Sanderson assured them at the last meeting that we don't want to take their land.
- viii. Frank Heald said there is no point in meeting with them until we have an engineer on the job.

15. Set Date for Next Meeting

- A. Howard Barton advised that the next regular meeting will be on Monday, October 3, 2016.
- B. Frank Heald advised that he would not be at that meeting.

16. **Sign Warrant Orders**

- A. Warrant orders have been signed.

17. **Possible Executive Session/ Land Contracts**

- A. Frank Heald advised that an Executive Session is needed.
- B. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to enter in to Executive Session for land contracts. Motion passed unanimously.**
- C. Board entered into Executive Session at 8:00 p.m.
- D. Board exited Executive Session at 8:03 p.m. No action taken,

18. **Adjourn**

- A. **MOTION by Logan Nicoll and seconded by Bruce Schmidt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:09 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

John Neal

Bruce Schmidt

Logan Nicoll