

**PRELIMINARY MINUTES**

**TOWN OF LUDLOW  
BOARD OF SELECTMEN**

**PUBLIC HEARING AND REGULAR MEETING**

July 7, 2008

**BOARD MEMBERS PRESENT:**

Howard Barton, Jr., Chairman      Brett Sanderson      Earl Washburn  
John Neal      Bruce Schmidt (by phone)

**STAFF:**

Frank Heald      Pam Cruickshank

**OTHERS PRESENT:**

Joanna Bombadil      Marilyn Ledoux      Ted Reeves  
Don Buswell      Ralph Pace      Don Stryhas  
Ulla Cook      Howie Paul      Ron Tarbell  
George Fairchild      Sue Poirier      Dave Guerrero (LPC-TV)  
Jim Fuller

**PUBLIC HEARING TO DISCUSS AND RECEIVE COMMENTS REGARDING CHANGES TO  
BE MADE TO THE TOWN AND VILLAGE OF LUDLOW'S SUBDIVISION REGULATIONS**

1. **Call to Order**

- A. Hearing called to order by Chairman Howard Barton at 7:00 p.m.
- B. All Members present (Bruce Schmidt by phone.)

2. **Subdivision Regulations**

- A. Howard Barton advised that the purpose of this hearing is to discuss the proposed changes to the Subdivision Regulations that were submitted by the Planning Commission.
- B. Don Stryhas said that on page 17, item A, the regulations call for a 50 ROW. When he built his house, up at the lakes, in 1991, rules referred to public water and road frontage. Statute 117 says that if you have a public water and road frontage, you only need a 20 ROW. He tried to tell the Planning Commission this, but they would not listen. Also, they require a cul-de-sac for emergency vehicles. He is not able to do that because of the wetlands. He suggested to the Planning Commission that in the lakes district they suggest a dry hydrant. The cost is also much less and takes less land clearing. Cottages and houses in the lakes should have dry hydrants.
- C. Howard Barton noted that no one from the Planning Commission is present this evening. He added that he always thought that requiring a 50 ROW was a lot.
- D. Don Stryhas said that most of the other roads in the lakes district, such as Thomson Drive, Spruce, Maple, East Lake and Red Bridge are not 50-foot roads.
- E. Frank Heald asked what are the benefits of a dry hydrant.
- F. Brett Sanderson said that he also thinks that the 75-foot turning radius of the cul-de-sac is overkill in any district. He thinks that a hammerhead is better.
- G. Howard Barton noted that the additional costs of plowing, and maintenance is also a lot.
- H. John Neal agreed.
- I. Bruce Schmidt also agreed and suggested that this board look in to the 50-foot ROW and cul-de-sac provisions.
- J. Howard Barton called for other questions or comments.
- K. John Neal said that he had emailed most of his suggestions to the other board members, but has one additional comment. He feels that it is important to get input on running utilities above or underground. He would like to see some alternative language in the regulations. He would also like to include review by the electric department.
- L. Bruce Schmidt suggested that the board request that the chairman or other member of the Planning Commission or the Zoning Administrator be present at the next hearing to answer questions. The next hearing will be at the August Select Board meeting.
- M. **MOTION by Brett Sanderson and seconded by John Neal to close this public hearing. Motion passed unanimously.**

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**TOWN OF LUDLOW – SELECT BOARD REGULAR MEETING**

1. **Call to Order**

- A. Chairman Howard Barton called the meeting to order at 7:09 p.m.
- B. All members present, Bruce Schmidt by phone.

2. **Approve Minutes of Previous Meetings**

- A. Howard Barton advised that the minutes to be approved are from the Regular meeting of June 2, 2008.
- B. **MOTION by John Neal and seconded by Brett Sanderson to approve the minutes from the Regular Select Board June 2, 2008 as presented. Motion passed unanimously.**

3. **Comments from Citizens**

- A. None

4. **Appointments – Developmental Review Board**

- A. Howard Barton advised that there are 3 positions available and 3 applicants

<b><u>Term Expiring</u></b>	<b><u>Previously Served</u></b>	<b><u>Applicant</u></b>
1-year 2009	Troy Adams	Troy Adams
1-year 2009	Linda Petty	Linda Petty
3-year 2011	Phil Carter	Phil Carter

- B. John Neal noted that all 3 applicants have previously served on the DRB.
- C. MOTION by Earl Washburn and seconded by Brett Sanderson to appoint Troy Adams and Linda Petty to the two 1-year terms and Phil Carter to the 3-year term. Motion passed unanimously.
- D. Earl Washburn expressed the gratitude of the town and board to members of the DRB.

5. **Discuss Ludlow Transfer Station Free Day**

- A. Frank Heald noted that a matrix was included in their packet that describes suggestions regarding a “free day.”
- B. George Fairchild noted that in Plan A “3 truck fulls” should read “3 trunk fulls.” Plan A is what they have done in the past. It gets very hectic. He added that - FOR ALL PLANS - if a person is using another person’s truck for this, they must also have the permitted vehicle be present. Plan B is just let it fly, Plan C is by weight and there is a lot of traffic and paperwork for this one, Plan D is to not have a free day or have it half-price. Ludlow is the least expensive transfer station in the area.
- C. Frank Heald said there should be parameters for Plan B. Transportation costs and tonnage costs have increased.
- D. Howard Barton said the txt is very cost efficient now.
- E. John Neal asked if there was any way to gather enough tires and metal to offset the costs.
- F. Frank Heald said that with air conditioners and refrigerators, they have to remove the freon.
- G. Howard Barton noted that some people save their items all year just to wait for the free day.
- H. George Fairchild said that the station remains pretty busy all day long on the free day.
- I. Earl Washburn recalled that it was quite a hustle up there last year. He added that the station could probably use more manpower that day.
- J. George Fairchild said they would need to advertise and put up posters.
- K. Bruce Schmidt noted that the idea started to keep people from throwing tires over the banks. He suggested just doing tires and not the heavier and more costly appliances.
- L. George Fairchild said that metal rates are great right now. He would prefer less C&D (furniture).
- M. Frank Heald asked about doing a half-price day.
- N. Brett Sanderson said that is a good idea and the board should go with it.

- O. George Fairchild said that it does help people somewhat.
- P. **MOTION by Brett Sanderson and seconded by Earl Washburn to go with a half-price day on August 10, 2008. Motion passed unanimously.**
- Q. George Fairchild said he would post it and have ads put in the papers.

6. **Discuss AmeriCorps Intern at Ludlow Ambulance Service**

- A. Frank Heald noted that a briefing regarding this opportunity was in the packets. It is a grant program that has the potential to be a multi-year program with different interns. It lets a youngster with EMS interests participate in an actual Ambulance Service. It would provide a midweek person to work in our EMS and also other community projects. The cost would be nominal to the town. The program is about 3-4 years old and requires a minimum of EMT B qualification. The individual would hopefully work 5 days per week for 11 months.
- B. Howard Barton asked who would select the person.
- C. Don Buswell said we would.
- D. Sue Poirier said that if it works out, we could ask for it again next year.
- E. Brett Sanderson asked if the program is being used in any other EMS departments locally.
- F. Sue Poirier said in Barton and 7 other towns between NH and ME.
- G. John Neal asked how long the program has been in existence.
- H. Sue Poirier said this ERC program has been around 4-5 years and has been fairly successful.
- I. Brett Sanderson noted that the briefing says since 2006.
- J. Bruce Schmidt said that while he is all for helping someone get experience, he is concerned about the road that the town will be going down. If successful, it would be providing the town with a second Full time person and if the grant program runs out, it will be hard for the town to lose that 2<sup>nd</sup> person.
- K. Sue Poirier said the Ambulance Service has talked to the town about a 2<sup>nd</sup> person for a couple of years and we don't know if we really want to have a 2<sup>nd</sup> person. If this program works out, we can judge how well it works and make better suggestions to the board about the need for the 2<sup>nd</sup> person. It will help the service know better if the 2<sup>nd</sup> person is really necessary. The individual would also be spending 60% of their time on community projects.
- L. Bruce Schmidt said that was unclear. He added that things sometimes "morph" into something larger. He does not want the town to be held to something if the grant runs out. This needs to be made clear.
- M. Brett Sanderson said that the other issue also should be ironed out before entering into this program.
- N. Frank Heald said that John emailed him last week and the report should be done in the next few weeks.
- O. John Neal asked if there is a time frame to accept the AmeriCorps program.
- P. Sue Poirier said that if their application is not is by September 30, 2008, they will lose the grant and would have to reapply next year.
- Q. Howard Barton asked if the person would be under Karl's supervision and if Karl were away, who would be responsible for the person.
- R. Sue Poirier said that the person would be under Karl's supervision and most likely hers if Karl were away. The person would never be unsupervised.
- S. John Neal said that he likes the concept, but added that the town is sensitive to adding the 2<sup>nd</sup> full time person. He would also like to see the report before making a decision. He suggested discussing this at the August meeting. Would that be enough time?
- T. Sue Poirier said that she did not know, as they would need to put out advertisements for interested applicants.
- U. Earl Washburn said the report should be wrapped up by August 10<sup>th</sup>. Put this on the agenda for the next meeting.
- V. Howard Barton tabled this discussion until the August meeting.

7. **Discuss Mowing Tractor Lease Options**

- A. Frank Heald advised that there are 2 options in their packets. He had planned to rent a mower for 4-5 weeks to get a jump on the mowing. Fairfield gave a quote of \$2,200 per week for 40 hours. Additional time would be billed at \$50 per hour. They also sent an offer for the same equipment for a 10-year municipal lease. This machine is designed for the job. We considered making an arrangement with Cavendish to use their machine, but it did not work out. The machine we would lease could also be used year round as a yard tractor and would exceed the 6-8 year tractor life expectancy. Ron Tarbell takes good care of the equipment.
- B. Howard Barton asked if the machine could be used on the dams.

- C. Frank Heald said no, strictly for roadside. Also, in the lease agreement is a \$5,000 trade in for the trackless boom flail mower.
- D. Howard Barton asked how much they spend on mowing.
- E. Frank Heald said 5 weeks at \$2,200 per week.
- F. Brett Sanderson asked how much M&M charged 2 years ago.
- G. Frank Heald said \$12,000-\$15,000. He said that the 3<sup>rd</sup> alternative might be to buy the equipment over a 5-year period. Maybe they could work out an agreement with Fairfield to lease the 1<sup>st</sup> year and get credit for that toward the purchase price. He added that the 10-year window bothers him.
- H. John Neal said that he is concerned about purchasing, as it is not in the budget for this fiscal year. He added that if they could get credit on the lease towards a purchase next year, it would meet all their needs.
- I. Brett Sanderson said it would get the load off the trackless. It has a 20-foot reach, where the trackless has less.
- J. Bruce Schmidt noted that an additional piece of equipment means more maintenance, insurance and fuel. He feels that something this large needs to go out to bid.
- K. Howard Barton said that was a good point.
- L. Frank Heald said that when he went to reserve the rental, Fairfield came back with this offer. We can do it next year.
- M. Brett Sanderson said that he got quotes for the same equipment for \$93,750 and from Townline for \$110,000.
- N. Earl Washburn said that he likes the idea to rent for one year and try to get credit for that year towards to the purchase price.
- O. Brett Sanderson said that Fairfield would probably do it.
- P. Bruce Schmidt said that he agrees with that idea also.
- Q. **Motion by Earl Washburn and seconded by Brett Sanderson to see what offer Fairfield will give us to lease the machine with an eye toward purchasing in one year. Motion passed unanimously.**

8. **Open Dorsey Park Sod & Irrigation Replacement Bids**

- A. Howard Barton advised that there are two bids.
  - i. Exterior Creations, Ludlow – irrigation only - \$12,074.09 (Joe Josselyn)
  - ii. Homestead Landscaping, Bondville – 75,600 square feet of sod - \$73,760
- B. Howie Paul noted that Homestead is for sod only.
- C. Howard Barton asked how many bid requests were sent out.
- D. Howie Paul said about 3-4 for each.

9. **Open Dorsey Park Tennis Court Fence Replacement Bids**

- A. Howard Barton advised that the only bid is from Springfield Fence for \$18,800.
- B. Frank Heald said that includes 110 feet of 20-foot and 342 feet, plus an 8-foot gate, for a total of 350 feet of 12-foot fence.
- C. Howard Barton asked what is in the budget.
- D. Howie Paul said about \$130,000. Both quotes are lower than what we went to the Enterprise Fund with.
- E. Frank Heald said the total is about \$104,000.
- F. Howie Paul said that the quote for sod is \$7,000 less and the quote for irrigation is \$1,000 less.
- G. Howard Barton asked where Howie Paul got the original numbers.
- H. Howie Paul said he called a number of different contractors.
- I. John Neal asked if there is an engineered drawing for the irrigation.
- J. Howie Paul said he used the original map of the system. They will use PVC, rubberize the heads and change some of the zones.
- K. Howard Barton asked the time frame.
- L. Howie Paul said the work will start next week and be finished by 8/25/08.
- M. Bruce Schmidt asked if there is anything in the contract to cover us if the contract does not finish or the field is unplayable. Soccer is hard on a field, does the contractor guarantee its work.
- N. Howie Paul said they guarantee their work. If there is a problem, we can use Fletcher field while Dorsey is repaired.
- O. Bruce Schmidt asked if the contractor has done any other big jobs.
- P. Howie Paul said all the sod at Okemo.

- Q. Bruce Schmidt said that Okemo buys and lays most of its sod. The contractor did some at Jackson Gore. He asked if the contractor had done a job at Manchester.
- R. Howie Paul said yes.
- S. Bruce Schmidt said that he has heard good things about the contractor.
- T. Howie Paul said they would take the excess sod to the cemetery for fill.
- U. Howard Barton said they should stockpile some.
- V. Brett Sanderson said they should save some and not use it at the cemetery.
- W. Bruce Schmidt said they should compost it and use it for topsoil.
- X. Howard Barton asked if the bids meet the requirements.
- Y. Frank Heald said he guesses so, but they really need to execute the agreements.
- Z. Howard Barton said they need to get started with the work.
- AA. Frank Heald said that the irrigation contractor wants ½ of the money upfront and he does not agree with that.
- BB. Howard Barton also did not agree with that.
- CC. Frank Heald said the town generally pays when the material is on site. They also need a drop-dead date from Homestead.
- DD. Howie Paul said they have the 25<sup>th</sup> of August. It is only a one-week job. They will remove the existing sod.
- EE. Frank Heald said that is not what the quote says.
- FF. Howie Paul said that Thane says they will remove the sod.
- GG. John Neal said he would like some referrals on the sprinkler company.
- HH. Howie Paul said that “Joe” has been working on the sprinklers for the last 3 years.
- II. Howard Barton asked if they had done any other installations.
- JJ. Howie Paul said that Pete Josselyn said that is what Joe Josselyn has been doing.
- KK. Earl Washburn said that Frank Heald should look into the bids and that when Frank Heald is satisfied with everything, he can call a special meeting to accept the quotes.
- LL. Howard Barton said that he would like it in writing that the contractor will tear up the existing sod and what the finish date will be.
- MM. Bruce Schmidt asked who does the earthwork to crown it.
- NN. Howie Paul said that Homestead will do that. They will also provide the needed topsoil.
- OO. Bruce Schmidt said that may take some topsoil, but he is not sure.
- PP. Frank Heald said that 40 hours is not a lot of time to do all that work that is required.
- QQ. Bruce Schmidt agreed.
- RR. Frank Heald said the board will need to meet to further discuss this on Wednesday.

10. **Set FY 2009 Tax Rate**

- A. Frank Heald advised that a draft of the proposed tax-rate breakdown is in the packets.
- B. The net 2009 budget is \$3,091,653, Articles is \$108,250, Cemetery is \$110,050, Voted Exemptions is \$49,021 (this goes to Montpelier at the non-residential rate). The Grand List is \$1,517,795,477. The indicated tax rate is \$.22165; last year it was \$.2158. The unaudited surplus for FY 2008 is \$128,073. Encumbrances total \$128,000 (Town Hall Renovations - \$72,000, Flood Control Dams - \$17,000, Transfer Station - \$28,500). For the record we started the year at negative \$120,000. The recommended net tax rate is \$.2075, the same as last year. The residential school tax rate is \$1.3907, for a total residential tax rate of \$1.5982. It was \$1.601 last year. (The non-residential rate is set by the state and is up about \$.05.) This recommendation will leave an unaudited fund balance of \$213,595. In the past they have recommended a fund balance of about 10% or just over \$300,000. He and Ulla Cook concur on the above.
- C. Howard Barton asked what another 1/2¢ would do. They can reduce the surplus.
- D. Bruce Schmidt said that last year they gained after the audit. What about this year.
- E. Frank Heald said that he is fairly confident with the unaudited figures. It is his best estimate of reality. He has been reviewing the financials quarterly with the auditors this past year. He does not believe that the numbers will deviate significantly this year.
- F. Bruce Schmidt said that \$151,000 is \$.01. We need to do everything that we can to keep the tax rate low, especially this year. He agrees with Howard Barton about the 1/2¢. He would even be comfortable with \$.01
- G. Frank Heald said there are 2 things to consider, if the interest rates swing and fuel prices. There is an enormous number of things that could throw the town into the red. Also, if next year (2010) tax rate jumps to \$.22 or \$.23, the board is setting itself up for a larger swing.
- H. Howard Barton said they do not know what the audit will bring.
- I. Frank Heald said it could swing the other way.
- J. John Neal said that is something the board needs to be aware of.
- K. Howard Barton said that if things come up, the department heads will have to cut back.

- L. Frank Heald said the department heads have already been doing that for the last 5 years. Another thing is that there will not be the same escalation in the Grand List.
- M. John Neal said that  $3/4\text{¢}$  would be about \$113,000.
- N. Ulla Cook advised that in the past, the state has sent the school money to the towns. Last year, the town got \$800,000 and collected interest at 2% on it. Now the state is sending the funds directly to the schools.
- O. Frank Heald said the interest was about \$16,000 to \$20,000.
- P. MOTION by John Neal and seconded by Brett Sanderson to reduce the tax rate by  $3/4\text{¢}$  for a total of \$.2000, bring the total municipal tax rate to \$1.3907 plus \$.2000 for a total of \$1.5907. Motion passed unanimously.

11. **Department Head Reports**

- A. Howard Barton noted that all department reports are in, except highway.
- B. Frank Heald advised that Ron Tarbell was out and he will email the report to the board members.

12. **Other Business**

- A. Connecticut River Transit System
  - i. Frank Heald advised that Ted Reeves term as Ludlow's representative had expired on 7/1/08. Frank Heald said Ted Reeves has done a great job.
  - ii. MOTION by Brett Sanderson and seconded by John Neal to reappoint Ted Reeves as Ludlow's representative to the Connecticut River Transit System. Motion passed unanimously.
  - iii. Ted Reeves said he would accept the appointment.
- B. Mill Street Bridge
  - i. Frank Heald advised that he received DeWolf's report a couple of weeks ago and the total is just shy of \$1,200,000. He added that the state bridge program does not have that kind of money. He said they will have to look at alternatives.
- C. Brooks Road Bridge
  - i. Frank Heald said the repairs are on schedule.
- D. Junkyard Complaint
  - i. Frank Heald said the notice has been ignored and they are proceeding to court as the ordinance provides.
- E. Paving Grant
  - i. Frank Heald advised that the town has received a Class II paving grant for the Okemo Access Road. \$77,000 to the town and village with 20% local match. Okemo will take care of the shoulders and drainage issues.
- F. Next Meeting
  - i. Next meeting is scheduled for August 4<sup>th</sup>, but Bruce Schmidt and Brett Sanderson are not available.
  - ii. Next meeting will be held on August 18, 2008.

13. **Sign Warrant Orders**

- A. Howard Barton advised that warrant orders have been signed.

14. **Executive Session/Contracts/Personnel**

- A. **Motion by John Neal and seconded by Brett Sanderson to enter in to Executive Session for Contracts/Personnel. Motion passed unanimously.**
- B. Board entered into Executive Session at 8:27 p.m.
- C. Out of Executive Session at p.m.
- D. .

15. **Adjourn**

- A. **MOTION by \_\_\_\_\_ and seconded by \_\_\_\_\_ to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at \_\_\_\_\_ p.m.

Respectfully submitted,

Lisha Klaiber

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Howard Barton, Jr., Chairman

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John Neal

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Brett Sanderson

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Earl Washburn

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Bruce Schmidt