

DRAFT

These minutes have not been reviewed
or approved by the convening board or commission.

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

REGULAR MEETING

January 5, 2009

BOARD MEMBERS PRESENT:

Howard Barton, Jr., Chairman	Brett Sanderson	Earl Washburn
John Neal	Bruce Schmidt	

STAFF:

Frank Heald	Pam Cruickshank
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OTHERS PRESENT:

Joanna Bombadil	Leo Graham	Roger Sheehan
Don Buswell	Chris LaBerge (VLCT)	Bonnie Tucker
Johnny Butler	Ralph Pace	Joseph Tucker
Danny Cavoto	Dan Parker	Herb Van Guilder
Ulla Cook	PJ Pollard	Jeff Wimette
Chuck Craig	Ted Reeves	Michelle Stinson (LPC-TV)

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 November 3, 2008, December 1, 2008 and December 15, 2008.
- B. **MOTION by John Neal and seconded by Brett Sanderson to approve the minutes indicated above as presented. Motion passed unanimously.**

3. **Comments from Citizens**

- A. Herb Van Guilder advised that he is here representing the Cemetery Commission to request that the Select Board include the three articles that he submitted in the Town Report.
- B. Howard Barton noted that the articles are for the Budget, Capital Fund and Building Funds for the Cemetery Commission and will be included in the town report.

4. **VLCT Leader Program Awards**

- A. Frank Heald advised that Chris LaBerge is here on behalf of VLCT.
- B. Chris LaBerge expressed his thanks to Frank Heald, Pam Cruickshank and other members of the Health and Safety Committee. He is here to present the town with two awards. The first award is from the Health Trust and is the Wellness Award. The award is for \$10,174.00. The second award is for a test program and is the Workman's Compensation Leadership Award, in the amount of \$1,498.61. He expressed congratulations to Frank Heald, Pam Cruickshank and all of the members of the committees and all employees.
- C. Pam Cruickshank thanked Chris LaBerge for his guidance with the program.

5. **Open Ambulance Offers**

- A. Frank Heald advised that this refers to offers received for the sale of an ambulance.
- B. Howard Barton opened the bids as follows:

Bidder	Amount
Grahamville Rescue	\$16,000.00
Priority One Rescue	\$12,000.00
Ross Hadden	\$15,600.00

- C. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to accept the offer from Grahamville Rescue for \$16,000. Motion passed unanimously.**

6. **After School Program Request**

- A. P J Pollard advised that she is the program director for the after-school program. She explained that currently, the monies given by the town to the program are funneled through the school budget. There would be a substantial savings to the town to fund the money directly to the program. The town gave \$6,000 last year for the academic portion of the program. This does not cover the 34-week program costs. The program is requesting an additional \$12,292 from the town (total \$18,292) that would fully fund the after school hour and allow the academic program to continue to be at no cost to participants.
- B. Howard Barton voiced concern that there would need to be a way to make sure that the schools did not continue to pay that additional amount.
- C. Bruce Schmidt asked for clarification about the amount that Mount Holly pays based on some figures that were given to the board.
- D. P J Pollard said the figures were incorrect. She explained that Ludlow actually gets more. Funds go toward the Middle School, K-6 and administrative costs, including part of her salary.
- E. Bruce Schmidt suggested that the Select Board make this an article for the voters to decide for themselves.
- F. John Neal asked what the savings would be if the town paid the funds directly to the program.
- G. Howard Barton asked Frank Heald to get the numbers and said the board would decide this after the numbers were all put together. They would also like input from the schools.

7. **Jeffrey Wimette – IBEW #300 RE: Union Contract Issues**

- A. Jeff Wimette advised that he is the business manager for the IBEW #300 union. This past summer the union and the town began negotiations for the employees in the union. The contract was up at the end of June and the new contract was not signed until November. It was agreed that it would be retroactive to July 1st. Two of the Municipal Transit drivers received bills from the town for a retroactive pay difference for the money they were paid during the 4 months of negotiations. The employees realized that their pay would be less, but did not expect to have to pay the difference. The town had proposed the change their pay from hourly plus trips to hourly. They knew they would lose money. No one ever thought about this possibility during the negotiation process. The union is asking the town to rescind those bills.
- B. Howard Barton asked who decided to make the contract retroactive.
- C. Jeff Wimette said both sides agreed it upon. It is in the agreement.
- D. Bruce Schmidt asked if it was the union's position that the town did something illegal.
- E. Jeff Wimette said the town was fully in the right to send out the bills. They just did not realize that the employees would be billed. The town will save money with the new pay rates.
- F. Bruce Schmidt said if it were the other way around, the town would be expected to pay.
- G. Earl Washburn said that it would be setting a precedent for future union negotiations and he is not sure that is a good idea.
- H. Jeff Wimette said he has never seen this happen before.
- I. Earl Washburn said that the town negotiated in good faith and the contract was accepted in good faith. There was nothing illegal done. It would be opening Pandora's box to rescind the bills.
- J. Bruce Schmidt asked why this only happened to two employees.
- K. Jeff Wimette said these were the only 2 on that pay scale. Everyone else was already hourly.
- L. Joanna Bombadil said that this is a small town and it is only 2 employees and they agreed to take less money. Someone did miss something in the contract negotiations, but the employees should not be penalized.
- M. Bruce Schmidt said that the employees expected representation at the bargaining table. They must have received something else back in return for accepting the lesser salary. Has the union considered paying them, as the union did not catch the issue at the time of the negotiations?
- N. Jeff Wimette said the union couldn't do that.
- O. Bruce Schmidt said that unions have different accounts. He would like to find a way to make it work. Maybe a couple of people should get together to work on it. Asking us to have the taxpayers shoulder this is not right. It was not the town's mistake. There should be some

responsibility on the part of the union. This should be a give and take. I don't think we can decide this here.

- P. Jeff Wimette said that he did not expect anything tonight.
- Q. Bruce Schmidt it is an unfortunate situation. The employees are the backbone of what makes the town run. The Select Board should not be backed into a corner. The union should do something about this.
- R. Howard Barton said the board would discuss it.
- S. John Neal said that he would like to see a decision by the next meeting.

8. **Lake Pauline Warranty Deed**

- A. Frank Heald said that a copy of the deed is in the packets. The town now owns the dam.

9. **Certificate of Highway Mileage**

- A. Frank Heald advised that there have been no changes in the highway mileage.
- B. **MOTION by John Neal and seconded by Bruce Schmidt to accept and sign the Highway Mileage Certificate.**
- C. Brett Sanderson said they should look into changing the classification of some of the roads. South Hill goes through to the town line.
- D. Frank Heald said that it actually goes to Smokeshire and Smokeshire goes to the town line.
- E. **Motion passed unanimously.**

10. **Discuss Bridge Report**

- A. Frank Heald advised that Charles Swanson from Hoyle, Tanner & Associates inspected the town bridges and submitted a report for engineering services required for bridge repairs. Bridges addressed were Rod & Gun Club Road, Walker Street, Pond Street Extension, Mill Street and South Hill Road. Mr. Swanson suggests getting under the Walker Street Bridge.
- B. Howard Barton said that a few years ago, there were discussions with the state regarding the Walker Street Bridge. Initially, the state offered to pick up 10% of the repair costs. The Select Board argued that that bridge is a state bridge, not a town bridge. It is on Route 103 and it is not the local traffic that is destroying the bridge, it is the trucks and tourists. Ludlow should not have to pay for the repairs. Post a weight limit. This was all discussed in 1999.
- C. Frank Heald said that his only concern is that if there are simple fixes that can be done now to keep it serviceable longer, they should be considered. He is concerned where to get the money. He discussed the Mill Street Bridge and to completely repair the bridge would cost about \$1,000,000. It could be replaced with a Pony Tress – US Bridge for considerably less.
- D. Bruce Schmidt asked Frank Heald what the procedure would be to do away with a bridge. Would they need to hold a public hearing?
- E. Frank Heald said that he does not know, but thinks they would need voter opinion.
- F. Howard Barton said that he has only heard from one person who was glad they kept the bridge open for pedestrians.
- G. Dan Parker said that he does not think people miss it.
- H. Earl Washburn said he hasn't heard from anyone about it.
- I. Bruce Schmidt said he would rather see nice gates instead of the Jersey barriers and make it a walkway only. He would like to see it on the agenda for town meeting.
- J. Frank Heald said they also need to do some repairs to Pond Street Extension.
- K. Brett Sanderson and John Neal both agreed that was an important bridge near to the park.
- L. Frank Heald said the estimated repairs would be close to \$150,000.
- M. Bruce Schmidt asked Frank Heald what he needs from the board.
- N. Frank Heald said general direction. They will need about \$50,000 for an engineering bond.
- O. Brett Sanderson said the longer you let these things go, the worse they get and the harder it is to get back in shape.
- P. Bruce Schmidt said they could post the Walker Bridge, but the state has jurisdiction and would probably have something to say about it. It would affect local traffic.
- Q. Howard Barton said they have to start somewhere. He asked Frank Heald to talk to the state.
- R. Earl Washburn said the town has an obligation to repair the Rod and Gun Club Road Bridge, but should try to hold out on Walker. Just do a preliminary survey.
- S. Bruce Schmidt asked about the bridge in Woodstock.
- T. Frank Heald said that was a federal highway.
- U. Bruce Schmidt asked about the Vale Bridge.
- V. Frank Heald said Vale, Depot and Dug Road bridges are all fine.

11. FY2010 Budget Workshop (continued)

- A. Frank Heald said that on this new copy, the only thing that changed was what we buy in Capital and pay in debt management. He did not include the 1st payment on the trackless and low-bid bus. The bus was ordered quite a while ago and still is not in. It was supposed to be in 90 days after the order was placed.
- B. Howard Barton noted that the increase to be raised in taxes is about 2.4%.
- C. Frank Heald said they are very close to final numbers at this point.
- D. AMBULANCE
 - 1. John Neal asked about the Ambulance Fee Structure.
 - 2. Don Buswell said that ALS went from \$400 to \$410; ALS2 went from \$575 to \$600 and ALSpro went from \$0 to \$431.25
 - 3. Frank Heald said these are the current rates allowed by Medicare.
 - 4. Brett Sanderson said he would like to know when rates are increased.
 - 5. John Neal asked if the revenue stream reflects the most current rates.
 - 6. Frank Heald said he thinks so.
 - 7. Bruce Schmidt asked about the confusion between Medical and Office Supplies.
 - 8. Frank Heald said Medical went from \$16,000 to \$24,000. In FY08 they spent \$22,242.69 and had only budgeted \$16,000. They left the budget number the same in FY09 and are bringing it to only a little over the 2008 actual now.
 - 9. Don Buswell said that they have been spending over \$16,000 consistently for a couple of years.
 - 10. Brett Sanderson asked about call volume.
 - 11. Don Buswell said 390-395, same as last year. They average 1¹/₃ calls per day.
 - 12. Howard Barton asked about Building Repair and Maintenance.
 - 13. Frank Heald said it was \$3,300 in 2008.
 - 14. Brett Sanderson said it is a new building.
 - 15. Frank Heald noted that the police are not spending quite that much.
 - 16. Pam Cruickshank said that it was decided to decrease medical supplies to \$22,000 and office supplies to \$3,000 and change Building Repair and Maintenance to \$3,500. There had been some one-time costs in there last year.
- E. General board consensus that AMBULANCE, CEMETERY AND ADMINISTRATION are done
- F. It was noted that Appropriations are up a small percentage due to fuel for Library and Senior Center.
- G. Earl Washburn said that if they put in the money for the After School program it will change the numbers.
- H. Howard Barton said he does not want to decide that tonight.
- I. Bruce Schmidt said that he was disappointed that the superintendent of schools was not here.
- J. Howard Barton suggested that the schools may not be aware of what the program is requesting.
- K. Earl Washburn said the board needs better numbers in order to make a decision.
- L. Howard Barton said he would like actual numbers, not estimates.
- M. BUILDINGS AND GROUNDS.
 - 1. Bruce Schmidt asked what they are going to do about fuel.
 - 2. Frank Heald said that he did not pre-buy this year. He said that the Saudis do not need the price to be as high as the Russians or Venezuelans. The price for regular gas at the Albany rack went up \$.02 this morning. For the last few years we have been playing catch up. This year we should be ahead of the game.
 - 3. Bruce Schmidt asked about the bandstand.
 - 4. Frank Heald said there is some money in the budget. The Legion is supposed to help with the repairs.
 - 5. It was agreed that B&G is complete.
- N. CAPITAL
 - 1. Frank Heald advised that the Highway garage needs to be painted. They are planning to do it at the end of June – early July and use funds from both years' budgets. They left \$2,500 in Computers. There are funds included for the mowing tractor, gazebo, food control dams, fire truck and the B&G mower is on its last legs. On the Revenue side is the Fire Truck purchase, including monies from the Fire Fun, bond, fire department and sale of old truck. There is also money for the Highway mowing tractor note.
 - 2. John Neal asked if that referred to the mower-tractor.
 - 3. Howard Barton asked what the board thoughts regarding this are. He asked if they need to put it out to bid.
 - 4. Brett Sanderson said the one they are leasing is the one they would purchase.
 - 5. John Neal said that the money from the lease would be applied to the purchase.

6. Bruce Schmidt said that he is still struggling with this one. On the positive side, the roads looked much better. On the negative side, it is another piece of equipment and requires maintenance. It hasn't been used yet this winter.
 7. Frank Heald said it is the least expensive option.
 8. Howard Barton asked how long they would keep it.
 9. Frank Heald said it would be a 5-year note and generally would last about 10 years. They do 4-6 weeks of mowing in the summer. That would be the bulk of the work. It could be used in the year and would make the backhoe more available to the transfer station. He added that Ron Tarbell has some concerns over who operates the backhoe.
 10. Bruce Schmidt said it makes more sense now, knowing that it would be used to remove snow in the winter and the transfer station would benefit from more use of the backhoe.
 11. Howard Barton said that allows the highway department to move snow at their convenience.
 12. Brett Sanderson agreed saying that if the vehicle is there, it can be used when the staff has the time.
 13. Bruce Schmidt said he is more comfortable with the purchase now.
 14. John Neal suggested that Frank Heald proceed with the purchase.
 15. There was general consensus for the purchase.
- O. DEBT MANAGEMENT
1. Frank Heald said that they dropped \$10,000 on the revenue side due to decreased interest rates. The actual for 2008 was \$62,000, the budget for 2009 is \$40,000, and he dropped the budget for 2010 to \$30,000.
- P. HIGHWAY
1. Frank Heald said they are not done with the Streetlights, yet. He needs to get better understanding - \$36,000 seems on the high side.
 2. John Neal asked about bridges.
 3. Frank Heald said they haven't spent anything yet on bridges this year.
 4. Bruce Schmidt asked about the Stimulus package that President-Elect Obama is proposing.
 5. Frank Heald said there is a line of people waiting for whatever money there might be. Regarding state aid, the legislature has been raiding the highway fund for years. He took \$10,000 out of State Aid for highways.
 6. Frank Heald said that he did not redo this sheet with regard to Insurance, but it would not affect the net change. The bottom line is \$133,500.
 7. John Neal said that sheet needs to be updated.
- Q. INTERGOVERNMENTAL
1. Frank Heald said that County taxes are up \$8,700.
- R. LISTERS
1. Frank Heald said that he had a proposed budget. The Select Board had asked him to meet with the Listers. Two are fine with it and the third one won't talk about it. He added that he does not see stability with these elected positions for consensus. Plan B is to proceed over the next 3 years doing the fieldwork for reappraisals, inspecting the properties. That way, when the CLA drops to about 80%, the town will be prepared for the reappraisal. This may be the prudent way to go and we should discuss it more in the spring. Real estate transactions are down, but the prices are not as depressed as you might think. It is hard to know when we will hit the bottom of the curve.
- S. General Consensus that TRANSIT and PLANNING are complete.
- T. POLICE
1. Frank Heald said that with regard to the question about Dispatch rate, Keene is \$31 and Hartford is \$38 per call. We are in the ballpark with Proctorsville, Cavendish and Plymouth. We are also about right with the Windsor County Sheriff.
 2. General Consensus that Police is complete.
- U. RECREATION
1. John Neal asked if the letter has been received regarding repairs to the Dorsey fields.
 2. Frank Heald said no. He will call again.
 3. Concerts
 - a. Frank Heald said that Howie Paul increased the amount for Concerts because the Chamber of Commerce did not want to do it. What service do we want to provide.
 - b. Howard Barton asked if we could cut back the number of concerts.
 - c. Brett Sanderson suggested one per month.
 - d. It was noted that concerts had been held on Tuesdays and Sundays.
 - e. Earl Washburn suggested just sticking to Sundays.
 - f. John Neal suggested that be looked at later on.
 4. Donations

- a. Frank Heald advised that there is a person who would like to make a donation to the Recreation department. This person thinks there are other people who would also like to contribute to a recreation fund. With this board's approval, he could set up such a fund. Donations would be tax deductible. He suggested that a committee, including himself, a Select Board member and a representative from the Recreation Department be set up to oversee use of the funds.
- b. General consensus approving setting up the fund.
5. After-school program
 - a. Bruce Schmidt voiced concern over the request from the After-School program for the additional \$12,292. He would like to have Howie Paul back in to discuss this. He would also like to have better figures. Taxpayers need to know how much this would cost them.
 - b. Howard Barton said the Homework Club would be free. This increase would just pay for the academic program.
 - c. Frank Heald said he would ask Howie Paul to come back.
 - d. Howard Barton said that too many people are controlling that one program. This board needs to know what the school is doing. We need to keep an eye on this.
 - e. John Neal said the board needs to revisit the program.
- V. SOLID WASTE
 1. It was agreed that Solid Waste is complete.

12. Department Head Reports

- A. Howard Barton advised that all reports are in.
- B. Ambulance
 1. He asked Don Buswell about the Americorps person.
 2. Don Buswell said he is Colin Bassett, fresh from UVM. He works Monday to Friday, the same as the other full time employee. They plan to stagger shifts soon.
 3. Frank Heald advised that the additional person has speeded up call responses.
- C. Transfer Station
 1. Bruce Schmidt asked if the board is going to do anything in February about posting hours for the February vacation week. We should get the word out better than we did for the Christmas holidays.
 2. Howard Barton said he was told it would be open ½ day on Christmas and the rest of the time it would have regular hours. It should be posted.
 3. Bruce Schmidt said put the hours in with the permits.
 4. John Neal said the holiday schedule should be posted.
 5. Frank Heald a holiday schedule, approved by this board will be posted for the February vacation week and put in with the permits.

13. Other Business

- A. Tax Exempt Status
 1. Frank Heald advised that the Road & Gun Club and Gill Home have applied for Tax-exempt status for the properties. It will be on the March ballot.

14. Set Date for Meetings

- A. The board set a Budget workshop meeting for January 12, 2009 at 7:00 p.m.
- B. The next regular meeting will be on February 2, 2009 at 7:00 p.m.

15. Sign Warrant Orders

- A. Warrant orders have been signed.

16. Executive Session/Contracts/Personnel

- A. Frank Heald advised that an executive session was needed for contracts and personnel.
- B. Motion by Brett Sanderson and seconded by Bruce Schmidt to enter in to Executive Session for Contracts/Personnel. Motion passed unanimously.

- C. Board entered into Executive Session at 9:02 p.m.
- D. Out of Executive Session at 9:27 p.m.
- E. **MOTION by Bruce Schmidt and seconded by Earl Washburn to instruct Frank to contact the IBEW Rep and make him aware that the Select Board would be willing to listen to a proposal on contribution from the Union before considering any participation on part of the Town. Motion passed unanimously.**

17. **Adjourn**

- A. **MOTION by John Neal and seconded by Brett Sanderson to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 9:28 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

John Neal

Brett Sanderson

Earl Washburn

Bruce Schmidt