

**PRELIMINARY MINUTES**

**TOWN OF LUDLOW  
BOARD OF SELECTMEN**

**REGULAR MEETING**

January 4, 2016

**BOARD MEMBERS PRESENT:**

Howard Barton, Jr., Chairman     John Neal  
Logan Nicoll                             Bruce Schmidt

**BOARD MEMBERS ABSENT:**

Brett Sanderson

**STAFF PRESENT:**

Frank Heald                             Pam Cruickshank                     Rose Goings

**OTHERS PRESENT:**

Joanna Bombadil                     Ralph Pace                             Larry Wilfong  
Katie Buckley                         Ted Reeves                             Ed McEaney (LPC-TV)

**PUBLIC HEARING TO CONSIDER THE COMMUNITY DEVELOPMENT GRANT**

1. Howard Barton opened the hearing at 7:00 p.m. and advised that this is a public hearing to obtain the views of citizens on community development, to furnish information concerning the range of community development activities that have been undertaken under this program and to give affected citizens the opportunity to examine a statement of the uses of the funds from the \$425,000 grant which the town received to preserve and rehabilitate 22 permanently affordable apartments at Black River Overlook.
2. Katie Buckley advised that the rehabilitation is complete and the project was successful. All units are occupied. The only thing left to be done is some site work in the spring.
3. Howard Barton asked if the other building was removed.
4. Katie Buckley said yes.
5. Frank Heald complimented the project.
6. **MOTION by John Neal and seconded by Logan Nicoll to close this public hearing. Motion passed unanimously.**
7. **Public hearing closed at 7:02 p.m.**

**REGULAR MEETING OF THE SELECTBOARD**

1. **Call to Order**

- A. Chairman Howard Barton called the meeting to order at 7:03 p.m.
- B. All members present, except Brett Sanderson.

2. **Approve Minutes of Previous Meetings**

- A. Howard Barton advised that the minutes to be approved are from the regular meeting December 7, 2015 and the special meeting of December 21, 2015.
- B. **MOTION by Bruce Schmidt and seconded by Logan Nicoll to approve the minutes of the meetings of December 7, 2015 and the special meeting of December 21, 2015 as presented. Motion passed unanimously.**

3. **Comments from Citizens**

- A. There were none.

4. **Continue FY 2017 Budget Workshop**

- A. Frank Heald advised that the budget in the packets had included a coversheet that recapped the numbers. He has not yet received the numbers from the County and the first meeting for it is on January 13<sup>th</sup>. The numbers in the draft budget are based on last year. The only other outstanding numbers are the petitions from the voters. There is one in from the museum for \$15,000 for windows. Based on the numbers we have, the increase in the town budget will be about 2.96% and the amount to be raised in taxes is about 2.41%. He noted that the CLA is now 102.5 and that will help with the school taxes.
- B. Howard Barton recalled that they had discussed the Ambulance Department at their last meeting.
- C. Frank Heald said that there is a charge on the Ambulance side of \$20,000 and a credit to the Police Department for dispatch services.
- D. John Neal noted that on the recap sheet, it says 2.41% for the amount to be raised in taxes, but the last page of the budget says 3.05%.
- E. Frank Heald said he will check into it.
- F. Bruce Schmidt said it is about \$4,000.
- G. Frank Heald said the biggest increases are in wages and insurance.
- H. John Neal noted that on page 25, it shows projected revenue at \$254,998 at 25.73%
- I. Bruce Schmidt said that on page 9, it shows projected revenue at \$225,000.
- J. Frank Heald said that capital is the driver. He added that he does not think that the county tax will have much effect.
- K. John Neal noted that health insurance is up 9%.
- L. Frank Heald said aside from the increase in costs, a single person left highway and a person with a family was hired.
- M. Howard Barton asked about Parks and Recreation and winter/summer labor and why the numbers vary so much.
- N. Frank Heald said that is camp staff and winter labor. He said that the attendance at camp this past summer was about ½ of previous years. We didn't back off the labor soon enough. He said that the \$4,000 difference may be in Parks and Recreation labor.
- O. Bruce Schmidt suggested that the fuel numbers for diesel and #2 fuel oil may be high.
- P. Frank Heald said he projected what the costs may be in 1 ½ years.
- Q. Bruce Schmidt said he can buy for next year now.
- R. Frank Heald said he would check with the distributors, and added that he has not been able to lock in prices on diesel.
- S. John Neal asked about Workers Comp.
- T. Frank Heald said there were 2 serious accidents in the Police Department this past year; two officers were injured in the line of duty.
- U. Bruce Schmidt asked if the board is comfortable with the budget numbers.
- V. Howard Barton asked what the increase was last year.
- W. Frank Heald said less than 2%.
- X. John Neal said he would like to see the increase be about 2 to 2.2%, not 2.4% He said we are not too far off.
- Y. Bruce Schmidt said 2.4 is not 2.0 to 2.2.
- Z. John Neal said he would like to see the numbers after the county rate is in and the petitions are in. He suggested that there may be some room to lower fuel.
- AA. Frank Heald said if you could lock diesel it would, but repeated that he has not been able to lock diesel. He said he would check into locking fuel oil now and trying to lock diesel.
- BB. Bruce Schmidt recounted that at their last meeting they discussed Ambulance, the Police department item for \$5400 for building maintenance, a new cruiser and radios. They also discussed a paving bond.
- CC. Frank Heald said they need to warn town meeting by January 21<sup>st</sup>.
- DD. Bruce Schmidt asked if the board wants to accept the increase in Workers Comp or have the departments cut back.
- EE. John Neal said that accidents do happen and we can't put the burden back on the departments. We could have more safety training.
- FF. Frank Heald said that both cases happened in the line of duty, adding that police officers are put in perilous situations. He noted that normally, the officers operate alone and he does not know how we could have done anything differently.
- GG. Bruce Schmidt said that up until this year, we had a great record and asked how VLCT came up with the \$19,000 increase.
- HH. Frank Heald said that part is a manual rate, set by the state; part is experience modification and part is money back from the state. He noted that the fire department also went up.
- II. John Neal asked if trying to get to 2% is realistic.
- JJ. Frank Heald said he would go back and look at the numbers.
- KK. Bruce Schmidt said he would like to see the town budget less and the board should meet again before setting the rates.
- LL. Frank Heald warned that there may come a day when they do run a deficit.
- MM. Howard Barton asked about an agreement the town had with the museum regarding the town providing for some of the museum operating costs.

- NN. Frank Heald said he would get a copy of the agreement. It was for utilities, for the museum and the library and also one other entity.
- OO. John Neal said they are special places in the town.
- PP. **MOTION by John Neal and seconded by Bruce Schmidt to lower the town budget increase to 2.5%. Motion passed unanimously.**

5. **Consider Local Option Tax**

- A. Frank Heald advised that Ulla Cook had asked him about setting a Local Options Tax and he looked up the last 2 years and what the tax would generate for the town. He provided a chart for board members.
- i. A RM&A of 1% would raise @ 70% (30% going to the state) = \$325,000
- ii. A Sales Tax of 1% would raise @70% (30% going to the state) = \$350,000
- B. Frank Heald said that the money could be used for any municipal purpose including tax reduction, highway garage improvements, sand and salt storage improvements, paving projects, sidewalks in the village, street lights, and economic development, bond or loan payments or to start a fund for future projects. The towns of Stratton, Stowe, Killington, Windhall, Dover, Williston, Colchester, Middlebury and Manchester are among those which already have a local options tax. The money may not be used for the schools. He suggested that the board consider this. He said that a bond for paving would have to be paid in 7 years because they would have to repave not too long after that. He said if the board does want to do this, they should consider putting a set percentage in to reduce taxes and the balance to infrastructure. Part of it would be used in the village. If the board wants to try to present this at town meeting, it must be warned quickly. If passed by the voters, we would start accumulating funds in October. We would not be able to use it to reduce 2017 taxes. Local feedback from other towns shows some people resistant because they hate giving the state 30% and others just did not want another tax. We would probably save more on property taxes if we look at a \$.02 add to tax rate.
- C. Howard Barton said we would have to decide by January 21<sup>st</sup>.
- D. Frank Heald said we could put it on the ballot for the voters. He added that he thinks the board should do it.
- E. John Neal asked how this would affect businesses.
- F. Frank Heald said the state would collect the money and remit our portion to us. He said that businesses would have some reprogramming. He said if they own the property, they would probably save on property taxes.
- G. Howard Barton said it would bring the tax rate down.
- H. Bruce Schmidt said people would probably save more than the outlay for the options tax, adding that not all of it would go to lowering the tax rate.
- I. Frank Heald said we designate a percentage to go to lowering the tax rate and the rest to infrastructure. The first year would probably mean about \$.02 on the Grand List. He said that the voters would need to understand what we are doing.
- J. Ralph Pace asked if there are any exclusions.
- K. Frank Heald said vehicles, real estate sales, groceries, clothes; basically pure sales.
- L. Bruce Schmidt asked how we would get voter input.
- M. Frank Heald said he had hoped people would come tonight because it was listed on the agenda. Ralph Pace may do a show on it on TW3 and people may watch the meeting on LPCTV.
- N. Bruce Schmidt asked about the Chamber of Commerce.
- O. Frank Heald said yes.
- P. Bruce Schmidt said we have to show the voters that we have a plan and it will not just go into the general fund.
- Q. Frank Heald said we need to be very clear what we will use the money for.
- R. Howard Barton said to put this on the agenda for the meeting on the 18<sup>th</sup>.
- S. Frank Heald said the board would still have to meet on the 21<sup>st</sup> to sign the warning for Town Meeting.
- T. Howard Barton said the board would also be meeting on the 18<sup>th</sup> to get the budget down to 2.5%.

6. **Review and Comment – Select Board Annual Report**

- A. Frank Heald asked for comments on the Annual Report
- B. The board consensus was good.

7. **Consider Complaint RE: 5 Spot Restaurant & Bar**

- A. Frank Heald advised that a complaint had been received against 5 Spot for noise. He said that he had met with Andrew White today and he thinks we will be able to work out a resolution. Andrew

White will apply for an Entertainment Permit and he will also meet with the Condo Association. Frank Heald said that he suggested to Mr. White to have only soft, background music. He said that Mr. White admits that he has had some loud bands with heavy bass and vibrations.

- B. Bruce Schmidt asked if there has been any police activity.
- C. Frank Heald said that it has not been a problem on Chief Billings' radar. He added that Sergeant King also pays close attention to bars.

#### 8. Review Transfer Station Appliance Fees

- A. Frank Heald advised that in the past, we have not charged for stoves, washers and dryers, only appliances with Freon. We have been crushing the metal and now the market has tanked. Also, now we need to remove the mercury switches and that takes time. We recommend raising the appliance fee to \$15.00, to match the fees we are charging on refrigerators and freezers. The fee would be \$15.00 a piece on all appliances.
- B. Bruce Schmidt asked how many mercury switches we remove.
- C. Frank Heald said in all of the other appliances. He said that in 2008, NH banned them and in November 2015 the Federal government banned them.
- D. Frank Heald said we have been removing them and will continue to do so until we can find a contractor to do it. One person at the station has been trained and is training other employees.
- E. **MOTION by John Neal and seconded by Logan Nicoll to move the appliance fees to \$15.00 for all appliances effective January 15, 2016. Motion passed unanimously.**

#### 9. Department Head Reports

- A. Howard Barton advised that all reports are in.
- B. Bruce Schmidt asked if this board should meet with the Mount Holly Select Board regarding combining Ambulance services.
- C. Howard Barton noted that our Ambulance Service declined this.
- D. Bruce Schmidt asked if this board wants to start talking about forming a regional ambulance service. He said that we probably have one of the strongest services in the area.
- E. Frank Heald said that he suggested to Karl Matteson that we begin these conversations over the next year. The problem is that we are actually covering calls on the way back from Springfield Hospital. We cover Cavendish and half of Plymouth for very little money and we have members from both towns on our service. We have had 15 calls in the 1<sup>st</sup> six months go to mutual aid. We need to sit and discuss this.
- F. Bruce Schmidt said that we need to talk to Mount Holly, Chester, Cavendish and Plymouth and all chip in to get a consultant to study regional or not. We need to see what we need to do. We are burning our people out.
- G. Howard Barton said that the state training requirements have increased.
- H. Frank Heald said we are facing the same situation in the fire department. He said that he and Pete Kolenda and Karl Matteson need to sit and discuss this. We need to talk about co-utilizing people. Our whole EMS system needs to be looked at.
- I. Bruce Schmidt said we have a lot of activity and we need to dictate our fate if we start a regional service.
- J. Frank Heald said the general population is growing.

#### 10. Other Business

- A. CLA and COD
  - i. Frank Heald said the CLA is 102.59 and the COD is just under 15. This is good for school taxes.
- B. Transfer Station
  - i. Frank Heald said that the people who are picking up trash are not following recycling guidelines with their clients. He said he will send them letters.
  - ii. Frank Heald said he would email it out tomorrow. He has the list for FY2015 and the FY2016 to date. He doesn't have the November bills yet.
- C. Contractor List
  - i. Brett Sanderson asked Frank Heald where the contractor list that was discussed at the November meeting is.
  - ii. Frank Heald said the person who was causing trouble relative to the number of visits he can make each day and his demeanor during those visits is starting up again. Frank Heald said the person signed an agreement about 5 years ago about this and he is now doing it again. Frank Heald said that the person is also making not so nice statements about him.
- D. Future Agenda Item

- i. Bruce Schmidt said he would like this board to be proactive regarding legalization of marijuana. He would like to see ordinances in place to prevent dispensaries in town. He would like this on the agenda for the February meeting. He said they would not be good for the town or the children in town.
- ii. Frank Heald said he would have a draft ordinance for the next meeting. He said he would get together with Sergeant King.
- E. Vapor Shop Across the Street from Town Hall
  - i. Howard Barton asked about the shop.
  - ii. Frank Heald said the materials are also available at three of the convenience stores in town. He said that someone was “vaping” in the window of the shop and that Rose Goings said that there was not supposed to be vaping in the store. He said they will keep on this. He added that it is supposedly as innocuous as cigarettes.

11. **Set Date for Next Meeting**

- A. Howard Barton said that there will be a Special Meeting on January 18, 2016 at 7:00 p.m. to discuss budget.
- B. Frank Heald said they would also discuss the Entertainment Permit for 5Spot if the paperwork is complete.
- C. Frank Heald said there would be another special meeting to sign the warning for town meeting.
- D. The next regular meeting will be on February 1, 2016.

12. **Sign Warrant Orders**

- A. Warrant orders have been signed.

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

- A. Frank Heald advised that an Executive Session is not needed.

14. **Adjourn**

- A. **MOTION by John Neal and seconded by Bruce Schmidt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:33 p.m.

Respectfully submitted,

Lisha Klaiber

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Howard Barton, Jr., Chairman

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Brett Sanderson

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John Neal

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Bruce Schmidt

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Logan Nicoll