

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

**PUBLIC HEARING AND
REGULAR MEETING**

April 2, 2012

BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

Frank Heald

OTHERS PRESENT:

Trish Brown	Mike Klopchin	Ralph Pace
Willis Brown	Elisabeth Kulas	Ted Reeves
Phil Dunwoody	Bob Miller	Duncan Love (LPC-TV)
Anne Gardner	Pam O'Neill	

PUBLIC HEARING

1. Howard Barton called the Public Hearing to order at 6:30 p.m.
2. Frank Heald advised that this hearing is to hear information regarding a proposal to apply for a Community Development Grant to rehabilitate the Tuckerville Mobile Home Park. He introduced Elisabeth Kulas from the Housing Trust of Rutland County.
3. Elisabeth Kulas advised that she is the Executive Director of the Trust and part of their purpose is to develop and maintain affordable housing. She said that after the Rockingham Land Trust disbanded, the Tuckerville Park was taken over by the Rutland Trust. She said that the infrastructure needs to be evaluated and upgraded. It is a 23-lot park and the septic systems are marginal and the roads need to be upgraded. It will need a large investment if it is to continue as a Mobile Home Park. The town will apply for the grant and she will write the application on behalf of the town. They will use the grant money to upgrade the infrastructure, including engineering, but more money may be needed and they will need to apply for additional funding. She said that the park also requires attentive onsite property management. Some work will be done by third party vendors, but they need consistent communication through the trust.
4. **MOTION by John Neal and seconded by Doug Ficken for the board to sign the application for the Community Development Grant. Motion passed unanimously.**
5. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to close the public hearing. Motion passed unanimously.**
6. Hearing closed at 6:34 p.m.

REGULAR MEETING

1. Call to Order

- A. Chairman Howard Barton called the meeting to order at 6:35 p.m.
- B. All members present.
- C. Howard Barton advised that the School Board hearing is also this evening and board members have decided to recess this hearing until 7:00 p.m. so they are able to attend that meeting.
- D. **MOTION by Bruce Schmidt and seconded by Doug Ficken to recess this meeting until 7:00 p.m. Motion passed unanimously.**
- E. **MOTION by John Neal and seconded by Brett Sanderson to reopen the regular Select Board meeting. Motion passed unanimously.**
- F. The meeting was reopened at 6:48 p.m.

2. Annual Board Reorganization

- A. Elect Chair of the Board
 - i. **Motion by John Neal and seconded by Doug Ficken to elect Howard Barton Chair of the board. Motion passed unanimously.**

- B. Elect Vice Chair
 - i. **Motion by John Neal and seconded by Brett Sanderson to elect Bruce Schmidt as Vice Chair of the board. Motion passed unanimously.**
 - C. Elect Clerk of the Board
 - i. **Motion by Bruce Schmidt and seconded by Doug Ficken to elect Brett Sanderson as Clerk of the board. Motion passed unanimously.**
 - D. Appoint Union Negotiation Team Members
 - i. **Motion by John Neal and seconded by Brett Sanderson to appoint Bruce Schmidt and Doug Ficken Union Negotiation team members. Motion passed unanimously.**
 - E. Appoint Ludlow Enterprise Fund Committee Members
 - i. **Motion by Bruce Schmidt and seconded by John Neal to appoint Howard Barton and Brett Sanderson as Enterprise Fund Committee members. Motion passed unanimously.**
 - F. Set Day and Time of Regular Meetings and Alternate Meetings
 - i. **Motion by John Neal and seconded by Brett Sanderson to continue with regular meetings to be held the first Monday of each month at 7:00 p.m. Special meetings, if needed will be held on the third Monday of the month at 7:00 p.m. Motion passed unanimously.**
 - G. Appoint Recording Secretary
 - i. **Motion by Brett Sanderson and seconded by Bruce Schmidt to appoint Lisha Klaiber as secretary. Motion passed unanimously.**
 - H. Designate Newspaper of General Circulation
 - i. Frank Heald said that THE VERMONT JOURNAL had applied to the board to continue as paper of record.
 - ii. **Motion by Brett Sanderson and seconded by Doug Ficken to designate THE VERMONT JOURNAL as newspaper of circulation. Motion passed unanimously.**
 - iii. **MOTION by Brett Sanderson and seconded by Doug Ficken to continue using THE RUTLAND HERALD as backup paper. Motion passed unanimously.**
 - I. Adopt Roberts Rules of Order
 - i. Howard Barton advised that the Board has used Roberts Rules of Order for the meetings.
 - ii. **MOTION by John Neal and seconded by Brett Sanderson to continue using Roberts Rules of Order. Motion passed unanimously.**
3. **Approve Minutes of Previous Meetings**
- A. Howard Barton advised that the minutes to be approved are from the regular meeting of February 6, 2012.
 - B. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the minutes of February 6, 2012 as presented. Motion passed unanimously.**
4. **Comments from Citizens**
- A. Fletcher Field Use
 - i. Willis Brown of the Black River Rugby Club advised that the club has used the field since 2007 and were recently advised that they would not be able to use the field this year. He said that he was told that the following issues had come up and he would like to address them.
 - a. Goal Posts – the team now has and will use collapsible posts that will attach to the soccer posts. There will be no need to dig holes.
 - b. Only one Ludlow Resident - there are actually 6 members out of a team of 20 that reside in Ludlow and almost all work or grew up in Ludlow. The team is sponsored by Ludlow businesses. There are about 65 people comprising fans and supporters from Ludlow.
 - c. They are a growing organization and want to help with the clean-up and other town needs. They want to be more involved in Ludlow activities.
 - ii. Howard Barton said that he had not been aware of this until he received the letter.

- iii. Bruce Schmidt said that he coaches soccer and there was an issue with the goal posts. There were still up when the soccer team got there and there were holes in the field at times when the posts were removed. He said that he was surprised to hear that the team would not be able to use the field this year. He said that he thinks that the teams can work together and look at each other's schedules.
- iv. Howard Barton asked when the team starts.
- v. Willis Brown said that they started last weekend and will have one game in June and one in July. They will get their schedule in late July or early August and will play about 6-7 home games.
- vi. Frank Heald said that one 4" x 4" post was broken off at the ground with the flood. He said he thinks this can be worked out.
- vii. General consensus to allow the Rugby team to use the field.

5. **Appoint Town Officers**

- A. Howard Barton asked if they board would be able to do the whole list at one time. He noted that Fred Glover did not reapply for the Planning Commission.
- B. Frank Heald said they would need to take action on the Service and Health officers separately.
- C. Bruce Schmidt noted that there are a few positions where the board would have to decide.
- D. Frank Heald said that if Margot Martell wants the Aging Advisory position, he would withdraw his name. He added that Margot Martell may also be more active with the Senior Center than Rose Goings.
- E. **MOTION by Bruce Schmidt and seconded by John Neal to approve the appointments for 2013 from the EMS Director to Zoning Administrative Officer Assistant as presented. Motion passed unanimously.**
- F. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to appoint Margot Martell as representative to the Black River Senior Center. Motion passed unanimously.**
- G. **MOTION by John Neal and seconded by Doug Ficken to appoint as representative to the Council on Aging. Motion passed unanimously.**
- H. **MOTION by Bruce Schmidt and seconded by Doug Ficken to approve the appointments for 2013 from CT River Transit representative to Forest Warden as presented.**
- I. Frank Heald noted that Surveyor of Wood and Lumber is still open.
- J. Howard Barton said they will re-advertise for that position.
- K. Motion passed unanimously.
- L. **MOTION by John Neal and seconded by Bruce Schmidt to appoint Angie Benson, Rose Goings and Herb Van Guilder to the 3 fence viewer positions. Motion passed unanimously.**
- M. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to appoint Norman Vanasse to the 4-year Planning Commission position. Motion passed unanimously.**
- N. **MOTION by John Neal and seconded by Bruce Schmidt for the following Recreation Committee appointment – one 3-year position – Susan Pollender and three 1-year positions – Pat Rumrill, Joe Gurdak and Pam O'Neill. Motion passed unanimously.**

6. **Complete Town Service Officer Forms**

- A. **MOTION by John Neal and seconded by Doug Ficken to appoint Viola Wynne as Town Service Officer and complete the forms. Motion passed unanimously.**

7. **Complete Town Health Officer Forms**

- A. **MOTION by John Neal and seconded by Doug Ficken to appoint Ralph Pace as Town Health Officer and complete the forms. Motion passed unanimously.**
- B. Howard Barton suggested sending John Paige a letter of thanks for his many years of service.
- C. Bruce Schmidt added that Fred Glover should also be sent a letter of thanks.

8. **Board of Listers Reappraisal Update**

- A. Frank Heald advised that Terry Thayne is going on vacation and asked him to give the report. They have inspected 420 interiors and the technical work is in progress and they will continue through late April, early May on the interiors as part of the ongoing process.
- B. Bruce Schmidt asked when people will be given dates.
- C. Frank Heald said early May.
- D. Bruce Schmidt noted that they would start grievances then.

9. **Continuation Policies Discussion**

- A. Frank Heald advised that the Management Letter from the auditors was clean. They did recommend that the town have formal Employee policies for Fraud, Conflict of Interest and Ambulance Collection.
- B. **FRAUD**
- i. Frank Heald said that the VLCT model that he presented at the last meeting had complaints going to the auditors. The auditors were not pleased with that so this new version has complaints going to the Municipal Manager. If the Municipal Manager is the person in question, the complaints will go directly to the Select Board.
- ii. **MOTION by John Neal and seconded by Doug Ficken to adopt the Fraud Policy as presented. Motion passed unanimously.**
- C. **AMBULANCE COLLECTION**
- i. Frank Heald said that he took the draft from the last meeting and corrected spelling and put it into the standard form for Town policies and he recommends the board go forth with this.
- ii. **MOTION by Brett Sanderson and seconded by John Neal to adopt the Ambulance Collection Policy as presented.**
- iii. Howard Barton noted that the effective date on the last page should be corrected.
- iv. **Motion passed to adopt the policy with effective date changed to April 4, 2012. Motion passed unanimously.**
- D. **SMOKING and TOBACCO**
- i. Frank Heald said this is the first time the board is seeing this and it is a policy, not an ordinance. He has included everything and captured the issues. No Smoking within 20 feet of Town and Village buildings or in town and village vehicles. The three parks will be posted.
- ii. Bruce Schmidt asked about West Hill
- iii. Frank Heald said the only problem is the within 20 feet of structures as the GE Outing Club meets there sometimes.
- iv. Howard Barton said we can see how things go.
- v. Frank Heald said he doesn't know anything about smokeless tobacco.
- vi. **MOTION by John Neal and seconded by Doug Ficken to adopt this policy as presented. Motion passed unanimously.**

NOTE: BOARD HAS DECIDED TO ADDRESS LIQUOR CONTROL BOARD ITEMS AT THE END OF THE MEETING FOR THE BENEFIT OF PEOPLE IN THE AUDIENCE WHO MAY BE WAITING FOR OTHER ITEMS

10. **Liquor Control Board**

- A. Howard Barton noted that Okemo related businesses will be separated out. He noted that for all businesses on the list, taxes are current.
- B. **Listed below are the Okemo owned businesses.**

<u>Applicant</u>	<u>Business Name</u>
Okemo Limited Liability Co.	EPIC
	Willie Dunn's Grille
	Sitting Bull Lounge-Base Lodge
	Vermont Pizza at Okemo
	Sky Bar
	Jackson Gore Inn
	Corner Store at Jackson Gore

- C. **MOTION by Brett Sanderson and seconded by John Neal to approve renewals for Okemo Limited Liability Co.**
- D. **Bruce Schmidt recused himself from the voting.**
- E. **Motion passed. Bruce Schmidt abstained.**
- F. **The following is a list of non-Okemo 2012 Liquor License Renewal Applications:**

<u>Applicant</u>	<u>Business Name</u>
American Legion Ballard Hobard Post #36	Same
Aminah & Rayhan, LLC	Ludlow Shell
Barrich Corporation	Pot Belly Pub
Bella Luna Ristorante, Inc.	Bella Luna Ristorante
Brewfest Beverage Company	Same
Brockton Corporation	Shaw's Beer and Wine
Cool Moose Café, Inc.	Same
Cumberland Farms of Vermont, Inc.	Cumberland Farms #8015

Gaignard, Richard C	D.J.'s Restaurant
Good Times Ludlow LLC	Ludlow Country Store
Goodfellas Petroleum	Goodfellas Petroleum, Inc.
JC Kubec, Inc.	The Governor's Inn
KMS Inc.	The Hatchery
L V P Inc.	Ludlow Village Pizza
Maxi Green Inc.	Rite Aid #10312 (tobacco only)
Midway Oil Corporation	Ludlow Mobil
MWTGS, Inc.	Andre Rose Inn
Moon Calhoun LLC	Downtown Grocery
Outback of Ludlow, LLC	Same
Rose Douglas and Ann	Rose Douglas and Ann
Sam's Steakhouse, Inc.	Sam's Steakhouse
Stuart, Leslie Pearson	The Wine and Cheese Depot
TBK Inc.	Tom's Loft Tavern
Vermont Irish Pub LLC	The Killarney
Wallace Joseph Corporation	Panarello's
Windrush Investments LLC	Tyson Village Store

G. Frank Heald advised that Tom's Loft is on the list but did not get the papers back. We will probably see them in May or June.

H. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the liquor/tobacco license applications as indicated above. Motion passed unanimously.**

11. **Consider Ludlow Rotary / Okemo Bike Climb Request**

A. Frank Heald advised that the group has been doing this for 3 – 4 years. The route is from Jackson Gore to Route 103, right up Okemo Access Road to the top. The event is scheduled for June 30, 2012 from 10:30 a.m. to 1:30 p.m.

B. **MOTION by John Neal and seconded by Bruce Schmidt to approve the request for the Okemo Bike Climb. Motion passed unanimously.**

12. **Department Head Reports**

A. Howard Barton advised that all reports are in.

B. Bruce Schmidt asked what the plan is for the Little League and the first month at Dorsey.

C. Frank Heald said that ongoing maintenance is in progress and there is a Girls' Softball game this week. They plan to take the grass out of the infield next week and put in material and rake the outfield, put in topsoil and temporary fencing. They will put in 1" of topsoil in the outfield and hydro seed. It should be in good shape by June. At Fletcher, the Ludlow field is reasonably dry and they will get some topsoil out there, seed and mulch to be ready by fall. The Cavendish Field needs infield material. Cavendish will do the fence and back stop. They have a portable rig to use on the west end. A thatcher will be rented for both fields and a roller. They should be playable in a short space of time. A welder that Richard Svec knows will try to rehabilitate the goals.

D. Bruce Schmidt asked about the other 2 goals.

E. Frank Heald said FEMA should take care of that, but we will see how the first 2 goals come out.

F. Doug Ficken asked about keeping grass in the infield,

G. Frank Heald said they would try to rehabilitate.

H. Doug Ficken said that visiting teams like those fields and it is a shame to lose the grass infield, but he understands that it may be less expensive to put in material.

I. Frank Heald said that it has to be infield material to get it ready early.

13. **Other Business**

A. **Annual Financial Plan**

i. Frank Heald said that board needs to sign this for town highways.

ii. **MOTION by Doug Ficken and seconded by John Neal to sign and certify the Annual Financial Plan. Motion passed unanimously.**

B. **Compactor at the Transfer Station**

i. Frank Heald advised that the motor on one of the compactors at the transfer station has burned up and we cannot function without that unit. There is no money in the budget for this. One alternative is to lease one for 5 years. We must do something. A reconditioned unit is about \$10,000. To have ours reconditioned would cost \$13,500 and a new unit is about \$18,000. CVPS has single phase power up there and would have to put in a

- convertor to 3-phase. We have about \$8,000 in next year's budget for a box that we don't need and we will be selling some boxes that we aren't using.
- ii. Howard Barton asked about Capital funds.
 - iii. Frank Heald said there is none available. The money has been committed for scales.
 - iv. John Neal asked if Frank Heald had gotten any lease prices.
 - v. Frank Heald said no.
 - vi. Howard Barton asked what caused this.
 - vii. Frank Heald said age.
 - viii. Howard Barton asked if insurance will cover it.
 - ix. Frank Heald said some, but it will not cover the cost of a new one.
 - x. Howard Barton asked about warranties on reconditioned units.
 - xi. Frank Heald said he is not sure.
 - xii. Bruce Schmidt asked if they could only replace the motor.
 - xiii. Frank Heald said they need to replace the whole unit. It is about 20 years old.
 - xiv. Brett Sanderson asked how old the other unit is.
 - xv. Frank Heald said it was rebuilt 2-3 years ago.
 - xvi. Bruce Schmidt asked how long it would take to get a packet together.
 - xvii. Frank Heald said he would have it in two weeks. They would have a special meeting.
 - xviii. Bruce Schmidt asked if they would need it for Green Up Day (May 5th.)
 - xix. Brett Sanderson said a new unit would be 6-8 weeks out.
 - xx. Frank Heald said they would bring in a compactor truck if the one they have fails. They only use one compactor at a time.
 - xxi. John Neal asked Frank Heald to get the information to the board as soon as possible.

14. **Set Date for Next Meeting**

- A. Howard Barton advised that the next regular meeting would be May 7, 2012 at 7:00 p.m.

15. **Sign Warrant Orders**

- A. Warrant orders have been signed.

16. **Adjourn**

- A. **MOTION by Doug Ficken and seconded by Brett Sanderson to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 7:43 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

Doug Ficken

Bruce Schmidt

John Neal