

MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

**PUBLIC HEARING AND
REGULAR MEETING**

November 3, 2014

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

John Neal

STAFF PRESENT:

Frank Heald

OTHERS PRESENT:

Mary Jane O'Hara Maizy White Larry Wilfong
Andrew Gable White Mycah White Luke Chrisinger (LPC-TV)

1. **Call to Order**

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

2. **Approve Minutes of Previous Meetings**

- A. Howard Barton advised that the minutes to be approved are from the Public Hearing and regular meeting of October 6, 2014.
B. **MOTION by Brett Sanderson and seconded by Logan Nicoll to approve the minutes of October 6, 2014 as presented. Motion passed unanimously.**

3. **Comments from Citizens**

- A. There were none.

4. **Liquor Control Board**

- A. Frank Heald said the applications are in the packets.
B. **The 5 Spot LLC**
i. address 145 Main Street
ii. Frank Heald advised that taxes are current and Chief Billings is okay with the application.
iii. Andrew White advised that he has lived here for 17 years and this is an opportunity to improve life for his family and also help the economy of Ludlow.
iv. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the application for a Liquor License for The 5 Spot LLC. Motion passed unanimously.**
v. Andrew White asked if they would send the application to the state. He said he would like to open as soon as possible, maybe December 1st. He said that the only thing needed is a dishwasher, otherwise the place is pretty much turnkey.
vi. Frank Heald suggested that Andrew White contact him in the office. Frank Heald said he would give the name of the vendor that supplied the dishwasher for the Community Center.
C. **Smokey Jo's Grill**
i. address 556 Mountain Road
ii. Frank Heald advised that this is an Okemo establishment.
iii. **MOTION by Brett Sanderson and seconded by Logan Nicoll to approve this application.**
iv. Bruce Schmidt recused himself.
v. Motion passed unanimously.

5. **Consider Interim Approval Process**

- A. Frank Heald advised that the board began discussions about this last month. This is for delegation of authority to the town clerk and town manager for incidental permits. The board had requested a draft for this meeting. There are times when the board would have to hold special meetings to accommodate special events. It would be for catering, outside consumption and special events where there is an existing liquor license.
- B. Bruce Schmidt clarified that the board would continue to review new licenses.
- C. **MOTION by Logan Nicoll and seconded by Bruce Schmidt to accept the updated liquor license policy as presented. Motion passed unanimously.**

6. **Consider Sidehill Cronchers Snowmobile Club Road Request**

- A. Frank Heald advised that this is an annual request to cross, ride on and maintain trails and roads for snowmobile use.
- B. Howard Barton noted that there have not been any issues in the past.
- C. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the request as presented in the letter from Sidehill Cronchers. Motion passed unanimously.**

7. **Consider and Approve VCDP Grant**

- A. Frank Heald advised that this is for the Black River Overlook project on Rublee Lane. He advised that the town has no money in the project and there are good organizations managing the project.
- B. **MOTION by Bruce Schmidt and seconded by Logan Nicoll to approve the grant and to designate Frank Heald as individual with overall administrative authority to execute the grant and any related documents for the grant. Motion passed unanimously.**

8. **Consider Letter and Approve Resolution for Sustainable Education Funding Reform in Vermont**

- A. Frank Heald advised that this is a minor rework by VLCT of the resolution discussed last month. This would allow capping total education property taxes for 2 years and to raise any additional revenues required to fund necessary school expenses from other sources. He presented this resolution with trepidation and is not sure that the resolution sends the right message. There are only so many places to get the additional funds.
- B. Bruce Schmidt said the resolution is not a good idea. He said that every town deals with schools in their own ways. We (the Select Board) try to work with the schools and tax payers. The people in Ludlow support the schools, but have also expressed concerns about rising costs. There is no way to control Special Education needs.
- C. Frank Heald said that a concern is the people don't want to rely on property taxes, but we would have to look at other taxes. They really need to reform spending.
- D. Howard Barton said that while Ludlow has been feeling the pressure for quite a while, other towns are just now starting to feel it.
- E. Bruce Schmidt said that at the next school board meeting, he was going to suggest that the school board invite local state legislators to come to a meeting to discuss this. We could present suggestions, comments and ideas. He suggested that the Select Board do the same thing. We can't just cut property taxes without having plans for raising additional funds. The Select Board's concerns are the same as those of the School board. The tax payers know that we look at the budget and do the best that we can to give the needed services.
- F. Howard Barton said that the resolution does not change anything. He agreed with Bruce Schmidt that it would be a good idea to bring in the legislators.
- G. There was general consensus among board members not to sign the resolution.
- H. Logan Nicoll said that no one is fully in favor of the way funding is now, but it could get worse.

9. **Manager's Report on NRCS Dam Project**

- A. Frank Heald advised that NRCS has been consulting with a firm out of Idaho which has hired Dubois-King to look at the 4 flood control dams and possibly take remedial actions. They were here about a week and a half ago to look at the dams. They televised 3 of the 4 exit pipes, looking at drains and elevations. They will make a report and find funds for the repairs. All the funds will come from federal sources. Ludlow televised the pipes 7 or 8 years ago. He added that the town staff has done a nice job mowing the dams this year.

10. Update RE: New England Clean Power Link Electric Transmission Project

- A. Frank Heald advised that with the closing of Vermont Yankee and other losses, the state is looking at about 1,000 megawatts less energy off the grid this year. TDI sent the summary pages of their submission to Act 248 (Public Service Board - PSB.) We have been supporting this project and can send another letter of support.
- B. Bruce Schmidt asked about property that VELCO had bought some years ago. It was said that we were going to move the road.
- C. Frank Heald said that this project ends above it. This project is about 3 years out. He added that he has not heard anything about that road.
- D. Bruce Schmidt asked if Frank Heald had found out anything about taxing cables under town roads.
- E. Frank Heald said he thinks that we can do it. The rate is set by the PSB and would be taxes the same as electric, cable and telephone company. The assessment comes, annually, from the state. He said that he would suggest to the listers that they do a visit to the property and check the assessed value of the land.
- F. **MOTION by Bruce Schmidt and seconded by Brett Sanderson that we write a letter of support for the project, including "Welcome TDI to Ludlow." Motion passed unanimously.**

11. Discuss Christmas Party

- A. Frank Heald advised that a couple of bids are in for the Christmas Party and the prices are similar to last year. The cost will be divided among the departments. In 2010, attendance was 115 and last year it was 95.
- B. Howard Barton asked the date.
- C. Frank Heald said the bids did suggest the date, but he couldn't recall it.
- D. **MOTION by Bruce Schmidt and seconded by Logan Nicoll to support the Christmas Party. Motion passed unanimously.**

12. Manager's Report RE: Act 148 Update

- A. Frank Heald advised that they will discuss this further under the budget. He said that he is continually looking at the numbers. This community is interesting, in that this has all been included in the tax rates. He said that the draft plan is to include 1 bag (33 gallon) per week in the tax rate for town and village properties. Anything over that, they would find a vehicle, such as imprinted bags, decals, cash or tickets, for additional charges. We need to see if there is any dollar reduction in the operations of the transfer station. He wants to meet with the Solid Waste District to go over the process. He said that the one bag is by state guidelines. You can fit about 20 pounds into one bag.
- B. Howard Barton asked if the bags are durable.
- C. Frank Heald said that there are other options. For large loads, it would be \$.05/lb. across the scales for residential.
- D. Howard Barton noted that there are 30 to 40 bags out in front of TPW every week.
- E. Bruce Schmidt said that he has also noticed that.
- F. Frank Heald said that in the village, if residential, the town pays for it. If TPW is putting out bags and it is rental property trash, we need to do something about it.
- G. Howard Barton suggested that it could be the other business next door putting the bags in front of TPW.
- H. Frank Heald said if the trash is commercial, it should be going to the transfer station and across the scales. He said this is all a work in progress. He said they would be holding another public meeting regarding this on Wednesday, November 12th at 6:30 p.m.
- I. Mary Jane O'Hara asked what zero sort means.
- J. Howard Barton said they would be going to Zero Sort at the transfer station.
- K. Frank Heald said that all accepted recyclables go into one chute; glass, soda cans, plastic, etc.
- L. Logan Nicoll said we would get paid for what we sorted.
- M. Frank Heald said that today, we sort things into separate types. We get \$80-\$85/ton for corrugated cardboard and it costs \$106 to haul it to Rutland. He said that a 40 yard container of plastic jugs costs \$206 and weighs about 500 pounds and we only get pennies. We get about \$17,000 to \$18,000 for metal. Zero Sort will still have export fees, processing fees and we will need to get a new compactor. On the other side, the average commercial rate (ACR) goes from \$135/ton down to \$40/ton and we get half if the ACR is over \$80, but if less, we pay. Frank Heald suggested that Mary Jane O'Hara come to the meeting on the 12th.

13. Review FY2016 Appropriation Budget

- A. Frank Heald said Appropriations has not changed a lot. The letters and financial statements are included.
- B. There were no questions or comments from board members.

14. **FY 2016 Budget Workshop**

- A. Frank Heald noted that under Administration, VMERS and insurance are both up. He said that we renewed the insurance early.
- B. Ambulance Department
 - i. Bruce Schmidt asked about the 11% increase in PT employees in the Ambulance Department.
 - ii. Frank Heald said that they are using 4 different Part Time people instead of one full time person to augment evenings and weekends. Three of them are paramedics. This seems to be working well. He noted that Chester and Mount Holly are in trouble staff-wise. He added that it is hard to cover 800 calls with only one full time person.
 - iii. Bruce Schmidt asked if the board should look at the call fees.
 - iv. Frank Heald said that some is Medicare driven. He said that last time around, we were right there with our fees. He said he would ask Karl Matteson to check.
 - v. Bruce Schmidt asked about the fees charged to Cavendish and Plymouth. He said that the fee has been \$10,000 for Cavendish for a while, but our costs have increased.
 - vi. Frank Heald said they have been that way for about 5-6 years.
 - vii. Howard Barton said we have increased dispatcher fees.
 - viii. Frank Heald said they would look into it.
 - ix. Bruce Schmidt said if we can charge more, it helps the tax base.
 - x. Frank Heald said that the Ambulance Service covers it costs and call revenue does increase. They have always budgeted calls conservatively. They keep it that way for the Enterprise Fund.
- C. Cemetery
 - i. Bruce Schmidt asked Frank Heald if the Select Board should try to get the Cemetery back under the town.
 - ii. Frank Heald said if it is run by commissioners, it should be separate. They do not always have good fiscal management. They should go to the taxpayers.
 - iii. Bruce Schmidt asked if this board is doing the right thing letting them continue. They should abide by how the town is managed.
 - iv. Frank Heald said they won't do it.
 - v. Bruce Schmidt said this board should, at least, make the offer.
 - vi. Howard Barton said they have an elected board and the Town Manager has no say over them. They have their own budget.
 - vii. Bruce Schmidt said that the Cemetery was under the town for a long time. It may be a good time to make the offer.
 - viii. Frank Heald said that when he first started, we worked with them. Now, they don't want his opinion and he said that he does not want to be responsible for their audit. If the taxpayers want it separate, they will stay separate. The Select Board screwed up several years ago and that is how and when it got separated.
- D. Insurance
 - i. Howard Barton asked about insurance costs.
 - ii. Frank Heald said that we are out-of-sync in the state. The town is on a fiscal year and insurance companies are on calendar years. The numbers in the draft are for calendar year 2015 and there should not be a great increase from now on. The Affordable Care Act put Vermont Health \$20,000,000 in the hole. He said that he is waiting for insurance rates from VLCT.
- E. Buildings and Grounds
 - i. Frank Heald said that upstairs at the Senior Center is now under Buildings and Grounds.
- F. Community Center
 - i. Frank Heald said that a significant chunk is School cafeteria expense.
 - ii. Bruce Schmidt asked why no Zumba listing.
 - iii. Frank Heald said either it is no longer done, or Howie Paul moved it to the Recreation Department.
- G. Capital
 - i. Frank Heald said that it is still a work in progress. Listed are the computer antivirus contract for \$1,500 and the waste oil furnace for the highway department for \$5,000. He said that he suggests that they replace a backhoe, but does not have a projected cost, yet. It would be funded under Highway and they would borrow and do a trade in.
 - ii. Bruce Schmidt said it would also be used by Water and Sewer.

- iii. Frank Heald said yes. He added that Ron Tarbell has said that the trucks are in good shape. He added that debt management is down to \$17,000 this year. The backhoe would hit in FY2017.
- H. Highway
 - i. Frank Heald said that they had received a call from a taxpayer who said they should budget more money for retreatment. Frank Heald said he told the taxpayer to come to the next meeting or town meeting. He added that this summer, we spent \$87,500 in retreatment.
 - ii. Brett Sanderson said that if we continue to pave roads that have not previously been paved, we will get behind on the rest of the paved roads.
 - iii. Frank Heald said that our streets are in better shape than Springfield or Rutland.
 - iv. Brett Sanderson asked if there was any grant money available.
 - v. Frank Heald said we can apply. Brett Sanderson asked about salt prices, saying that his rates have gone up.
 - vi. Frank Heald said that they have gone up significantly. He said that we will have to carefully monitor salt use and may have to use other methods. He said that he thinks you will be seeing more liquids and he has been talking to a company that will supply tanks if you use their products. He added that regarding bridges, they keep pushing Walker Street Bridge down the road. The current schedule is for bids in 2015 and construction in 2016.
- I. Police Department
 - i. Frank Heald said they are scheduled to buy a new cruiser this year.
- J. Parks and Recreation
 - i. Frank Heald said that our youth numbers are tanking and participation in the summer recreation program and Quest had a serious decline this past summer. He advised that Chester and Cavendish have both started recreation programs like Ludlow's. He said there is only one 8th grader heading to the high school for basketball. We need more participation. He said that he and Howie Paul will meet with the school leaders. He advised the enrolment in grades 4 through 6 is low. He said that there are people who will supply athletic clothes and shoes. He noted that free and reduced lunches in grades K-6 are way up. He said that he is concerned about the income side of this program. He supports giving kids these advantages, but revenue is down. The board will discuss this more when Howie Paul is here. He advised that there are 112 students in grades 9 to 12; 35-40 in the middle school and 98 in grades K-6. He said that we have had an incredible recreation program and it takes \$200,000 yearly to fund it. If we maintain the program, we will have to spend more.
- K. Town Clerk/Treasurer
 - i. Frank Heald said that the town clerk/treasurer department is doing well.

15. Department Head Reports

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

16. Other Business

- A. Road Paving
 - i. Bruce Schmidt asked why we allowed them not to pave crossing over area.
 - ii. Frank Heald said they are going to let it settle before they pave it.
 - iii. Bruce Schmidt said they should compact it down.
 - iv. Frank Heald said it was a waterline to accommodate a sprinkler and will be paved this week. The traffic over the weekend compacted it a bit.
- B. Wireless on North Hill
 - i. Bruce Schmidt asked about a wireless tower on North Hill.
 - ii. Frank Heald said he had not heard anything. There is a cell tower at Rod and Gun Club Road.
- C. Elaine Jones Letter
 - i. Logan Nicoll asked about the request from Elaine Jones for help with water on her property.
 - ii. Frank Heald said that he spent some time with Chris Callahan and was told that Ms. Jones would have to do the Prescriptive Easement with her neighbors. The town cannot do it. It is not town property.
- D. Train Station
 - i. Logan Nicoll asked if there was any avenue for a joint project. He thought this might be a potential for a Community Development Grant for commuter travel and asked if the board could do anything.
 - ii. Frank Heald said we would need a grant to rehabilitate the railroad station and it would cost about \$350,000. He said that in 2007, LPC-TV had been interested in the building.

He added that the railroad does not want a commercial enterprise between the two tracks. He said Herb Russell was interested and we are waiting to see if he is re-elected. The town would have to provide at least 10% of the money for the repairs. He said that commuter travel is not being discussed.

- iii. Bruce Schmidt said it would be spending \$30,000 to \$40,000 on a station that is not used.
- iv. Frank Heald said that they could do a study.

17. **Set Date for Next Meeting**

- A. Howard Barton advised that the next regular meeting would be December 1, 2014 at 7:00 p.m.
- B. Frank Heald suggested that the board schedule a budget workshop for November 17th.
- C. Bruce Schmidt asked if department managers would come in.
- D. Frank Heald said yes, they would start with Police, Highway and Recreation.
- E. Board members agreed to schedule budget workshop for November 17th.

18. **Sign Warrant Orders**

- A. Warrant orders have been signed.

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

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

20. **Adjourn**

- A. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

John Neal

Bruce Schmidt

Logan Nicoll