

MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

REGULAR MEETING

January 7, 2013

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

John Neal Brett Sanderson

STAFF PRESENT:

Frank Heald

OTHERS PRESENT:

Peter Kolenda Ralph Pace Sharon Bixby (LPC-TV)
Katharine Otto Jason Rasmussen

1. Call to Order

- A. Chairman Howard Barton called the meeting to order at 7:00 p.m. All members present, except John Neal.

2. Approve Minutes of Previous Meetings

- A. Howard Barton advised that the minutes to be approved are from the regular meeting of December 3, 2012 and the special meeting of December 17, 2012.
B. **MOTION by Brett Sanderson and seconded by Doug Ficken to approve the minutes of December 3, 2012 and December 17, 2012 as presented. Motion passed unanimously.**

3. Comments from Citizens

- A. There were none.

4. Review Emergency Alarm Ordinance

- A. Howard Barton advised that this item was carried over from the meeting of December 3, 2012.
B. Pete Kolenda recommended that the board revamp the whole thing. He noted that the registration of alarm systems is not happening. They should be receiving applications with names, addresses and key holders. For the most part, they have been dealing with the alarm companies. The Police Department dispatcher should also have this information. He added that in section 2.07, item H should be moved to definitions and that in section 5.03, the e chief should not make recommendations for service providers. It should be a technically qualified person.
C. Frank Heald asked who would be a technically qualified person.
D. Pete Kolenda said you would probably be able to get a list from the Division of Fire Safety. He said that they should also review CO alarms. He also added that there should be a \$50 fine if a system is not registered within a 30-day period. He suggested that the ordinance be reviewed jointly by himself, along with Chief Billings and Frank Heald.
E. Bruce Schmidt noted that false alarms are still a gray area. What are accidental alarms?
F. Pete Kolenda said possibly when a child pulls the alarm pull station.
G. Bruce Schmidt asked about what an accidental alarm in the home would be.
H. Pete Kolenda said that people may have one false alarm every 6 months. What if the 2 alarms are the same? Would they still be considered an accidental alarm?
I. Bruce Schmidt mentioned burnt popcorn and a sprinkler alarm.
J. Pete Kolenda said they could be the result of improperly placed detectors or poor system maintenance. The FD would normally check them out anyway.
K. The board agreed that the ordinance should be further reviewed.

5. SWCRPC Regional Transportation Update

- A. Jason Rasmussen advised that the Regional Planning Commission is updating the transportation plan for the area. They want to make it easier to understand and to identify future needs. He provided a map indicating areas of concerns for traffic volume and accidents, areas that are too narrow, possible bicycle and pedestrian projects and scenic byways. He also mentioned the Walker Bridge project.
- B. Katharine Otto added the need for work on Commonwealth Avenue and asked the board for other suggestions.
- C. Jason Rasmussen advised that funds for new projects are very limited.
- D. Frank Heald asked about Smithville.
- E. Jason Rasmussen said it is still on the books, but there has been no movement in the last 5 years. He said that he can ask for a status update.
- F. Bruce Schmidt asked about high crash areas.
- G. Katharine Otto said that it based on number of crashes and monetary value of the crashes.
- H. Jason Rasmussen said that the Regional Planning Commission offers a variety of services and asked if there was anything else the board needed.
- I. Bruce Schmidt said that Regional – Jason Rasmussen- has done a good job working with the Planning Commission on the Town Plan update and now the Zoning Regulations.
- J. Frank Heald said that Katharine Otto has helped Two Rivers with an Excel tracking system for trucks, roads and materials.
- K. Katharine Otto advised that they are looking to extend the Route 100 Byway down to the Massachusetts borders and further north.

6. Consider and Approve Ludlow Enterprise Fund Recommendations

- A. Frank Heald referred to the Enterprise Committee minutes from their December 20th meeting. After the annual funding for the Public Safety Building, there is an available balance of \$9,880 and there were 3 requests. The committee unanimously voted to recommend that LES, BRAM and Ludlow Teen Center each receive \$3,296.33.
- B. **MOTION by Bruce Schmidt and seconded by Doug Ficken to approve the recommendation of the Ludlow Enterprise Committee for distribution of funds. Motion passed unanimously.**
- C. Doug Ficken noted that the minutes from December 20th did not list Brett Sanderson as present, but he was there.

7. Planning Commission Resignation

- A. Howard Barton advised that a letter of resignation from the Planning Commission had been received from Lucas Ladden.
- B. Frank Heald said that he had also received email letters of resignation from Ethan Gilmour and Steve Stengel.
- C. **MOTION by Doug Ficken and seconded by Brett Sanderson to accept the resignations. Motion passed unanimously.**

8. Consider VT Agency of Transportation Right of Way Agreement

- A. Frank Heald advised that the board members had copies of the proposed Right of Way (ROW) Agreement for the Walker Bridge project.
- B. Howard Barton asked Frank Heald if he had read through the document. He specifically referred to page 2 Item 3, Municipal Eminent Domain powers. He said that he does not feel that should be in the agreement. He said that the state should do it, not the town. He is concerned about taking peoples' property away.
- C. Frank Heald said that he will see if he can get it removed. He added that he is not aware of any ROW issues at this point.
- D. Bruce Schmidt asked if this would slow the process.
- E. Howard Barton said the project is not scheduled until 2014.
- F. Frank Heald said that ultimately the bridge would be the town's and it would be town land.
- G. Doug Ficken said that only the town would have the authority to this power.
- H. Frank Heald said he would take it back to the state.
- I. Bruce Schmidt said that he wants to protect citizens from the state trying to low ball them.

- J. Frank Heald noted that the agreement says, Fair Market Value. He added that based on the plans, he does not think this would be needed at all. He added that if the town wanted to do better than Fair Market Value, it would have to pay the difference.

9. Consider Buildings and Grounds Tractor Purchase

- A. Frank Heald said that they were not happy with round #1 of the bids, so they went back out. Kevin MacPherson recommends going with R. N. Johnson for \$11,699. There were some lower bids, but with lesser equipment. The other bids were from Pinnacle, Walker and Mountain View.
- B. Brett Sanderson asked if the John Deere is 4WD.
- C. Frank Heald said no, it is 4-wheel steering.
- D. Brett Sanderson said it does not look like the specs are well met. He asked if the Deer is diesel or gas.
- E. Frank Heald said gas.
- F. Howard Barton asked if they would use this at Dorsey Park.
- G. Frank Heald said they have been using equipment from the Cemetery department with a smaller deck and it won't do scalping. He recommends going with the Johnson bid.
- H. Howard Barton asked the budgeted amount.
- I. Frank Heald said \$11,000.
- J. **MOTION by Bruce Schmidt and seconded by Doug Ficken to accept the bid from R. N. Johnson for \$11,699. Motion passed unanimously.**
- K. Bruce Schmidt said that in the future, he would like spread sheets on all the bids for comparison.

10. Update on Commonwealth Avenue Project

- A. Frank Heald said there are issues with the culvert going from the Miele house to the Black River. It needs renovation. When it floods, it also runs into Meadow and Mill Streets. There is some hazard mitigation money available from FEMA, but the application must be in by February 7, 2013. We will need to do engineering and a survey. He suggested using Hoyle Tanner for the engineering and David Rose for the survey, running about \$6,000 and \$3,500 respectively. The Regional Planning Commission will help with the application process. This will be our only chance in the near term for funding at 75%. The total cost for the project will probably be about \$1,000,000. This is a major project and without funding, he does not know how the town could do it. He would have to take the \$10,000 out of somewhere.
- B. Brett Sanderson said the work has to be done.
- C. Frank Heald said they would need a box and highway traffic would be limited. He would like to see this done at the same time as the Walker Bridge. It would be tricky construction.
- D. The board agreed to proceed with the application process.

11. Planning Commission Resolution RE: Seven to Five Members

- A. Frank Heald advised that the resolution is to reduce the number of Planning Commission from 7 to 5. He added that there are only 4 members on the board at this time and they would have to do some recruiting.
- B. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to sign the resolution. Motion passed unanimously.**

12. FY2014 Budget Workshop (Continued)

- A. Frank Heald advised that at the last meeting, he discussed his concern over the County Tax rate. At that time, he thought it would be about \$105,000. Ludlow pays about 15% of the total county taxes. County does have a surplus that they want to spend on a new roof over the old jail. In today's mail, he received the new tax rate and it will be \$82,180 – a 95% increase over last year. With that added in, the Ludlow taxes will increase 3.79%, about \$124,000. The breakdown for the increase is:
- | | | | |
|-------------------------|----------|---|------|
| i. Wages and Benefits - | \$32,000 | - | 1% |
| ii. Insurance - | \$20,000 | - | .6% |
| iii. County Taxes - | \$40,027 | - | 1.2% |
| iv. Other - | \$32,477 | - | 1% |
- B. Frank Heald said that the only one that the board has any control over is Other. He said that VLCT suggests that other towns list the County tax as a separate line item on the tax bills. If

- we do that, we should make it clear, at town meeting about the county tax and that fact that we have no control over it. Also, the county wants to renovate the county courthouse for about \$2,000,000 and may propose a bond issue at town meeting.
- C. Howard Barton asked what would happen if we took the county tax separately from the rest of the budget.
 - D. Frank Heald said it would distort the bottom line.
 - E. Bruce Schmidt said that the question is that we have to face the people and there is a 3.79% increase.
 - F. Frank Heald said that he proposes that they present the County tax budget below the town lines, but still in the financials.
 - G. Bruce Schmidt said that they have to be ready for the people. What will the tax rate increase be?
 - H. Frank Heald said less than \$.01.
 - I. Bruce Schmidt said they have to make it clear to the people that the only part that they have any control over is the Other and they have tried to keep that to a minimum.
 - J. Frank Heald said that when you add in Cemetery, it is lower because they are down \$5,000.
 - K. Howard Barton said there is still time for Frank Heald to review it.
 - L. Bruce Schmidt said people are going to want the board to deal with the things we can control.
 - M. Howard Barton asked about Appropriations.
 - N. Doug Ficken suggested the possibility of an across the board decrease of 2% on Appropriations.
 - O. Frank Heald said that if you take funds from the schools, you will end up paying more for their budget, because they will have to come up with the difference.
 - P. Bruce Schmidt asked the increase in the last couple of years.
 - Q. Frank Heald said 2-3%.
 - R. Bruce Schmidt said that if the board is comfortable with a \$.01 increase on the tax rate, they will have to sell it at town meeting. He asked Frank Heald if there were any other places to cut.
 - S. Frank Heald said that we tried to do the best we can. Each department budget is prudent and we have tried to provide the services the community expects.
 - T. Sharon Bixby said that if all you can actually control is \$32,000 that is really only \$.0025.
 - U. Frank Heald said that we have tried to hack and slash.
 - V. Bruce Schmidt said they have done a good job with a realistic budget. If we are comfortable and confident, we can present it. There will be people against the budget, but there will also be people who will understand and be realistic.
 - W. Howard Barton said the people can change it at town meeting. He said that he is comfortable with the budget.
 - X. Bruce Schmidt said he is comfortable.
 - Y. Brett Sanderson said there is not much more they can do.
 - Z. Frank Heald said he will review it again and if there is anything more he can cut, he will do it. He suggested meeting again on the 21st and draft a warning that night.

13. Department Head Reports

- A. Howard Barton advised that all reports are in.
- B. Bruce Schmidt asked about changes in the road signs.
- C. Frank Heald said they are new and a requirement of MUTCD (Municipal Uniform Traffic Control Devices.)

14. Other Business

- A. Summer Program For Youth
 - i. Frank Heald said that over the past couple of summers, he noticed a gap in the programs for students from Summer Camp. It only goes up to 6-7th grade. He saw a program at Rotary for older students that would utilize Rotary intellectual resources for the middle school grades through maybe sophomores. There are about 35-40 students in that age group. They would retain educators and Rotary people. There would also be soft core academics. Students would do a variety of activities, possibly including reading, conversational foreign language, cooking, Community Center activities and maybe skateboard park improvements. He would keep his oar in the water on this. He will bring a budget to the January 21st meeting. He would like to see it on the ballot at town meeting.
 - ii. Bruce Schmidt gave Frank Heald a lot of credit for this suggestion.
 - iii. There was general to proceed.

15. Sign Warrant Orders

- A. Warrant orders have been signed.

16. Set Date for Next Meeting

- A. Howard Barton advised that the next meeting would be January 21, 2013 at 7:00 p.m.

17. Possible Executive Session / Contracts / Personnel/Legal

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

18. Adjourn

- A. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to adjourn. Motion passed unanimously.**
B. Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

Doug Ficken

Bruce Schmidt

John Neal