

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

December 5, 2016

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

John Neal

STAFF PRESENT:

Frank Heald Rose Goings

OTHERS PRESENT:

Jeff Billings Alan Isaacson Larry Wilfong
Alan Couch Ted Reeves Adam Sayre (LPC-TV)

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 November 7, 2016.
- B. **MOTION by Brett Sanderson and seconded by Logan Nicoll to approve the minutes for the regular meeting of November 7, 2016 as presented. Motion passed unanimously.**

3. Comments from Citizens

- A. Planning Commission
 - i. Alan Couch explained that the Planning Commission does not think that the town plan is what it should be. It does not have enough “teeth” and the Planning Commission would like feedback from the Select Board as to whether you think that the town plan is adequate to defend the zoning regulations and does it say where we want Ludlow to be in 10 to 15 years. To undertake the process to rework the town plan is a large endeavor and will require time and funds. It may need legal review. The Planning Commission does not want to take the plunge without Select Board approval.
 - ii. Logan Nicoll said that we are at a crossroads. Recent state legislation requires a new town plan, but we may be able to re-adopt ours.
 - iii. Alan Isaacson said that the town must do something within the next 15 months.

- iv. Logan Nicoll said the Energy Chapter must be reworked according to the new state legislation. A new town plan is a substantial investment. We could also find a way to re-adopt the current town plan and “kick the bucket down the road” another 5 years. The Planning Commission is also waiting to see if we get the grant to do the Energy Chapter.
- v. Howard Barton said that we do have a town plan.
- vi. Alan Isaacson said according to the new legislation, if the town plan was adopted after July 1, 2016, we have 5 years to re-adopt. If we get the Energy grant, we can re-adopt now and then have 8 years to rework the town plan. The current plan has the state requirements, but does not have vision forward. It has conclusions, standards and goals, but does not say where Ludlow will be in 5 to 10 years, or who is responsible to see that goals are met.
- vii. Howard Barton said he would first like to see if we get the Energy grant.
- viii. Alan Isaacson said we will find out in January. We will need to start the public hearing process by March 2018 for re-adoption. Then, we have 8 years to go into the full re-write process.
- ix. Alan Couch said that the current plan is adequate for the state, but we need more vision and definition. He said it needs to have more definition and concrete.
- x. Frank Heald asked what the Planning Commission is looking for. If they are looking for more staff and money, the Select Board is working on the FY2018 budget and in January 2017, it will be cast in concrete. The next cycle starts 1 year from now.
- xi. Alan Couch said the Planning Commission will need to meet twice per month and possibly require more staff for Rose Goings’ office.
- xii. Alan Isaacson said if the Select Board says yes to the bigger process, we don’t have any budget numbers put together at this time. If the Select Board says to just fix the Energy Chapter, then the Planning Commission will only start on that and wait until the Select Board give the go ahead for the larger process. During the next fiscal year, the Planning Commission will meet more often and apply for more grants and monies in the next fiscal year.
- xiii. Howard Barton asked the Planning Commission to keep the Select Board up to date on the Energy grant.
- xiv. Brett Sanderson said it wouldn’t hurt to have budget numbers for the larger process.
- xv. Logan Nicoll said the last time the plan was fully re-worked, we hired consultants.

4. VWSD Presentation

- A. Howard Barton advised that this is for a 500 kWh solar project at 65 Route 100 North. The people from VWSD were not able to be here tonight. They want to fast track the permit through the state in order to take advantage of tax incentive that expires December 31, 2016.
- B. Frank Heald handed out information sheets.
- C. Howard Barton said he saw the plans and asked if the Planning Commission had made screening regulations.
- D. Alan Isaacson said the recent changes the Select Board approved included screening.
- E. Howard Barton said a bank would be removed.
- F. Ted Reeves noted that the location was listed as Northfield.
- G. Howard Barton said that is a typo.
- H. Ted Reeves asked if they are going through the PSB.
- I. Howard Barton said yes. They will screen it so that it is not visible from Route 100.
- J. Alan Isaacson asked if we have to apply to the PSB for status.
- K. Frank Heald said that is automatic.
- L. Howard Barton said this would be on the January agenda.

5. **Continue Discussion RE: Okemo “Stearns Pit” MOU of 12/1/16 to 3/31/17**

- A. Howard Barton advised that it has changes he requested are in there and that Okemo has requested a one year contract.
- B. Ted Reeves said that the increases going forward will not be less than 3% or more than 5%.
- C. **MOTION by Brett Sanderson and seconded by Logan Nicoll to approve the MOU s presented tonight.**
- D. Bruce Schmidt said that he recused himself.
- E. **Motion passed unanimously.**

6. **Update on Solar Ranger**

- A. Frank Heald advised that he had received a call from Ranger and they are unopposed at the PSB. This week there will be a purchase power agreement with some utilities in Connecticut. They expect to be through the PSB process in February or March and hope to begin construction in the summer of 2017. They received a press release from TPI and they received the Presidential Permit from the Department of Energy which allows them to have interconnections with Canada. They are also responding to RFPs from Massachusetts.

7. **Consider Sidehill Cronchers Snowmobile Club’s Road Request**

- A. Howard Barton advised that this is the same as last year.
- B. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the Sidehill Cronchers Snowmobile Club’s Road Request as presented. Motion passed unanimously.**

8. **Report on Red Bridge Dam Issues**

- A. Frank Heald said there are issues around the gate station and they did repairs to the gate structure hoist. They were able to get parts from the original company (now out of business.) In 1994-5-6 repairs were made to the area around the gate house. Now there is wing wall seepage and we are in the permit process with the state dam people and the Army Corps of Engineers for the impoundment area. The repairs should happen as soon as possible. The gate should last until the summer. The estimate is about \$70,000. He said that he does not know how they will deal with this as it is not in the budget. We could do a municipal loan and term it over years.
- B. Bruce Schmidt asked if the dam will breach if we wait until next fall.
- C. Frank Heald said it is probably not a big risk.
- D. Bruce Schmidt said but if it does breach, there will be insurance claims. He added that the engineers go on the side of caution. We are looking at \$70,000 and that is a significant amount, but if something does happen in the next 6 months, then it would be more serious. He asked Frank Heald if it can wait.
- E. Frank Heald said he would defer to the engineers. Between now and the next Select Board meeting the Corps will weigh in and probably advise us to do it now and take out the flood gates while there is less water. We will bring this back in January or February.
- F. Bruce Schmidt said he would like to get advice from someone not connected to the state.
- G. Frank Heald said yes. We are using Ed Floyd.

9. **Report on Street & Road Reclassification Request**

- A. Frank Heald said they have started the paperwork to reclassify Commonwealth Avenue, Barker Road, Quentin Phalen and Pleasant Street/Pleasant Street Ext. from Class 3 to Class 2 roads. He said that Commonwealth, Barker and Nelson probably exist in deeds from the late 1700s or early 1800s and that deed research is expensive and time consuming. There is a state statute that says lacking definition, we can assume them to be 3 rod roads.
- B. Frank Heald advised that they had received a letter from the state regarding Buttermilk Falls Road. The town maintains it to where it stops. This piece was involved in the land swap with Okemo (he referred to a drawing showing the area) and it is basically a wash, about 25 feet extra. This may come back in January as the state says we did not inform them of this.
- C. Ted Reeves said the state know about it because they forced us into it and know the areas involved

10. **Commonwealth Avenue Culvert Update**

- A. Frank Heald said we have hit another speed bump. The landowners did not want the ditch by their properties and the project was redesigned to go down behind Ellison. This would add another \$600,000 to \$800,000 to the project and that does not work. He asked Holden to do a cost benefit analysis. FEMA only did the CBA for the Hoyle-Tanner estimate. He said that he has asked for a CBA piece to be broadened. This would take out the duplex and Sal Ciufos and Miele's properties. This may not work. The CBA will see what they did, then go back to FEMA to see if we can get a revised CBA that makes sense.
- B. Bruce Schmidt said can we put in a culvert for the landowners concerned.
- C. Frank Heald said he does not know. He does not think they can force it, but we do have some obligation to the landowners.
- D. Bruce Schmidt said that we went to the taxpayers for the bond and now there are changes. The voters will understand it is something we have to do. They know there is a problem there. The voters may say no at town meeting. It is a complex drainage system.
- E. Frank Heald said we will have an updated CBA for the next meeting. We also discussed another re-alignment going by the other side of Connie Miele's house, across the road, down the left side of the library. There are a few utilities on Commonwealth that we have to deal with and it is a shorter trip to the river. It may cost less. This work should be done.
- F. Bruce Schmidt said we have to sell it to the voters and people would rather have less aggravation instead of 2 years of construction.
- G. Frank Heald said he discussed doing the Walker Bridge project at the same time as Commonwealth, and was not received well by the contractors. With the revisions to the Commonwealth project, it probably won't happen together.

11. **Continue FY2018 Budget Workshop**

- A. Alan Isaacson commented that the roads in town are deteriorating and will there be funds to repair them.
- B. Howard Barton said they put in an extra \$7,000.
- C. Administration
 - i. Frank Heald advised that for collections from delinquent tax interest is down because delinquent taxes are down.
- D. Buildings and Grounds
 - i. Frank Heald advised this is flat.

E. Community Center

i. Frank Heald advised that this is also flat.

F. Capital

- i. Frank said he put a bunch of numbers in there. These are all things that need to get done and some can be amortized.
- ii. Bruce Schmidt asked about the Highway Truck/Plow and the Trackless.
- iii. Frank Heald said the current one the body is all rotted and would be very expensive to just replace the body. The Trackless we have is at the end of its economic life and the Village help pays toward the note. He added that the server in the office is 6 years old and needs to be replaced.
- iv. Bruce Schmidt asked if they could go to the Cloud.
- v. Frank Heald said there is a desire to keep the hard drive in-house.
- vi. Bruce Schmidt said he would like to know the cost differences.
- vii. Frank Heald said he would investigate.
- viii. Frank Heald said that dams 5 and 3 need work.
- ix. Bruce Schmidt asked about South Face Village culverts.
- x. Frank Heald said they have some grants for the Trailside structures.
- xi. Frank Heald said the small excavator would make ditch work more efficient.
- xii. Howard Barton asked if that would come out of summer work.
- xiii. Frank Heald said that by the time you amortize it, it will save some money.
- xiv. Howard Barton said we are spending money on leasing it, over time, it will pay for itself.
- xv. Frank Heald said in 2016 it came out of Summer Construction In 2016 we hired M&M to do the ditching. This year we rented a rig and put it under rentals. He said the positive side is that Water/Sewer can use it also and the Cemetery can use it for digging graves.
- xvi. Howard Barton said we keep equipment for years.
- xvii. Frank Heald said about 10 to 12 years.
- xviii. Howard Barton said it would be worth it and is a good idea.
- xix. Bruce Schmidt asked if we have trouble getting people when we need them.
- xx. Frank Heald said no.
- xxi. Bruce Schmidt asked how much it would be per year.
- xxii. Frank Heald said projected for 5 years, the first payment will hit in FY2019, and \$29,000 of payments are coming off that year. We try to keep payments fairly level.
- xxiii. Frank Heald said the small highway garage roof needs to be replaced, the highway garage needs insulation and the air handling system should be upgraded.
- xxiv. Bruce Schmidt asked if they can get funds from Efficiency Vermont for that.
- xxv. Frank Heald said maybe for the motors and air handling units.
- xxvi. Bruce Schmidt said he would like Frank Heald to prioritize the list of Capital purchases.
- xxvii. Frank Heald said he wanted board input. The excavator and trailer are a good investment. Red Bridge is no longer red and that is why painting it is on the list. The Transfer Station compactor can be left in expenses. The Highway garage insulation and upgrading the air systems are really good ideas and would include a better alarm system.
- xxviii. Bruce Schmidt asked if the board is comfortable with the list. He said that he is not in favor of the excavator and thinks that using contractors is good for the economy. He added that he does not know where else they can cut costs, but is in favor of the additional Police Detective.
- xxix. Brett Sanderson said we should look at Capital and prioritize the list.
- xxx. Frank Heald said that without the additional police detective, the increase is about 7.5% and the excavator, amortized, is not a big increase and would be revenue/cost neutral.
- xxxi. Bruce Schmidt asked if there is anything they would want to cut from Voted Articles.

- xxxii. Frank Heald said that the Cemetery Commission budget will decrease and that County tax is unknown. He said he thinks they can omit \$30,000 from the Municipal Transit for Voted Articles because they will not be buying a bus this year,
- xxxiii. Bruce Schmidt asked about the Recreation Facilities Fund.
- xxxiv. Frank Heald said the mowing machine is \$10,000/.
- xxxv. Bruce Schmidt asked if the softball dugouts will be done before the season.
- xxxvi. Frank Heald said in June and they can take \$10,000 from there.
- xxxvii. Frank Heald advised that the Cemetery Commission will be putting in an article to consolidate 3 funds into one so they can make purchases on a more rational basis.
- xxxviii. Frank Heald said they could also take \$25,000 from the bike path fund that could also be repurposed to other Capital.
- xxxix. Bruce Schmidt said the voters are realistic and will support us if we present well thought out reasons. He agreed that it should be repurposed.
- xl. Logan Nicoll said there have been 3 or 4 plans for the bike path and all have been turned down.
- xli. Frank Heald said we have a 10% increase in the amount to be raised in taxes and asked how much is saleable to the voters.
- xlii. Bruce Schmidt said 4 to 6% with a big part to the Police Department.
- xliii. Frank Heald said that would be 3 to 4 %/.

G. Transfer Station

- i. Bruce Schmidt asked if we are paying more for tipping costs because there are no covers.
- ii. Frank Heald said the chutes are open at the bottom.
- iii. Bruce Schmidt asked what about when you are dealing with paper.
- iv. Frank Heald said he thinks that the water drains at the bottom. He said he will look into it tomorrow.
- v. Bruce Schmidt said he is still not convinced we need another compactor and he does not see that there is an issue.
- vi. Frank Heald said we spend an extra \$5,000per year in pulls and could amortize the equipment in 3 to 4 years. He said he has asked Patti Potter to come in and talk about the purple bags. She thinks that property managers are now throwing bags away. Our tipping fees are going up, but income is not. She thinks we are leaving money on the table.

H. Police Department

- i. Frank Heald said that the budget was flat, but they have added a Police Detective line item. They will use internal staff and add an experienced road officer. It would be at Wage/Benefits Step 3officer. They would get another vehicle by getting a bid on a cruiser or plain or used car and put a blue light on it. He estimates \$7500 per year for vehicle, fuel, insurance and amortization. The Police Department budget would increase 10%.
- ii. Jeff Billings said that numbers in town have increased and there were 6 to 7 more burglaries in town last month. They have been relying on Springfield's detectives for help and we have been helping them. We need a detective to investigate felonies and sexual assaults. We do have people training for this and the detective will also have to do road shifts. We have had 5 men for the last several years and there are new buildings and more people going through town. We are well behind in staff. Chester has 5 people plus a detective and we do twice as many calls. It is time to look at our need for a detective. We have someone in house who could slide into the position. We also can't do part time officers anymore. We need to bite the bullet now and hire someone. He would rather be proactive than reactive.
- iii. Howard Barton said it is a good idea.

- iv. Bruce Schmidt said how we sell it to the voters. There are not many places to cut expenses. We need to look at other towns; see what Stowe has. People will want us to show that we are standing up against the burglars and getting them behind bars.
- v. Brett Sanderson said he does not think it will be as much of a challenge to get voter approval as Bruce Schmidt expects. Just look around, Chester has 5 officers plus a detective.
- vi. Jeff Billings said that part of his budget is also Dispatch and it is a separate budget department in other towns.
- vii. Howard Barton added that people expect the police to respond right away.
- viii. Jeff Billings said we do. We provide service to make people feel safe.
- ix. Howard Barton said he does not think it will be much of a problem to sell the voters. This had been a long time coming.
- x. Bruce Schmidt said people are desperate with drugs and the economy.
- xi. Frank Heald said we may not eradicate crime, but will do a better job solving it.

I. Solid Waste

- i. Frank Heald said that for Solid Waste as of July, 2017, we will have to start accepting organics (food waste.) As of 2020, consumers will also have to start separating organics. He said that most towns will charge for a 5 gallon bucket and asked if Ludlow should charge or consider as covered by taxes.
- ii. Bruce Schmidt asked how we would charge.
- iii. Frank Heald said \$2.00 per 5 gallon container.
- iv. Frank Heald said we can meet again in 2 week or in January to discuss this.
- v. Bruce Schmidt said January.

12. Department Head Reports

- A. Howard Barton advised that all reports are in.

13. Other Business

A. Walker Bridge

- i. Frank Heald advised that the contract will run from June 1, 2017 and will be 24//7. The jackhammer will be going on Sunday June 4th and he has offered the upstairs auditorium to the Baptist and United Churches for that day for services. He has met with the local merchants' coalition to market the middle part of the town during the 30 day construction period. There is also a substantial incentive to the contractors to finish early.

14. Set Date for Next Meeting

- A. Howard Barton advised that the next regular meeting will be on Monday, January 2, 2017 at 7:00 p.m.

15. Sign Warrant Orders

- A. Warrant orders have been signed.

16. **Possible Executive Session/ Personnel/Contracts/Legal**

- A. Frank Heald advised that an Executive Session is needed.
- B. **MOTION by Bruce Schmidt and seconded by Logan Nicoll that in accordance with the provisions of 1VSA §313 (1) (B), he moves that the Ludlow Select Board enter into Executive Session to consider;**
 - i. **A proposed real estate agreement or contract. The premature public knowledge of this proposed agreement would place the Town and Village of Ludlow at a substantial disadvantage. This motion for executive session includes the members present and the Municipal Manager. Motion passed unanimously.**
- C. Board entered into Executive Session at 8:53 p.m.
- D. Executive session ended at 9:00. No action taken

17. **Adjourn**

- A. **MOTION by Bruce Schmidt and seconded by Logan Nicoll to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 9:00 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

John Neal

Bruce Schmidt

Logan Nicoll