

## *MINUTES*

### **TOWN OF LUDLOW BOARD OF SELECTMEN**

#### **REGULAR MEETING**

July 1, 2013

#### BOARD MEMBERS PRESENT:

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

#### STAFF PRESENT:

Frank Heald

#### OTHERS PRESENT:

Glenn Heitsmith      Noah Schmidt (LPC-TV)

#### 1. **Call to Order**

- A. Chairman Howard Barton called the meeting to order at 7:01 p.m.
- B. 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 June 3, 2013.
- B. **MOTION by Doug Ficken and seconded by John Neal to approve the minutes of June 3, 2013 as presented. Motion passed unanimously.**

#### 3. **Comments from Citizens**

- A. There were none.

#### 4. **Award West Hill Culvert Project Bid**

- A. Frank Heald advised that the project the culvert from Trailside to Ghia Farm and is 90% funded by VTRANS. The budgeted estimate for the project was \$50,000. There were 2 bidders, Daniels and Belden. There was a significant difference in the bids; Belden at \$22,680 and Daniels at \$63,500. Belden proposes to remove the bottom and pour a new bottom, diverting the culvert during construction. There is a fairly significant drop and they probably will not have to use fish baffles. Belden wants an engineer to inspect the site before the project, looking at the integrity of the wall. We don't think that will be an issue. Charlie Swann is coming to do the inspection. The committee recommends awarding the bid to Belden for \$22,580. This leaves plenty of room for any extras.
- B. Bruce Schmidt asked if the two bidders had the same scope of work.

- C. Brett Sanderson said that Daniels is very busy.
- D. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to accept the bid from Belden for the West Hill Culvert Project for \$22,680. Motion passed unanimously.**

5. **Listers' Reappraisal Update**

- A. Terry Thayne advised that the Grand List is up \$1,355,800 and that can be attributed to one house on the mountain. There were 38 total grievances and only 6 of them will be going on to the BCA. We are still getting ready to upgrade. Property transfers are up a little.
- B. Frank Heald said that the CLA is up slightly due to the real estate activity. He added that the state rates are up. Preliminary numbers are increases of 3.25% for residential and 2.8% -2.9% for non-residents. These are without any Select Board adjustments and there is no money for adjustments.
- C. Doug Ficken asked about the CLA and the COD.
- D. Frank Heald said the CLA is around 96.
- E. Terry Thayne said the COD is around 11 and had been as high as 19. This indicates assessment fairness.

6. **Okemo Mountain Road Closure Request**

- A. Howard Barton advised that the Killington Sports Car Club is requesting closure for the weekends of July 13-14 and August 10 and 11m 2013.
- B. Frank Heald advised that they will be going from the parking lot to Upper Crossroad.
- C. **MOTION by Bruce Schmidt and seconded by John Neal to approve the request from the Killington Sports Car Club for road closures on the weekends of July 13 and 14 and August 10 and 11, 2013. Motion passed unanimously.**

7. **DRB Appointments**

- A. Howard Barton advised that there are 3 positions open on the DRB and letters requesting reappointment have been received as indicated below.

TERM	CANDIDATE
2-year term (expires 2015)	Richard Harrison
1-year term (expires 2014)	Linda Petty
1-year term (expires 2014)	John Boehrer

- B. **MOTION by John Neal and seconded by Brett Sanderson to reappoint DRB members as indicated above. Motion passed unanimously.**

8. **Approve 24 VSA § 832 Bonding Requirements**

- A. Frank Heald advised that statute requires that the Select Board approve bonding amounts for the treasurer, assistant treasurer, tax collector and anyone who handles money. VLCT provides

insurance coverage for this and the town pays for the coverage. He has reviewed the section of the policy and affirms the funding is sufficient.

- B. **MOTION by Doug Ficken and seconded by John Neal to accept the bonding requirements as presented.**
- C. Bruce Schmidt asked why Frank Heald highlighted the section regarding treasurer and assistant treasurer being appointed.
- D. Frank Heald it was because it listed the persons affected by this. He noted that the tax collector in Ludlow does not handle money.
- E. Bruce Schmidt said the emphasis was on appointed, not elected and does the treasurer need to supply their own bond?
- F. Frank Heald said in some towns, they do, but Ludlow has not done that.
- G. **Motion passed unanimously.**

9. **Execute FY 2014 New Capital Equipment Notes**

- A. Frank Heald said that he had given notes to the board at the last meeting, but had neglected to get the notes for Capital Purchases for FY 2012, renewing the \$54,000 divided between the Ford 550 in the amount of \$32,000 and the B&G pick up for \$22,000 that were approved in the FY2013 budget.
- B. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the renewal for \$54,000 for the Ford 550 and the Pick-up. Motion passed unanimously.**

10. **Execute Memorandum of Agreement between Town of Ludlow and IBEW Local #300**

- A. Frank Heald advised they agreed after the first meeting to postpone discussions until we have a sense of where this is going. This should be early fall. He is asking the board to authorize him to sign for the town the extended, in place agreements with the police and dispatcher.
- B. **MOTION by John Neal and seconded by Doug Ficken to authorize Frank Heald to sign the Memorandum of Agreement as presented. Motion passed unanimously.**

11. **Department Head Reports**

- A. Howard Barton advised that all reports are in, except Police. Chief Billings is on vacation and will return on Wednesday.
- B. **Town Clerk**
  - i. Frank Heald referred to a letter from Ulla Cook regarding truing up of accounts in the land records. She and Pam Todt have spent considerable time over the past 12 months scanning the land records and have documented their time. Ulla Cook wants to use \$28,500 from the vault preservation fund to offset the time doing the land records. There is currently \$84,000 in that fund. They have never charged back that fund for work they have done preserving records.
  - ii. Bruce Schmidt asked Frank Heald if he supports this request.
  - iii. Frank Heald said, definitely, it is a legitimate use of the funds. He said that people will be able to print records from the computer instead of going through the books. They are doing a good job.
- C. **Planning Commission**

- i. Bruce Schmidt said that he sent an email to Rose Goings to have either her or Alan Couch come to a meeting to explain the direction of the Planning Commission regarding possible changes in the zoning bylaws. He has concerns over changes in minimum lot sizes, and outdoor events. He said that he would hate to see the Planning Commission go down the road with this and then for us not to support it when they are done.
- ii. John Neal said that the last time the Planning Commission updated documents, he had requested that they send copies of the full document with the original and marked up changes.
- iii. Howard Barton said that he would also like an explanation of why they want to make the changes.
- iv. Bruce Schmidt said he also is concerned over the changes in some of the RC areas to Residential only.
- v. Frank Heald said that when zoning becomes more restrictive, this board should be interested. He added that the Flood Hazard Regulations have become more restrictive, but that is due to state and FEMA.

## 12. Other Business

### A. Quest

- i. Doug Ficken asked how the Quest program is doing.
- ii. Frank Heald said that at this point, one week into the program, it is going interestingly with 25-27 youngsters. Part of the deal is for them to try new things. Volunteers have exceeded his expectations. Steve Laskovich is doing archery, Dave Van Guilder will be showing them how to handle and shoot 22s. Bob Gilmore will be teaching cooking. They will also be canoeing/kayaking down the Connecticut River. This is program based learning. The first week was funded by the Rotary and they also received a grant from the Okemo Challenge. They are in good shape financially. He is pleased with where it is going. He added that the Facebook postings are positive. He said the other day, School Superintendent Bruce Williams had on earmuffs and safety glasses for Carpentry.

### B. VOSHA

- i. Frank Heald advised that VOSHA has been looking at municipalities for safety and was here last week. They sent a letter of their findings on the safety committee and the program and it was overall a good review.

### C. Email

- i. Frank Heald advised that in 2012, the Supreme Court made a ruling in the Rutland Herald vs. the State Police regarding public records. Effective July 1, 2013 by Act 70, the court reversed that decision and it makes access to public records easier and some of the past confidentiality may be aired.

### D. Art in the Park

- i. Frank Heald advised that someone has been selling art in the park and he will check it out this weekend. He will advise the Trustees tomorrow.

## 13. Set Date for Next Meeting

### A. Tax Rate

- i. Frank Heald asked board members if they would be available for a meeting on July 10, 2013 at 8:00 a.m. to set the tax rate.
- ii. Howard Barton said he may not be able to make it.

- iii. Brett Sanderson said he may not be able to make it.
  - iv. Tax Rate Meeting is set for 8:00 a.m. on July 10, 2013
  - B. Regular Meeting
    - i. Howard Barton advised that the next regular meeting would be August 5, 2013 at 7:00 p.m.
14. **Sign Warrant Orders**

A. Warrant orders have been signed.

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

- A. Frank Heald said an Executive Session is needed.
- B. **MOTION by Brett Sanderson and seconded by Doug Ficken to enter in to Executive Session for Personnel/Legal matters. Motion passed unanimously.**
- C. Board entered in to Executive Session at 7:40 p.m.
- D. Board exited from Executive Session at 7:55 p.m.
- E. No action taken.

16. **Adjourn**

- A. **MOTION by Bruce Schmidt and seconded by Doug Ficken to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 7:56 p.m.

Respectfully submitted,

Lisha Klaiber

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Howard Barton, Jr., Chairman

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Brett Sanderson

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Doug Ficken

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Bruce Schmidt

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John Neal