

MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

**PUBLIC HEARING AND
REGULAR MEETING**

December 2, 2013

BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

Frank Heald

OTHERS PRESENT:

Glen Heitsmith	Kevin O'Connor	Jason Rasmussen
Naomi Johnson		Ted Reeves

1. **Call to Order**

- A. Howard Barton called the meeting to order at 7:00 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 November 4, 2013.
- B. **MOTION by Bruce Schmidt and seconded by Doug Ficken to approve the minutes of November 4, 2013 as presented. Motion passed unanimously.**

3. **Comments from Citizens**

- A. There were none.

4. **Report on the Ludlow Bike Path Study – Jason Rasmussen**

- A. Jason Rasmussen advised that he and Naomi Johnson from the Dufresne Group are here to give an update on the study for the bike path. There is a possibility of a Transportation Enhancement Grant and the feasibility study was required. They need to understand all aspects of the path. The proposed route would be to start at the Park N'Ride and go north to Jackson Gore to Buttermilk Falls and then, possibly to the lakes. This would not be a cheap project.
- B. Naomi Johnson distributed maps of the proposed routes and indicated that the map shows Phase I, starting at the Park N'Ride going along Route 103. This portion of the route would be separated from Route 103 with a guard rail, would be 10 feet wide and run up to Ranta Road. From there it would be along the shoulder and there would be a spur to Jackson Gore and again widen to 10 feet wide. It would run to Okemo Ridge Road and back to Route 103 to Buttermilk Falls. There would be issues going along Route 100 and at Rod and Gun Club Road. It would be more feasible to do Phase I at this time. In general, it would run along ROWs and have no environmental constraints. The total for this portion would be about \$2.5 million and if approved for funding by VTRANS, the town portion would be 10%. They would have to submit the draft to VTRANS and the Sidewalk Committee. Phase II would be the final design, detailed survey. Applications for the VTRANS grant are due by July 2014.
- C. Bruce Schmidt asked which side of Route 103 the path would be on.
- D. Naomi Johnson said the left side. She said that Ranta and Buttermilk Falls Roads are low volume and have 3 foot shoulders. People could walk/ride on the edge of the road.
- E. Doug Ficken asked who would own the path.
- F. Naomi Johnson said the town.
- G. Doug Ficken asked about yearly maintenance.
- H. Naomi Johnson said they would plow on Route 103 and Okemo may do that.

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- I. Doug Ficken asked if she could provide some idea of the yearly cost for summer maintenance to the town.
 - J. Naomi Johnson said that at this time she does not have any numbers. She said that a paved path would require less maintenance. She added that there would be 11 more paved feet on Route 103 and there is an option to reshape the road to a 6 foot shoulder, move the center line and change the crown of the road.
 - K. John Neal asked if there was any sense if we would get the grant.
 - L. Naomi Johnson said that VTRANS is in favor of pedestrian and bike paths.
 - M. Jason Rasmussen said it would be hard to tell about the grant.
 - N. John Neal asked about the permitting process.
 - O. Naomi Johnson said there would not be any Act 250 on the road and a minor amendment to the Jackson Gore process.
 - P. Bruce Schmidt asked about signage.
 - Q. Naomi Johnson said there would be some along the path and at intersections.
 - R. Bruce Schmidt asked who would be responsible for the guard rail.
 - S. Naomi Johnson said it would be state property. She added that there would be a maintenance agreement with VTRANS.
 - T. John Neal asked if the \$2.5 million is fixed.
 - U. Naomi Johnson said that it includes a 25% contingency that has been inflated to construction a year from now.
 - V. Jason Rasmussen said the portion along Route 103 would run about \$1,000,000 and the Jackson Gore portion would be about \$300,000. The town could look at individual sections. Design, engineering and permitting costs are high.
 - W. John Neal asked the time line for funding.
 - X. Jason Rasmussen said there are usually delays. If they apply in July 2014, it would take a couple of months to hear if the project funding is approved. It would take about another 6 months to get the contracts and then the RFP process would begin. Construction may start about 1 year after the award.
 - Y. Bruce Schmidt suggested having the Bike Path Committee come in to discuss this. And, to discuss fund raising. It would be a lot of money, but would also be good for the town.
 - Z. Frank Heald asked the local share for the design phase.
 - AA. Naomi Johnson said about \$35,000.
 - BB. Frank Heald said that the board would need to include this amount in the FY2015 budget.
 - CC. Howard Barton said that the project is hinged upon getting funding from the state.
 - DD. Naomi Johnson said they would need to apply for the grant by July 2014.
5. **Consider and Approve Transfer Station Fees**
- A. Howard Barton said that the rates are the same as last year.
 - B. Frank Heald said that based on today's numbers, yes they are the same. There is no need to change them at this point. The price per ton is about \$80 and 5 ton is \$.02 per ton.
 - C. Bruce Schmidt asked about Act 148 and if the town should start a phase-in process.
 - D. Frank Heald said that they may want to start talking about that in the next 6 months. Pay to Throw starts in July 2015 and food waste composting starts in July 2016. The town will also need to recertify the transfer station and the paperwork needs to be files by the fall of 2014. The application for recertification will include plans for how the town plans to handle the changes. It also includes a five year plan and affidavit type assertions.
 - E. Bruce Schmidt asked if Casella is getting set up to handle food wastes.
 - F. Frank Heald said that in rural parts of the state they are starting to talk and the haulers may have programs that may include sealed containers and sawdust for odor. He would encourage backyard composting. We need to start looking for Professional Engineers for estimates for recertification. We need to have the PE stamp. He suggested introducing the Act 148 changes at town meeting. People will have to pay to throw and there is always the possibility that people will not want to pay and will throw trash on the streets. They will need to hold public hearings.
 - G. Howard Barton said that Ludlow has the transfer station covered in the tax base. They will have to take it out.
 - H. Bruce Schmidt asked if we will be able to cover the costs.
 - I. Frank Heald said it you weigh the bags.
 - J. Howard Barton asked if the state will dictate how much the town has to charge.
 - K. Frank Heald said no. He said that the reason for this is to get more recyclables out of the waste path.
 - L. Howard Barton said that Ludlow has made progress in recycling.
 - M. Frank Heald said the next thing may be single stream instead. Weathersfield has saved by going to single stream and reducing staff. Ludlow needs the staff it has up there. He said that he is not convinced that single stream will save Ludlow money. He said that some transfer stations sell bags, weigh bags and some sell tickets.
 - N. Howard Barton said we may need to change the layout at the station and this may back up traffic.
 - O. Doug Ficken asked if they will need implementation money to get ready.
 - P. Frank Heald said it we go to pay to throw, we will have income.

- Q. **MOTION by Doug Ficken and seconded by John Neal to accept the chart of Transfer Station fees as presented. Motion passed unanimously.**

6. **Consider and Approve Resolution to Accept the Grant for Tuckerville Project**

- A. Frank Heald said that the request for a \$250,000 grant to upgrades at the Tuckerville Mobile Home Park has been approved and the board needs to sign a resolution that acknowledges and accepts the terms and conditions of the grant and authorizes Frank Heald as the designated person with overall administrative authority for activities related to the grant and authorizes Frank Heald to sign the grant agreement and all other documents as necessary to secure the funds.
- B. **MOTION by Bruce Schmidt and seconded by Brett Sanderson for the board to sign the resolution as described above. Motion passed unanimously.**
- C. Frank Heald said that the project is going along well. The bids will go out next week and if feasible, the contractor will work through the winter.

7. **Continue and Approve Board of Listers Errors & Omissions**

- A. Howard Barton advised that the listers have sent a letter advised that the total property value for parcel 210136.000, located at 71 Ellison's Lake Road has been corrected to include a second parcel that was overlooked by the listers. The new total value has been increased from \$693,500 to \$761,500.
- B. **MOTION by John Neal and seconded by Brett Sanderson to accept the Error and Omissions Report as submitted by the Listers. Motion passed unanimously.**

8. **Continue FY2015 Budget Workshop**

- A. Frank Heald advised that there have been only been a few changes to report since the last draft.
- i. Last year, the county took a \$2,000,000 bond to rehabilitate the courthouse in Woodstock. This will be another \$46,000 from Ludlow per year.
 - ii. Other than \$15,000 for repairs at Site 5 Flood Control dam, there will be no additional capital projects anticipated for FY2015.
 - iii. In the last draft, Highway had only included \$32,000 for diesel fuel. It has been increased to \$40,000.
 - iv. Insurance costs are up about \$10,000
 - v. One point of clarification. In the last draft, under Parks and Recreation, \$19,000 was attributed to After School Program. After School Program is included Appropriations. The line item under Parks and Recreation should read and has been corrected to read Recreation to School for \$19,000.
- B. Frank Heald said that, absent Insurance Costs, the budget is about \$6,000 over last year. He said that there will be a meeting on December 18, 2013 in Woodstock about the county taxes. He added that the Cemetery Commission has reduced its budget.
- C. Bruce Schmidt if they wanted to put away money for the Bike Path, where would they put it.
- D. Frank Heald said Appropriations.
- E. Bruce Schmidt asked if this board is at the point where they may want to consider putting Cemetery back as a department. Should we offer it or do we think it is going okay.
- F. Frank Heald said that we achieve a fair amount of cooperation from them. He said that he would manage finances differently. He added that 2 years ago, the voters said to leave Cemetery as a commission. It is okay as it is. Frank Heald advised that there may be an issue with insurance and part time employees under the new Affordable Health Care law. He does not know if it will affect the employees. If we average total hours year round, it may come to 30 hours per week. They work 7 months per year, we pay Unemployment. It is in the Cemetery budget. If we have to pay insurance, we will have to do something different.
- G. John Neal asked if the \$10,000 is the Insurance number now.
- H. Frank Heald said he thinks the budget is fairly well done. On the Ambulance side they added a new line for part time staff of \$45,000. The day time calls are increasing and they are running way over on calls. Some of the volunteers are aging and still going on 3-4-5 calls per day. They will put out a public memo in the next few weeks to augment part time staff. This is a growing issue.
- I. Bruce Schmidt asked if the funds in that line item are for more than one person.
- J. Frank Heald said that at this point, they are considering hiring people to work 4 hour shifts during the busiest hours.
- K. Bruce Schmidt asked if a study has been done on where the calls are from. Maybe we should not do surrounding towns.
- L. Frank Heald said it would be in the study. He added that the State Department of Health lays out call areas. We can increase the charges to other towns. He said that we charge Cavendish \$10,000 and

Plymouth \$4,000 and the cost for the ride is covered by Medicare or Medicaid. This is not a revenue issue, it is a staffing issue.

- M. Bruce Schmidt suggested that we may need 2 people on call.
- N. Frank Heald said we need to rearrange the way it's done.
- O. Bruce Schmidt asked that since the Enterprise fund is in its last year, do we have coverage for the building bond payments.
- P. Frank Heald said they have money for most of the balance, and may have 1 to 2 years left at the end.
- Q. Frank Heald asked the board if they wanted to remove the financial reports from the annual report.
- R. The board said yes.
- S. Frank Heald asked if the board wanted small or large format for the annual report.
- T. The board said large.
- U. Howard Barton suggested they leave the budget open until the January meeting.
- V. Bruce Schmidt said they need to look at the bike path study.
- W. John Neal suggested putting the bike path funds in as an Article and let the voters decide.
- X. Frank Heald said he also wants to put Quest in as an Article again this year.

9. **Department Head Reports**

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

10. **Other Business**

- A. Timber Creek II
 - i. Bruce Schmidt asked if the Timber Creek project would have anything in it like the Enterprise Fund.
 - ii. Frank Heald said it is understood.
 - iii. Ted Reeves said it is not hard and fast in the permit. They are to make a suggestion to the town.
- B. George Fairchild
 - i. Frank Heald advised that George Fairchild has been out sick and all is going well at the Transfer Station.
- C. Kevin MacPherson
 - i. Frank Heald advised that Kevin MacPherson had knee surgery and will be out a few weeks.
- D. Sargent Rick King
 - i. Frank Heald advised that Sargent King recently had an article published in THE JOURNAL OF LAW ENFORCEMENT. This is for his thesis for the Master's Program that he is pursuing. The article is about DUI.
- E. Ludlow Rotary Interact Students
 - i. Frank Heald advised that the students had sent money to the Philippines and a picture and story about Ludlow was in the paper.
- F. Information on the Website
 - i. Frank Heald suggested that copies of the agendas and information included in the packets be placed on the website to provide the public with more information about what is going to be discussed.
 - ii. There was general consensus among board members that was a good idea.
- G. Frank Heald advised that Glen Heitsmith was present and could be asked more about the bike path.

11. **Set Date for Next Meeting**

- A. Howard Barton advised that the next regular meeting would be January 6, 2014 at 7:00 p.m.

12. **Sign Warrant Orders**

- A. Warrant orders have been signed.

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

- A. Frank Heald said an Executive Session for Contracts is needed.
- B. **MOTION by Bruce Schmidt and seconded by John Neal to enter in to Executive Session for Contracts. Motion passed unanimously.**
- C. Board entered in to Executive Session at 7:59 p.m.
- D. Board exited Executive Session at 8:09 p.m.

- E. **MOTION by Bruce Schmidt and seconded by John Neal to authorize Frank Heald to sign the new Police union contract. Motion passed unanimously.**

14. **Adjourn**

- A. **MOTION by Bruce Schmidt and seconded by Doug Ficken to adjourn. Motion passed unanimously.**
B. Meeting adjourned at 8:10 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

Doug Ficken

Bruce Schmidt

John Neal