

*MINUTES*

**TOWN OF LUDLOW  
BOARD OF SELECTMEN**

**REGULAR MEETING**

September 2, 2013

**BOARD MEMBERS PRESENT:**

Howard Barton, Jr., Chairman      John Neal      Bruce Schmidt  
Douglas Ficken      Brett Sanderson

**STAFF PRESENT:**

Frank Heald

**OTHERS PRESENT:**

Christian Avard      Michael Deshais      Tony Perham  
Jeff Billings      Matthew McKearney

1. **Call to Order**

- A. Chairman Howard Barton called the meeting to order at 7:01 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 August 5, 2013.
- B. **MOTION by Brett Sanderson and seconded by Doug Ficken to approve the minutes of August 5, 2013 as presented. Motion passed unanimously.**

3. **Comments from Citizens**

- A. Matthew McKearney said that they are present to discuss the Drift Trike ordinance.
- B. Howard Barton advised that is not on the agenda and there is no ordinance for Drift Trikes.
- C. Tony Perham said that they heard about it on the news and wanted to present their side.
- D. Bruce Schmidt suggested that the group contact Frank Heald to provide him with their email addresses if this is on a later agenda.

4. **Award Police Cruiser Bid**

- A. Frank Heald advised that the bids for this project were opened by the committee on Friday, August 30<sup>th</sup>. The chief reviewed the bids.
- B. Jeff Billings said that he recommends awarding the bid to Durand Toyota Ford for the Interceptor Utility vehicle for \$22,000. He said that it has more than the sedan and that he has spoken to the officers and they like the Explorer. It gets the same mileage as the Impala. The Taurus does not have enough room and the rear view mirror is not good. Benson did a great job but there is no wiring for the lights. The \$25,000 for the Tahoe is a good price.
- C. **MOTION by John Neal and seconded by Doug Ficken to award the bid to Durand for the Interceptor Utility vehicle as presented for \$22,000.**
- D. Bruce Schmidt voiced his concerns that they want to spend an extra \$1600. They could get the back-up for \$750 and it would still be cheaper. We need to look at the best for the least expensive price and maybe not have all the bells and whistles. We need to be cautious. He said that he does appreciate Jeff Billings' recommendation. He asked about service.
- E. Jeff Billings said they do the oil/filter jobs in-house.
- F. Bruce Schmidt asked if he bought the last vehicle from Durand.
- G. Jeff Billings said yes. He added that this vehicle is roomier and they have room for cones and accident stuff. They can't fit that in the cars.
- H. John Neal asked if all of the vehicles that were bid are true police models.
- I. Jeff Billings said only the Tahoe.
- J. John Neal asked what was budgeted.
- K. Frank Heald said \$23,000.
- L. **Motion passed, Bruce Schmidt against the motion.**

5. **Award Reservoir Pond Bid**

- A. Frank Heald said that they budgeted for this project based on estimates of \$40,000 and sent the bid requests to the six companies and only one bid was received for \$55,000. Also, they had to wait for the stream alteration permit for the West Hill Culvert and just received it. They will not be about to do the work this season. The Transfer Station culvert has had no significant changes since last year. The Highway Garage furnace was budgeted at \$6500 and the low bid was \$9700. Also the Highway Waste Oil Furnace was red flagged and cannot be used. We need to do the Lake Pauline Dam project and should do the Highway Garage Furnace. They can put the Transfer Station culvert work off until next year and put the money towards the projects we need to do this year.
- B. Bruce Schmidt asked if they could do the dam project in partial phases.
- C. Frank Heald said it is 2-fold. The state wants the shear gates done. He is more concerned about the U-shaped bottom that, over the years, the ice scours the concrete. It really should be done. One bidder offered to do a design/build negotiated contract. He added that in the next 3-10 years, they will need to do the other side.
- D. Bruce Schmidt asked if they got a second opinion on the furnace.
- E. Brett Sanderson said the chamber is cracked. It needs to be junked.
- F. Frank Heald said that we have proposals as high as \$22,000. They will do Modine gas-fired units.
- G. Howard Barton asked when they could start the dam work.
- H. Frank Heald said Daniels said they can start it soon.
- I. Brett Sanderson asked if the engineering estimate was \$50,000.
- J. Frank Heald said yes.
- K. Doug Ficken noted that on a bid a couple of months ago, Daniels bid high.
- L. Frank Heald said they did not want that project.
- M. Doug Ficken asked why only one out of six bid the project.
- N. Frank Heald said that some of the contractors are still busy with other projects. He said that the low proposal on the highway furnace was \$9,700 from Cota & Cota. Irving was \$18,500, HB was \$11,890 and JC Plumbing was \$10,500.
- O. **MOTION by Bruce Schmidt and seconded by Doug Ficken to accept the bid from Daniels Construction for the Lake Pauline Dam for \$55,000 and to authorize Frank Heald to adjust the budget for Capital Allocations and to only use the funds in that budget. Motion passed unanimously.**

6. **Discuss Solar for Ludlow**

- A. Frank Heald advised that he had received an email from Soveren Solar and added that a number of towns are doing it. He asked if the board wanted to see their presentation.
- B. Howard Barton said that Ludlow Electric prices are low.
- C. Bruce Schmidt asked where they would locate the panels.
- D. Frank Heald said that he had not had the opportunity to think about it.
- E. John Neal asked if the company does a survey.
- F. Frank Heald said they would need to find land the town controls. These are mostly Green Mountain Power projects and they deal with the towns to use the space and contribute to the electrical costs.
- G. Bruce Schmidt asked where the electricity goes.
- H. Howard Barton said it goes to the grid and it net metered and the town would get a credit toward electrical costs.
- I. John Neal asked that since Green Mountain Power costs are higher, could out costs be higher.
- J. Howard Barton said yes. All excess costs would go to the rate payer.
- K. Bruce Schmidt said that he would consider a 15 30 minute presentation. It is okay to hear all sides of it. We have Howard Barton's with knowledge on this side.
- L. Doug Ficken said it would be showing due diligence.
- M. Frank Heald said he would set it up for either the October or November meeting.
- N. Christian Avard asked if any town land would be an ideal location.
- O. Frank Heald said he had not taken the time to think about it.

7. **Approve FY2014 Municipal Planning Grant**

- A. Frank Heald advised that the grant would enable the town to hire personnel from the Regional Planning Commission to assist the Planning Commission through revising the zoning documents for compliance with the new FEMA and State regulations. There are a multitude of new issues

since Irene and it is imperative that we get the new Ludlow regulations correct. The money comes from the state. He recommends that the board sign the grant application.

- B. John Neal asked if it would be matching funds.
- C. Frank Heald said not for this one. We are asking \$4000 and the matching starts higher. We have done these grants before.
- D. **MOTION by John Neal and seconded by Bruce Schmidt to authorize Frank Heald to sign the Municipal Planning Grant as presented. Motion passed unanimously.**

8. **Consider American Red Cross Shelter Agreement**

- A. Frank Heald advised that they have been talking with the Red Cross to designate the Community Center as a Red Cross Shelter. If used, the Red Cross picks up the costs of operations. The only problem is the lack of a generator. If used, we can look for grants to cover the costs of a generator. On the positive side, the center has gravity fed water, showers, refrigerators, cooking facilities, MRE's and cots. It appears to be at no cost to the town. It would benefit the town and we would also get training.
- B. Brett Sanderson asked it that would give us more accessibility for obtaining a grant for the generator.
- C. Frank Heald said he sees no downside/
- D. Bruce Schmidt asked who signs the agreement.
- E. **MOTION by Bruce Schmidt and seconded by Doug Ficken to authorize Frank Heald to sign the Red Cross Shelter Agreement on behalf of the town. Motion passed unanimously.**

9. **Board of Listers Errors and Omissions**

- A. Howard Barton advised that there is one property on the list, The Mill Unit 107.
- B. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the Listers' Errors and Omissions report as presented. Motion passed unanimously.**

10. **Homestead Declaration Penalties – Ulla Cook**

- A. Ulla Cook advised that there are penalties that would amount to 8% of the education tax, or about \$6,700. This money would be paid directly to the town.
- B. Bruce Schmidt if we have charged these in the past.
- C. Ulla Cook said it is part of the Homestead Declaration that people file every year. It is for people who did not file until after April 15<sup>th</sup>, filed incorrectly or did not file at all.
- D. Bruce Schmidt asked if the board does this, do they have to charge the penalty every year.
- E. Ulla Cook said that you could. Also, if you say never charge, we can flag the tax bills and the penalty would not be there.
- F. John Neal asked if the state goes after the money.
- G. Ulla Cook said no and that most towns are not doing it this year.
- H. Doug Ficken asked if the state allows the towns to collect this.
- I. Ulla Cook said yes.
- J. Bruce Schmidt asked if other towns are not charging this year or never charging the penalty.
- K. Ulla Cook said a combination of both. She said that last year, the penalties would have amounted to about \$1,800.
- L. John Neal noted that at the last meeting, Doug Ficken noted that on this list there is one name with no difference between the original and revised taxes. Does she know about this?
- M. Ulla Cook said she did not.
- N. Bruce Schmidt asked what happens if the board says not to assess the penalty.
- O. Ulla Cook said it would be removed from the tax bills.
- P. Frank Heald said that the state allows towns to assess the penalty for late or mis-declared Homestead Declarations. People who forget or file improperly.
- Q. Bruce Schmidt said he would like to let it ride for this year and see what happens next year. We would be hard pressed to tell people they owe a penalty.
- R. Ulla Cook said that she can put a letter in the tax bills advised the people concerned that the Select Board waived the penalty for this year and asking them to make sure to file their Homestead Declarations in a timely manner for next year.
- S. Howard Barton asked if there had been any issues last year.
- T. Frank Heald said no.
- U. **MOTION by John Neal and seconded by Doug Ficken to waive the penalties for failure to send in or improperly filed Homestead Declarations for this year and to review it on a year to year basis. Motion passed unanimously.**

11. **Discuss Appropriations Budget**

- A. Howard Barton said that he requested this agenda item to try to start the Appropriations process earlier this year. Requests keep increasing and since we took it off the floor, they have gone up. He would like to start looking at them and maybe set some limits.
- B. John Neal asked if data on appropriations was available over the last 5 years.
- C. Frank Heald gave the following information for the last 3 years. He said it has ranged a little over \$200,000 for the last few years and he can go back further.
- D. Howard Barton said he thinks that the museum problem has been solved with the agreement from years ago.
- E. Frank Heald said that he had met with them and suggested that they cut back in operations this coming winter. They need to keep maintain minimum temperatures. They will do the February presentation again, but practices will be here.
- F. Bruce Schmidt asked about Georgia Brehm's office and is she there in the winter. Can they go to the superintendent's office? Maybe we should try to get them to use that space.
- G. Frank Heald said that is a good idea.

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

- A. **MOTION by Bruce Schmidt and seconded by John Neal to appoint Frank Heald as delegate to the annual VLCT Business meeting. Motion passed unanimously.**

13. **Department Head Reports**

- A. Equipment
  - i. Doug Ficken said it was great to get the email from Frank Heald that the mower got replaced.

14. **Other Business**

- A. Budget Breakdown Graph
  - i. Frank Heald provided board members with a graph of departmental and other budget expenses.
  - ii. Bruce Schmidt said that the bigger question is what we want as a goal. In the next couple of months we need to know what people need. People want to have services and we can't cut taxes. He would like to see level funding. He noted that the Police Department and Highway Department costs are affected by union contracts. We could cut appropriations and recreation, but we need to take a better look. We need to start the process earlier.
  - iii. John Neal said that if we start to look at one area, we need to look at them all,
  - iv. Howard Barton said that we spend a lot on vehicles. They are being built better now and last longer. We should try to get more than 7 years on a vehicle. The Electric Company gets 12 to 15 years on trucks.
  - v. Bruce Schmidt said that our philosophy in the past was to spread the pain and put money in annually for Capital upfront. People expect us to have money there to buy equipment, especially graders or loaders.
  - vi. Frank Heald said that graders usually last 20 years. He said that the single-axle truck going out this year has been a maintenance nightmare. Maybe we are not buying the right kind of trucks.
  - vii. Bruce Schmidt said that he questions replacing a cruiser with only 44,000 miles. That is not bad mileage. These are things we need to look at. He said he would spend more if we got better vehicles and they would hold up longer. We need the department heads to help us. This past year's budget was an eye opener with all of the changes from the state. He said he would like to see Frank Heald more involved with the schools and transit decisions. We need to scrutinize more.
  - viii. John Neal said every little bit would help.
  - ix. Howard Barton said there is nothing wrong with tightening the belt.
  - x. Bruce Schmidt said maybe we could set a goal to level fund, but goals need to be realistic.
  - xi. Brett Sanderson said we need to go from department head to department head and find out their expectations for the next few years.
  - xii. Bruce Schmidt asked if we should have them all come in to meetings, or have them meet with Frank Heald.
  - xiii. Frank Heald said they need to come in here to make their cases.

- xiv. Bruce Schmidt said there is not much in the departments that we can control. The Police Department budget is between \$700,000 and \$800,000 and that is a significant amount of money. He said that their level of service is high.
  - xv. John Neal said we should have the department heads look at the line items for savings.
  - xvi. Frank Heald said that the biggest cost is employees, wages and benefits. He said that the budget sheets have gone out to the department heads. It will be hard to make significant cuts with the same level of service because we have been paring back for years. We could start holding off on snowplowing until mornings and possibly cut back on police coverage from 12:00 AM to 5:00 AM.
  - xvii. Bruce Schmidt said that would not be good. He added that other towns don't have some things that Ludlow does.
  - xviii. Brett Sanderson commented on having 3 police officers cover the bike weekend.
  - xix. Howard Barton said usually it is just Jeff Billings during the day.
  - xx. Frank Heald said that we could consider whether we want to hold special events in town that require additional coverage.
  - xxi. Howard Barton said we could put the costs for extra service and charge the event organizers.
  - xxii. Bruce Schmidt said there is a significant regional effect with large events. The concert organizers provide extra security with events. He said that the Biker event was a good event for the region and Chester did the fireworks. We supported the parade. He said that he thinks that people did well. He said that we (Okemo) did some lodging in the hotel, but mostly it was residual. He said that he wants to be confident that our guidelines are realistic. We should give guidance to shoot for level funding.
  - xxiii. Brett Sanderson said it is better to start the process earlier.
  - xxiv. Bruce Schmidt suggested having some department heads come to the October meeting, but only if they are prepared.
  - xxv. Doug Ficken noted that October 1<sup>st</sup> is the deadline for letters for Appropriations.
- B. Ambulance and Fire Departments
- i. Frank Heald said that something that this board will need to start thinking about in the next 2 to 5 years is our aging population and the aging personnel in the Fire Department. He said that the Ambulance call volume has been increasing and there will be more calls as the population continues to age. The time will come when we will need to add to the Ambulance staff. They also need to think about the fire department. They are doing a great job, but there are not too many youngsters. We have good equipment and technology and that helps.
  - ii. Bruce Schmidt asked about policies in the fire department for youngsters.
  - iii. Brett Sanderson said the fire department does not have juniors under 16 because of the VLCT insurance. He said that Proctorsville allows juniors 12 to 16. He said that some of our young people go there and then come back here. Some go to both. They are getting training there.
- C. Dorsey Park
- i. Bruce Schmidt asked who was installing the sod at Dorsey.
  - ii. Frank Heald said it is being done professionally.
  - iii. Bruce Schmidt said there is a lip around the goal.
  - iv. Frank Heald said it looked good last week. He said there were some issues at the goal and penalty areas. The coaches need to control their teams.
  - v. Bruce Schmidt said that someone has to have better communication with the schools. The coaches don't seem to want to do anything to make the fields better.
  - vi. Frank Heald suggested using Pullinen and Fletcher fields for practice and Dorsey just for the games.
  - vii. Bruce Schmidt said he does not agree with that. He said they are complaining about the lip in front of the goal.
  - viii. Frank Heald said he showed them to scrape the clay out and they got a roller to do it. We did not prepare the ground properly.
- D. Manhole on Main Street
- i. Brett Sanderson said there is a problem with the manhole on Main by Andover. There is also gravel around it.
  - ii. Frank Heald said he had not seen it.
  - iii. Brett Sanderson said all of the manholes on Main are bad.
- E. Union Negotiations
- i. Frank Heald advised that union negotiations would resume soon.
  - ii. John Neal asked if we had the insurance numbers yet.

15. Set Date for Next Meeting

- A. Howard Barton advised that the next regular meeting would be October 7, 2013 at 7:00 p.m.

16. **Sign Warrant Orders**

- A. Warrant orders have been signed.

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

- A. Frank Heald said an Executive Session is needed.
- B. **MOTION by John Neal and seconded by Brett Sanderson to enter in to Executive Session. Motion passed unanimously.**
- C. Board entered in to Executive Session at 8:26 p.m.
- D. Board exited Executive Session at 8:52 p.m.
- E. No action taken.

18. **Adjourn**

- A. **MOTION by John Neal and seconded by Bruce Schmidt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:52 p.m.

Respectfully submitted,

Lisha Klaiber

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Howard Barton, Jr., Chairman

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Brett Sanderson

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Doug Ficken

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Bruce Schmidt

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John Neal