

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

October 3, 2016

BOARD MEMBERS PRESENT:

| | | |
|------------------------------|---------------|--------------|
| Howard Barton, Jr., Chairman | John Neal | Logan Nicoll |
| Brett Sanderson | Bruce Schmidt | |

STAFF PRESENT:

| | |
|-------------|-----------|
| Frank Heald | Ulla Cook |
|-------------|-----------|

OTHERS PRESENT:

| | | |
|---------------|---------------|---------------------|
| Austin Danyew | Greg Hodges | Ed McEaney (LPC-TV) |
| Mike Dolan | Meghan Hodges | |

1. **Call to Order**

- A. Howard Barton called the regular meeting to order at 7:07 p.m.
- B. All members present.

2. **Approve Minutes of Previous Meetings**

- A. Brett Sanderson advised that the minutes to be approved are from the regular meeting of September 5, 2016.
- B. **MOTION by Brett Sanderson and seconded by Logan Nicoll to approve the minutes for the regular meeting of September 5, 2016 as presented. Motion passed unanimously.**

3. **Comments from Citizens**

- A. There were none.

4. **Discuss Penalty for Late Filing of Homestead**

- A. Howard Barton noted that there were 5 new property owners who had not filed and 3 repeat non-filers.
- B. Ulla Cook recalled that last year, the board voted to forgive new non-filers and to assess the penalty on repeat offenders.
- C. Bruce Schmidt asked if there are any requirements.
- D. Frank Heald asked if the state notifies these people.
- E. Ulla Cook said she sends letters to them, advising them that of the Select Board's decisions and reminding them they need to file every year.
- F. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to abate the penalty for the 5 new non-filers and to fine repeat offenders. Motion passed unanimously.**

5. **Consider Request to Change Road Name**

- A. Howard Barton advised that the request is to change the name of Yorfino Drive to either: Meadow View Lane or Drive, White Birch Lane or Drive or Mountainside Lane or Drive. He added that Rose Goings had suggested Mountainside Lane or Drive.
- B. Greg Hodges said that there are 2 houses and 3 vacant lots on the road and the other homeowner also would like the name changed.
- C. Meghan Hodges said that they want a name representative of the area and not the name of someone who no longer lives there. She asked if it could be called Bixby Road.
- D. Howard Barton said no, because it is a private road with houses on it.
- E. **MOTION by John Neal and seconded by Logan Nicoll to rename Yorfino Drive to Mountainside Drive. Motion passed unanimously.**

6. **Approve & Sign Resolution for Municipal Planning Grant RE: Plan Amendment & Energy Chapter**

- A. Frank Heald advised that this is an application for a planning grant that we seemingly apply for every year.
- B. Logan Nicoll advised that the Planning Commission wants to continue working with the Regional Planning Commission to amend the Energy Chapter of the town plan to comply with the new state Act 174. We need to update the town plan to beef up the language so that Ludlow will qualify for Substantial Deference with the PSB with regard to renewable energy site locations. We want to have a say in where they are located in the future.
- C. Howard Barton said it is a good idea.
- D. **MOTION by John Neal and seconded by Brett Sanderson to approve and sign the application for the Municipal Planning Grant as presented.**
- E. Howard Barton asked how long it would be before we hear anything.
- F. Logan Nicoll said we probably wouldn't get anything until next year.
- G. **Motion passed unanimously.**
- H. Logan Nicoll said the Planning Commission is working on other changes to the town plan.
- I. Frank Heald said it would be on the agenda for the November meeting.

7. **Execute Okemo "Stearns Pit" MOU of 12/1/16 to 3/31/17**

- A. Howard Barton asked what the CPI percentage is this year.
- B. Frank Heald said ½%.
- C. Howard Barton asked if the town gets burned using the CPI. He suggested we set a minimum percentage.
- D. Frank Heald said similar to the union contracts.
- E. Howard Barton said it is a great lease and good for both sides.
- F. Bruce Schmidt asked when Howard Barton would like this to start.
- G. Howard Barton said this year.
- H. Logan Nicoll suggested stepping it up gradually.
- I. Bruce Schmidt suggested that Frank Heald discuss this with Ted Reeves and come back with a recommendation at the November meeting. He added that Mike Dolan might convey this to Ted Reeves.
- J. Mike Dolan asked recent CPI percentages.
- K. Frank Heald said "for the last 6 to 8 years, it has been"
 - i. 2008 – 3.8%
 - ii. 2009 - .2%
 - iii. 2010 - .5%
 - iv. 2011 – 3.5%
 - v. 2012- 1.6%
 - vi. 2013 – 1.2%
 - vii. 2014 – 1.2%
 - viii. 2015 - .01%
- L. Howard Barton asked what months they use.
- M. Frank Heald said August to July.
- N. Brett Sanderson suggested that they leave this to Frank Heald and Ted Reeves to come back in November.

8. **Schedule FY2018 Budget Workshops**

- A. Frank Heald advised that staff hopes to have drafts to the Department Heads early this month, and overall draft budget to the Select Board for the November meeting. He asked if they want to do it a department at a time or look at the whole budget. He added that insurance numbers won't come in from VLCT until November or December.
- B. Howard Barton said piecemeal is okay.
- C. John Neal suggested that board members review the drafts before the next meeting and be able to come in with questions or comments.
- D. Howard Barton said this is tentatively scheduled for the next meeting.

9. **Report of Tax Collector**

- A. Frank Heald advised that he had attended a seminar last year and said that he must report past due taxes to the Select Board. In the packets is a worksheet showing past due taxes and utility bills. He emphasized that he will work with anybody as long as money is coming in. If you ignore it, your property may be put up for tax sale. Outstanding taxes are listed:
 - i. 2013-2014 \$550

- ii. 2014-2015 \$34,000
- iii. 2015-2016 \$140,000; \$20,000 of this are on payment plans.
- B. Bruce Schmidt asked about utility bills.
- C. Frank Heald said we consolidate utility bills in the village and outside the village if people are on water/sewer. He added that some of the larger amounts due are on payment plans and one went on a payment plan today. The ones not on payment plans will be sent to collection.

10. **Transfer Station Issues**

- A. Frank Heald advised the new paint on the building looks good. He said that there have been issues with people who are abusive to staff in language and gestures. He advised that the rules that are in place comply with state and town standards for accepting trash. He said that he and Patti Potter do not make the rules and some people do not want to follow the rules. Some tax payers even questioned why the building was painted. He said that some people use the Swap Shop to stock their own yard sales and the Swap Shop is designed to help people who need and can really use the items. He added that another problem is disposal of textiles. It has become a challenge in eastern Vermont. It is heavy. He said that Ludlow has worked out a deal with an organization in NY. They rent a 48 foot storage trailer and we transport the textiles there and fill the trailer. When it is full, it is removed. This is the cheapest way to deal with it.
- B. Bruce Schmidt asked if Frank Heald needs Select Board support to deal with people at the transfer station.
- C. Frank Heald said if someone gets totally obnoxious we will. He said we have No Trespass orders again. He said that most issues are peacefully resolved. Staff does take abuse up there.

11. **Department Head Reports**

- A. Howard Barton advised that all reports are in.
- B. Frank Heald said there is an Ambulance Police letter in the packets.
- C. Howard Barton said it's good.

12. **Other Business**

- A. **Break-Ins in Ludlow**
 - i. Bruce Schmidt advised that his employer had had a significant break-in. He asked if the Police Department should get body cameras for all officers. He asked if our staff should be trained to do more police work, such as checking finger prints. Currently, we call in a tech to do this. He thinks that many of the break-ins are drug related. We need not only to stop this, but to solve it. Is the right amount of money going into the police department budget?
 - ii. Brett Sanderson said he encouraged people to activate and set their alarms.
 - iii. Frank Heald said that body cameras should be on officers on every shift. He added that anyone who is vulnerable should invest in onsite cameras or security systems if possible. He said that town properties are equipped with security systems. He added that we think we know who is responsible for the break-ins, but, at this time, can't prove it.
 - iv. Bruce Schmidt asked how many times we get finger prints and suggested we get a cost to train our staff. He asked Frank Heald to bring this information back to the board. He agreed with cameras and alarm systems, but added that that is not the end-all.
 - v. Frank Heald said some of the people wear masks. In one case, the alarm worked, we were there in 6 minutes, but they were already gone.
- B. **Energy Committee**
 - i. Logan Nicoll said that last year, he had suggested that the town form an Energy Committee to look into the new laws. He said that at this time, the Planning Commission is acting as one. This board should consider forming a committee to look into the act and help us control energy sitings. We need planning and staff. He would like this on the November or December meeting agendas.

13. **Set Date for Next Meeting**

- A. Howard Barton advised that the next regular meeting will be on Monday, November 7, 2016 at 7:00 p.m.

14. **Sign Warrant Orders**

- A. Warrant orders have been signed.

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

- A. Frank Heald advised that an Executive Session is needed.
B. **MOTION by Logan Nicoll and seconded by John Neal, in accordance with the provisions of 1VSA§313(1)(B) that the Ludlow Select Board enter in to Executive Session to consider;**
i. **A pending legal action against the Town.**

The premature public knowledge of this pending action could place the Town and Village of Ludlow at a substantial disadvantage. Motion passed unanimously.

- C. Board entered into Executive Session at 7:42 p.m.
D. Board exited Executive Session at 7:55 p.m. No action taken,

16. **Adjourn**

- A. **MOTION by John Neal and seconded by Bruce Schmidt to adjourn. Motion passed unanimously.**
B. Meeting adjourned at 7:55 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

John Neal

Bruce Schmidt

Logan Nicoll