

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

REGULAR MEETING

January 3, 2011

BOARD MEMBERS PRESENT:

Howard Barton, Jr., Chairman John Neal (by phone) Bruce Schmidt
Douglas Ficken Brett Sanderson

STAFF PRESENT:

Frank Heald

OTHERS PRESENT:

Ann Gardner Ted Reeves Duncan Love (LPC-TV)
Glenn Whitesmith Terry Thane

1. Call to Order

A. Chairman Howard Barton called the meeting to order at 7:00 p.m. 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 December 6, 2010 and the special meeting of December 20, 2010.
- B. Doug Ficken noted that on page 4, item H6, should read that Doug Ficken asked what computer services the Fire Department receives for \$300.00
- C. Howard Barton said that on page 3, item 17, it should read snow plow, not sander.
- D. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the minutes of December 6, 2010 as presented and the minutes of December 20, 2010 as corrected. Motion passed unanimously.**

3. Comments from Citizens

- A. Glenn Whitesmith said that the town did a great job over the holiday period and that things seemed to have gone well.
- B. There were no other comments.

4. Review New England Municipal Consultants Contract for Services

- A. Frank Heald advised that this is a standard contract and the penalty clause and provision for completion of job on time have been included.
- B. Bruce Schmidt noted that section 2.3.3 provides for a \$100/day penalty if the job is not completed by June 27, 2011.
- C. Frank Heald advised that section 2.3.4 states that should there be any problem where NEMC cannot complete the job, Patriot would.
- D. Howard Barton said that it appears that everything else is in order.
- E. Bruce Schmidt said that the listers recommended a partial reappraisal because of the variance in property values up on the mountain. He said that he still believes that this will impact more people than we realize.
- F. Howard Barton asked Bruce Schmidt if he would prefer to hold off.
- G. Bruce Schmidt said yes, but they need to consider what the other board members want to do.
- H. Terry Thane said that the listers want to do a statistical update, with state approval for the balance of the town. The listers job is to be on the market value by April 1st and the biggest discrepancies are on the mountain. They will do the whole town next year. The COD is 19.8 and the CLA is at 92. When the COD exceeds 20, the state will say that we have to reappraise the entire town.
- I. Doug Ficken said that the COD was at 17-18 about 3-4 months ago. It has already increased.
- J. Frank Heald said that it is at 19.61 now.
- K. Glenn Whitesmith asked what those numbers represent.
- L. Terry Thane said that from sales studies, these are properties that have sold away from their assessed values.
- M. Bruce Schmidt said that people paying more than they should is the problem with the condos.

- N. Frank Heald said that the S1 (seasonal) properties COD is at 23.15 and the CLA is 925. For R1 the COD is 12.69, for R2 the COD is 15.73 and the CLA is 650. For commercial properties, the CLA is 150 and the COD is 8.28.
- O. Terry Thane said these are annual figures.
- P. Frank Heald said they are effective 1/1/11. He said that they are used for state tax rates and that the listers are carefully studying sales.
- Q. **MOTION by Doug Ficken and seconded by Brett Sanderson to accept the contract for services from NEMC for \$48,500.**
- R. Doug Ficken said that he thinks that this is a good thing and the statistics show that we do have an area in town at the threshold. This will spread out the overall reappraisal. He said that this board relies on the Listers for recommendations and he supports this project.
- S. **Motion passed 4-1.**

5. **Okemo Mountain Resort Entertainment Request**

- A. Howard Barton said that a letter had been received from Ted Reeves regarding an entertainment permit.
- B. Frank Heald said that there has been an ordinance on the books since 1982 regulating entertainment permits and that this letter suffices for all of the requirements of the ordinance. A check for \$100 has been received from Okemo.
- C. Bruce Schmidt asked Ted Reeves if he has spoken with Chief Billings.
- D. Ted Reeves said no and that he would be speaking with Chief Billings and Chief Kolenda.
- E. **MOTION by John Neal and seconded by Doug Ficken to grant an entertainment permit as requested.**
- F. Bruce Schmidt recused himself from this vote.
- G. **Motion passed unanimously.**

6. **People's United Bank Account Resolution**

- A. Frank Heald advised that four town employees will need to have Health Reimbursement Accounts and the town will need to set up a dedicated checking account for these accounts. Three board members must sign the resolution and it must be notarized.
- B. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to sign the paperwork to set up the Health Reimbursement checking account. Motion passed unanimously.**
- C. Lisha Klaiber notarized the document.

7. **Financial Statements**

- A. Frank Heald said that the management letters are clean. There were 3 payroll recording issues that were resolved. The fund balance is \$40,000 more than anticipated because the auditors consider the numbers 60 days later for tax collections. He added that the town has been fairly aggressive in tax collections.

8. **FY 2012 Budget Workshops (continued)**

- A. Bruce Schmidt said that, at the last meeting, the board had unresolved questions about the after school program.
- B. Doug Ficken said there are still no answers. The school board is scheduled to meet with them at their next meeting in February.
- C. Bruce Schmidt said it might appear that this board is "nickel and dime-ing" some departments where there have been high amounts budgeted and not used. He noted that some have been fixed. He is also concerned about town charges for out of town student participation in recreation programs.
- D. Frank Heald said that the board had asked for history for some of the questionable items and that had been provided. He added that the town charges more for out of town students.
- E. Bruce Schmidt said that he is concerned that the town is not covering its costs. He said that the recreation department does not need to be a money maker, but any breaks should go to Ludlow tax payers. It is a good program and the town has stayed committed to it. He asked if we could pass the straight faced test.
- F. Frank Heald said that we can pass the straight faced test and we do charge more for students from out of town.

- G. Bruce Schmidt asked how the difference in fees is determined, who determines it. He said that he does not want to see the rates so high that kids can't participate. He just thinks there should be better pricing thoughts. Ludlow still has to pay for referees, coaches and other costs.
- H. Frank Heald said that he does not have a fee schedule. He said that there is a Recreation Commission and we could put them to work reviewing the fee schedules and have them come back to us in the spring.
- I. Doug Ficken said that 2 – 3 years ago the town started buying t-shirts and shorts and having the kids return them at the end of the year. There was a savings from that.
- J. Howard Barton noted the \$8,000 number and asked what MISCELLANEOUS RECREATION costs consist of.
- K. Frank Heald said that he did not know, but would find out.
- L. Bruce Schmidt said that he encourages the Recreation department to look at the pay scale for coaches and referees.
- M. Frank Heald said that they get the scales from the school system.
- N. Bruce Schmidt said that there are different levels for Varsity and JV and other levels. We should try to save where we can. Maybe, we should spend more on uniforms for team spirit and not have hand me downs. We need to see where the money is best used. He knows that the bottom line is that the Recreation Department only spends money when it has to and it is an even budget - .78% less than last year. He said that part of that is from the change in Insurance.
- O. Frank Heald said also from the change in county tax.
- P. John Neal said that we have been holding a tight line. When was the last time we saw a decrease.
- Q. Bruce Schmidt said that he is comfortable with this budget.
- R. Frank Heald said that we have had 8 years of returning surpluses that we gave back to the tax payers. We have a pretty good grasp on it now.
- S. Howard Barton asked if any one had any other questions. He asked why DRB Advertisements is up.
- T. Frank Heald said they are hopeful that building will increase this year.
- U. Howard Barton asked about Legal costs.
- V. Frank Heald said that is very difficult to predict. It depends on the controversy of any decision that the DRB makes and has varied greatly over the years. The average for the past 5 years is about \$5,000, but this year, year to date is \$3,750 already.
- W. Howard Barton noted a large decrease in Solid Waste.
- X. Frank Heald said it is reflective of the times. Recycling is improving. The Solid Waste district negotiated a lower contract in 2007 – it was \$150,000. He said that looking back over 2008-2010, he thinks they can probably do the \$202,000 for 2012. The Solid Waste District has kept a tight leash on the length of the contracts and costs are down in the Northeast.
- Y. **MOTION by John Neal and seconded by Brett Sanderson to accept the proposed budget as presented. Motion passed unanimously.**

9. **Department Head Reports**

- A. Howard Barton advised that all reports are in.
- B. Frank Heald said that Planning is well over income budget with the Timber Creek project.
- C. Howard Barton said that he noted that the Enterprise Fund has been mentioned in the Timber Creek discussions.

10. **Other Business**

- A. **Town Plan**
 - 1. Bruce Schmidt said that the town plan seems to be coming along. He noted that the Planning Commission wanted to know if the Select Board would like to review the drafts of the completed chapters. He asked the board if they want to start looking at them or wait until the end and look at the whole document. He said that he wants to be able to track the changes.
 - 2. John Neal said that it is important to be able to see the changes.
 - 3. Bruce Schmidt said he would like to see 1 or 2 edited chapters at a time with changes that show.
- B. **Pipe-Cross Barrier Gate**
 - 1. Bruce Schmidt asked if there is a date for the pipe-cross barrier gate.
 - 2. Frank Heald said it is being fabricated as we speak.
 - 3. Bruce Schmidt said that was the information at the December meeting.
 - 4. Frank Heald said it took time to get the sign-offs and the holidays were in there.
- C. **Squeals on Meals/Ludlow Country Store Fuel Tank**

1. Frank Heald said there was a letter in their packets regarding the proposed installation of a 1,000 gallon above ground skid fuel tank. They still have to go through state permitting and local zoning.

D. Community Center Cafeteria

1. Frank Heald advised that the cafeteria opened for the schools on Monday for breakfast and lunch. There were a few wrinkles such as the state mandated Make Up Air unit that blew the pepperoni off the pizza. He noted that the middle school students seemed to have more time to eat and relax before going back to classes. Things went well. He said there will be an Open House from 1:00 p.m. to 4:00 p.m. on Sunday, January 9, 2011 and there will be tours.

E. Last Week's Storm

1. Frank Heald said that the road crew did a good job clearing the roads after the storm last week. He added that the state also did a good job up to Rutland on Route 103.

11. Set Date for Next Meeting

- A. There will be a special meeting to warn the budget during the last week in January. Frank Heald will advise the date.
- B. The next regular meeting will be held on February 7, 2011.

12. Sign Warrant Orders

- A. Warrant orders have been signed.

13. Possible Executive Session/Contracts

- A. Frank Heald advised that a brief Executive Session is needed.
- B. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to enter in to Executive Session for Contract. Motion passed unanimously.**
- C. Board entered Executive Session at 8:12 p.m.
- D. Out of Executive session at 8:27 p.m. No action taken.

14. Adjourn

- A. **MOTION by Brett Sanderson and seconded by Doug Ficken to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:28 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

Doug Ficken

Bruce Schmidt

John Neal