

**PRELIMINARY MINUTES**

**TOWN OF LUDLOW  
BOARD OF SELECTMEN**

**REGULAR MEETING**

December 5, 2011

**BOARD MEMBERS PRESENT:**

Howard Barton, Jr., Chairman    John Neal (by telephone)    Bruce Schmidt  
Douglas Ficken    Brett Sanderson

**STAFF PRESENT:**

Frank Heald

**OTHERS PRESENT:**

Jeff Billings    Ralph Pace    Ron Tarbell  
Joanna Bombadil    Howie Paul    Terry Thayne  
George Fairchild    Ted Reeves    Patrick Cody & Matt Gajewski (LPC-TV)

**1. Call to Order**

- A. Chairman 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 7, 2011.
- B. **MOTION by Doug Ficken and seconded by Brett Sanderson to approve the minutes of November 7, 2011 as presented. Motion passed unanimously.**

**3. Comments from Citizens**

- A. There were none.

**4. Town Road Name Request**

- A. Howard Barton advised that the following names have been submitted for a road in the Valley View Subdivision
  - i. Mountainside Drive
  - ii. Pine Valley Drive
  - iii. Deer Valley Drive
  - iv. Autumn Court
  - v. Hemlock Hill Road
- B. Frank Heald suggested that Deer Valley Road may be misleading
- C. **MOTION by Bruce Schmidt and seconded by Doug Ficken to approve the name Hemlock Hill Road. Motion passed unanimously.**

**5. Update on 2012 Reappraisal**

- A. Frank Heald advised that the reappraisal is ongoing.
- B. Terry Thayne said that 239 homes have been inspected and Bill Krajewski would be in from Wednesday through the rest of the week to do a field review. There will be a mailing soon to contact people who have been unavailable and they will set up weekend inspections of those properties. This process should be done by April 1, 2011.

**6. Consider Request from St. Joseph's Dwelling Place**

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- A. Howard Barton advised that a memo had been received from Frank Heald.
  - B. Frank Heald said his memo had explained the situation and it is pretty straightforward. There are 2 other properties with a similar situation. The culvert crossing the brook is entirely on private property and when the driveway was installed, the culvert was the property owner's responsibility. The town would maintain it if it were in the town ROW. Over the years, the town has done some minor repairs, but in this case and the 2 others, the culverts are on private property and this is a private problem. He said that he does feel badly, but the town should not have to pay to have it fixed. He said that he had suggested to some people that he knows that this would be a good place for some philanthropy. If we fix this one, then we would have to fix the others. He has put them in touch with FEMA and FEMA will go to \$2600. He had also suggested Vermont Community Association, but they were denied assistance. He had also suggested Black River Good Neighbors.
  - C. Howard Barton asked how big the culvert is.
  - D. Ron Tarbell said it is 4 feet, but should be 6 feet.
  - E. Bruce Schmidt asked how the town has handled this in the past.
  - F. Frank Heald said that since he has been here, the town has only done minor repairs.
  - G. Ron Tarbell said that this culvert washes away every time there is a big rain. The town put in some gravel so the EMS vehicles could get through. The whole culvert needs to be replaced.
  - H. Bruce Schmidt asked about others.
  - I. Frank Heald said that the property owners have paid. He said that he also checked the property deeds and there is nothing in them to indicate any town responsibility. He said that he does not think the town has ever done anything except band aids.
  - J. Bruce Schmidt asked if the town had done anything in the past that people would construe town responsibility for this one.
  - K. Frank Heald said no. He added that by statute, the town is not responsible. VLCT says that towns only are responsible for culverts in town ROWs. He also said that if a town maintains a culvert for a period of time, the town may opt to keep doing it. But, the reverse is not true. They may stop any time they want.
  - L. Howard Barton asked how far off the ROW the culvert is.
  - M. Frank Heald said 6-8-10 feet.
  - N. Bruce Schmidt asked the approximate replacement cost.
  - O. Ron Tarbell said \$6 - \$7 per foot for 30 feet and poured headers.
  - P. John Neal asked if the total would be about \$20,000.
  - Q. Ron Tarbell said all of that.
  - R. Frank Heald said that on the compassionate side, he feels bad for St. Joseph's, but the town does not have any responsibility here.
  - S. John Neal said that if the board is going to consider doing this, they should own the property.
  - T. Howard Barton said he does not want to get into that situation.
  - U. Bruce Schmidt asked what the town's legal responsibility is.
  - V. Howard Barton said that it is the property owner's responsibility and they put themselves at risk by not maintaining the culvert.
  - W. Frank Heald said that he has really tried to find anything that may indicate any town responsibility, but has not found anything.
  - X. Howard Barton said that Frank Heald should respond to them that this board did review the situation and it is not the town's responsibility.

## 7. FY 2013 Budget Workshop

- A. Frank Heald advised that he had sent the drafts for the 4 major departments prior to the meeting and the respective department heads are present tonight. The balance of the draft budget is finished and he will give a copy to members so they can review it before the next meeting on December 19<sup>th</sup>.
- B. HIGHWAY
  - i. Frank Heald said they are right-sizing the staff. They have done away with the Full time/part time person and took Billy Davis on as Full Time. The change is about \$18,000 to \$19,000 this year (including the union increase.) The balance is personnel. We upped retreatment and diesel a little. Last year there was a grant for \$8,000, not this year. State aid may go up and they may have a little extra - \$40,000-\$50,000. Revenue is down 4% and Highway is up about 5.5%.
  - ii. Howard Barton asked about bridges.
  - iii. Frank Heald said we are allowed to leverage up to \$150,000 on Structures grant. We have to apply for a grant for the culvert at Ghia Farm and West Hill. That culvert won't take all of the funds; it will be about \$50,000. The East Lake Bridge will be about 90% FEMA and state funded. We will get the balance from what we borrowed.
  - iv. Bruce Schmidt asked if they would be able to drop the Bridges number to about \$5,000.
  - v. Frank Heald said probably. That would drop it to about 4%.

- vi. Bruce Schmidt asked about winter supplies as they only spent \$3,300.
- vii. Ron Tarbell said that for the past few years we have not needed to use this line item much, but this year we already have started to use it. We need to leave it in.
- viii. Bruce Schmidt asked about trees/brush – they had only spent \$1200 this past year.
- ix. Frank Heald said they really need to do more of that work.
- x. Ron Tarbell said they need to get people in to do the troublesome ones and they should leave it in.
- xi. Doug Ficken asked about the East Lake and Pleasant Street Extension bridges.
- xii. Frank Heald said that they should be 90% funded. The total estimated flood damage was about \$2,000,000. We have already spent \$973,000. He estimates the East Lake Bridge to be about \$400,000 and the Pleasant Street to be about \$200,000.
- xiii. Doug Ficken asked if the number for Summer Construction is enough.
- xiv. Ron Tarbell said he thinks so.
- xv. Frank Heald said that most of the flood repair work done so far is temporary and they will need to go back in the spring and top off what they have done. That work will be considered flood repair. They need to segregate out the flood repairs from work not impacted by the flood.
- xvi. Bruce Schmidt asked about the additional staff member.
- xvii. Frank Heald said that it accommodates increases from contracts and the change from FT/PT to FT.
- xviii. Bruce Schmidt asked if OT would drop.
- xix. Brett Sanderson said no. They have 2 part time employees in the winter.
- xx. Frank Heald said that particular person is Highly Qualified and we are in a much better situation. He can operate virtually anything and adds maybe \$12,000 to the overall. We have been struggling to find the right staffing in Highway for 2-3 years and we think we have the right combination now.
- xxi. Bruce Schmidt said that he would like to see the list over the last 4-5 years for staffing before we approve this budget.

C. SOLID WASTE

- i. Frank Heald said that George Fairchild and his staff have reviewed the transfer station rates and what we are paying out and recommend that they do not have to raise rates this time, with the caveat of weighing couches and chairs.
- ii. George Fairchild said they would charge \$07/pound instead of a flat rate for these items. Sometimes they come in waterlogged and are very heavy.
- iii. Frank Heald said the budget is pretty straightforward – a little over 3%. A significant cost is 2<sup>nd</sup> person insurance.
- iv. John Neal asked about that – did the person go from PT to FT.
- v. Frank Heald said essentially, yes. She was first hired in a temporary position because we were not sure if her predecessor was coming back. When we were sure that he was not returning, she became FT.
- vi. John Neal asked what the 3.6% was.
- vii. Frank Heald said George Fairchild.
- viii. John Neal asked about the 9.5% for the assistant.
- ix. Frank Heald said it included the 3% contract raise.
- x. Bruce Schmidt asked when the fees were last increased.
- xi. Frank Heald said several years ago they negotiated a lower disposal rate and they are doing OK at that disposal rate. They are status quo and OK.
- xii. Bruce Schmidt said that expenses are up and we are not raising our fees. We can't do that for too long. When we do need to increase, we will get a push back from the residents. We need to watch this very carefully.
- xiii. Frank Heald said that some people already feel that since they pay taxes, the rates are high.
- xiv. John Neal asked how many permits are sold per year.
- xv. George Fairchild said he does not know.
- xvi. Frank Heald said he would have that information for the next meeting.
- xvii. Bruce Schmidt said he would like to see this department be self-sufficient with revenue and expenses even. We should think about it.
- xviii. John Neal said that revenue covers the expenses not including the disposal fees. Maybe we should take permits and fees into consideration.

D. RECREATION

- i. Frank Heald said the Community Center is in the packets. We are trying to right size the staffing there. There is a new line item for Recreation Assistant. They will take \$12,500 out of the Community Center staff and put it on the Recreation side. They have also decreased Summer Labor by \$4,000 and After School Program by \$6,000 and that will go to the new staff position.
- ii. John Neal asked if it is hard to find help.

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- iii. Howie Paul said that it is and most are high school students who are not always reliable and he ends up going in from 4:00 to 8:00 p.m.
  - iv. John Neal asked the average wage rate.
  - v. Howie Paul said the high school and college students get minimum wage - \$8.15/hour. The After School Program people get \$15 - \$25/hour.
  - vi. John Neal asked how many hours the After School people get.
  - vii. Howie Paul said 11 hours per week.
  - viii. Frank Heald said that Howie Paul has ended up working 50+ hours per week.
  - ix. Bruce Schmidt asked how the new person would fit in and where Howie Paul would fit.
  - x. Howie Paul said that in the summer, fall and spring, he is often away from the community center working the fields and there is no one at the center to answer questions. He also needs someone to help with the administrative paperwork. He has spoken with the Springfield center and they have an assistant and it works well.
  - xi. Brett Sanderson asked about Eugene.
  - xii. Frank Heald said that he is basically B&G. He does spend time at the center but also, is often out. There is still a fair amount of time uncovered, either in the field or at the center. Eugene is not an After School Program person.
  - xiii. Brett Sanderson asked where they would be getting the money for this position.
  - xiv. Frank Heald said the budget line item has not been used.
  - xv. Howard Barton noted that for 6 months of the year, no fields are open, so that would leave more time at the center.
  - xvi. Howie Paul said that in the winter there's basketball, zumba and other classes. Sometimes he is at Jackson Gore for the swimming program.
  - xvii. Frank Heald said that the center is open 7 days per week, 8 to 10 hours per day and it is too much on Howie Paul.
  - xviii. Howard Barton asked about the Athletic director from the school.
  - xix. Howie Paul said he's not doing the center. We line the fields.
  - xx. Howard Barton said the athletic director is a paid position.
  - xxi. Howie Paul said the town started doing it about 14 years ago.
  - xxii. Howard Barton asked about coaches and referees.
  - xxiii. Howie Paul said there is a per game fee for the referees and it is based on the number of home games. For grades 5 and up it is \$40/game and for grades 3 and 4, it's \$30, per game. It is the same pay scale and HS and MS.
  - xxiv. Frank Heald said that everything goes through payroll except soccer.
  - xxv. Howard Barton asked about Fields.
  - xxvi. Howie Paul said it is up \$2,000. They need to do work at Fletcher and do soil samples, seed and fertilize.
  - xxvii. John Neal asked if there is a Job Description for the new position and he would like to see it.
  - xxviii. Howie Paul said he is working on it and will email it out.
  - xxix. John Neal asked if Howie Paul could manage without the new person using PT employees.
  - xxx. Howie Paul said he would have to change his hours. He said he is getting pretty beat up with the hours he is working. He said when his office was at town hall, if people came in with questions, and he was not there, they could go to the front office.
  - xxxi. Frank Heald said the Recreation department carries the load in support of the Schools and Howie Paul covers a lot. Frank Heald said that he is truly concerned that we do not have a backup in case Howie Paul is out. We are operating on a narrow edge.
  - xxxii. Bruce Schmidt asked said that the work is getting done and in the community center, if a coach is out, Howie Paul becomes the default coach. He said that he had heard concerns about the skate park and weather closings.
  - xxxiii. John Neal asked if the programs are growing.
  - xxxiv. Bruce Schmidt said there is a larger increase in teams. They are making better programs for kids and adults.
  - xxxv. Howie Paul agreed that with the new space, they are offering more programs.
  - xxxvi. Howard Barton asked if the town is making money on these new programs.
  - xxxvii. Howie Paul said 15%.
  - xxxviii. John Neal asked if things would get better with a new person.
  - xxxix. Howie Paul said he believes 100% that it will get better.
    - xl. Howard Barton asked if 15% is enough to cover the town's expenses.
    - xli. Frank Heald said it depends on the program and the class size. Outside instructors do their own set up and pick up.
    - xl.ii. Howard Barton asked about the line for \$7,000 for Capital Improvements.
    - xl.iii. Howie Paul said that there are new guidelines for playgrounds and they need to comply with these at Dorsey. They are also putting in new fences at Dorsey and repairing the tennis courts.

- xliv. John Neal asked if the grant number of \$7,000 is accurate.
- xlvi. Howie Paul said it is a 3-year grant from Carl Pavano to be matched by Major League Baseball for 3 years.
- xlvi. Howard Barton asked if there are any specifics or limitations to the use of the funds.
- xlvii. Howie Paul said they can use it pretty much anyway. He added that in January, they would be receiving replacements from Major League Baseball for lost equipment.
- xlviii. Howard Barton asked about Utilities.
- xlix. Frank Heald said lights at facilities.
  - l. Bruce Schmidt asked about coaches and are we paying consistent.
  - li. Howie Paul said yes, recreation does play more than the middle school.
  - lii. There was a general discussion regarding number of games for recreation and schools.
- E. POLICE
  - i. Bruce Schmidt asked Jeff Billings if they are going to be affected by radio changes.
  - ii. Jeff Billings said yes but only one cruiser mobile unit will have to be replaced for about \$1,500-\$2,000.
  - iii. John Neal asked about staff changes in insurance.
  - iv. Jeff Billings said they lost one dispatcher who was single and replaced it with one with family.
- F. Howard Barton advised that the next budget meeting would be on December 19th.
- G. Frank Heald said he would have a draft of the entire budget tonight and they could start the review on the 19th.
- H. Howard Barton said that regarding the Recreation Department last year the board discussed charges for local students and other towns. Ludlow pays the taxes on it.
- I. Frank Heald said that Howie Paul would have to answer that. Some of the programs are split and one is different. (Howie Paul had already left the meeting.)
- J. Doug Ficken said that he and Bruce Schmidt had gone to a Recreation meeting and they had agreed to do something about it.
- K. Howard Barton said it does not look as if anything had been done.
- L. Bruce Schmidt said they should look at the 20 game schedule for 5th and 6th graders in the Recreation program. Even the Varsity at the HS does not have that many games.
- M. Frank Heald said that other towns' recreation programs are doing it.
- N. Doug Ficken said it is a very aggressive schedule, but they are less likely to make up games.
- O. John Neal asked Bruce Schmidt if he is looking at a cost savings.
- P. Bruce Schmidt said that for \$40, a child gets 18-20 games. It is important and Howie Paul does need help, but we need to find a balance to justify these costs. Transportation costs to the games are not even included as that is another budget. We are seeing the results in the Varsity teams, but there is only a certain amount of money that people are willing to pay.

## 8. Department Head Reports

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

## 9. Other Business

- A. Recreation
  - i. Bruce Schmidt said that it is important to keep Dorsey Park maintained.
- B. Side Hill Cronchers
  - i. Frank Heald advised that a letter had been received from the Side Hill Cronchers requesting permission to cross maintain and ride on roads for the 2011-2012 season. This is a yearly request and is the same as last year. They will be continuing the same practice.
  - ii. **MOTION by Bruce Schmidt and seconded by Doug Ficken to accept the letter of request from Side Hill Cronchers for permission to cross, ride on and maintain roads for the 2011-2012 season. Motion passed unanimously.**

## 10. Set Date for Next Meeting

- A. Howard Barton advised that the next meeting would be held on December 19, 2011 and would be a Budget Workshop.

## 11. Sign Warrant Orders

- A. Warrant orders have been signed.

12. **Possible Executive Session/Contracts**

- A. Frank Heald advised that an Executive Session for Contracts is required.
- B. **MOTION by Brett Sanderson and seconded by Doug Ficken to enter in to Executive Session for Contracts. Motion passed unanimously.**
- C. Board entered into Executive Session at 8:26 p.m.
- D. No action taken.
- E. Board exited from Executive Session at 8:45 p.m.

13. **Adjourn**

- A. **MOTION by Bruce Schmidt and seconded by Doug Ficken to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:46 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