

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

REGULAR MEETING

January 2, 2012

BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

Frank Heald

OTHERS PRESENT:

Christian Avard Cindy Johnson Chris Salerno
Mary Rita Batesole Ralph Pace Jerry Tucker, Jr.
Sharon Bixby Howie Paul Frank Wingate
Leslie Boyle Ted Reeves 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 December 5, 2011 and the special meeting of December 9, 2011.
- B. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the minutes of December 5, 2011 and December 9, 2011 as presented. Motion passed unanimously.**

3. **Comments from Citizens**

- A. There were none.

4. **Consider Lake Rescue Association's Joint Permit Request to the Vermont Department of Environmental Conservation (DEC) to Dredge Lake Rescue**

- A. Frank Heald advised that Frank Wingate and the Lake Rescue Association are requesting that the town join them as co-applicants in a permit request to dredge Lake Rescue. This will not cost the town any money.
- B. Mary Rita Batesole explained that the state has come twice to look at the damages caused by Irene and said they should apply for a permit to dredge the lake. If the town joins in the application, it will save money on some fees. They want to dredge the lake in 2 places, but they really can't see all of the problems. South of the island the water left a sandbar about 200 feet out running from about 18-24 inches. Coming out of the Black River to Round Pond they will also want to dredge about 4 feet, just to make it navigable. People will run around the way it currently is.
- C. John Neal asked if they had filed the application.
- D. Mary Rita Batesole said they want the town to join on the application.
- E. John Neal asked who filled out the application.
- F. Mary Rita Batesole said they did, this is the last step. Steve Hanna from the state is working with the group. The state is supposed to do a depth survey at the south end. They did Round Pond.
- G. John Neal asked if they would receive state funding.
- H. Mary Rita Batesole said no.
- I. John Neal asked if they could apply for funding.
- J. Mary Rita Batesole said no. The association will foot the bill but they need to get the permit first. The mill foil diver does the dredging, but you can't see anything right now. It is mud and sand from the flood. The state will work with the group when the application is in.

- K. John Neal said that he sees no reason why the board should not sign the application. He asked where the silt goes.
- L. Mary Rita Batesole said the sediment will be gathered up by a vacuum type machine and the water goes back into the lake. They can use the silt for fill.
- M. **MOTION by Bruce Schmidt and seconded by Doug Ficken to co-sign the application, with the Lake Rescue Association for the permit to dredge Lake Rescue. Motion passed unanimously.**

5. **Consider Okemo Mountain School Transfer Station Fees**

- A. Frank Heald advised that the school is doing some interior renovations and has C&D. The school is non-profit and is looking for no fees at the transfer station for the demolition items. He advised that George Fairchild and he feel that since the school is not “not for profit” they should pay the normal fees. It is about \$50 per load.
- B. John Neal advised that he sits on the Board of Directors of the school and will recuse himself from this discussion.
- C. Bruce Schmidt asked if there are any other similar situations.
- D. Frank Heald said Black River Good Neighbors, but they are not for profit. We allow them to have no fees. Some of the stuff is not usable clothes and goes into the SEVCA box. There are also non-working electronics, but we don’t charge for them.
- E. Howard Barton said they should pay the fees.
- F. Bruce Schmidt suggested considering a discount price up to a certain point. He agreed that Black River Good Neighbors is a community organization and is not for profit. He asked if there are any other similar organizations.
- G. Frank Heald said churches are also no charge. He said the fees are not a lot of money and it is the principle of the matter. We don’t want to set a precedent.
- H. Brett Sanderson agreed, if we allow this now and they do more renovations later on, they will also not want to pay fees then.
- I. Bruce Schmidt said he wants to be consistent.
- J. General agreement not to waive fees.

6. **Consider and Approve Ludlow Enterprise Fund Recommendations**

- A. Frank Heald advised that the Ludlow Enterprise Fund held its meeting on December 14th and the committee recommends a grant to LPC-TV for \$31,000 for the construction project to prepare their space in the Community Tenant Building. He said that initially, he was concerned that the money would not be enough to get them into the space and start paying rent to the town. But, he has been told that there are 2 bids and it is within budget. They will start billing this FY.
- B. John Neal asked how much longer the Ludlow Enterprise Fund would be in effect.
- C. Frank Heald said 3 more years.
- D. John Neal asked if there are any other long term commitments.
- E. Frank Heald said just the Public Safety Building at \$42,500 per year. We put some of that into the bond and some into a Public Safety Building fund to cover the out years after Ludlow Enterprise Fund expires. There are no other long term commitments. The balance committed to LPC is available.
- F. John Neal noted that the total amount was \$31,729.18 and there were 2 requests.
- G. Frank Heald said the other request was from the Black River Academy Museum but they had met their financial needs goals already. That is why the committee recommended the full amount go the LPC-TV.
- H. Bruce Schmidt said that he supported the request. LPC brings a lot to the town and it is a good project.
- I. John Neal said he agrees.
- J. Brett Sanderson asked why they don’t leave some money in the fund year to year.
- K. Frank Heald said that the construction project is \$125,000 and the \$31,000 is only a piece of it. They have raised enough funds on their own that this will put them over the top for Phase 1.
- L. Bruce Schmidt asked if they have had any other projects that were fully funded by Ludlow Enterprise Fund.
- M. Frank Heald said yes, it has only been in the past few years that they have spread the funds.
- N. Bruce Schmidt agreed that the committee has looked at every request and spread funds. He added that LPC is in a tight situation, having to get out of the school and working out of a trailer. Also, we want to start getting money back in rent for the town.

- O. **MOTION by John Neal and seconded by Doug Ficken to support the recommendation of the Ludlow Enterprise Fund and to grant the \$31,000 to LPC-TV. Motion passed, not unanimous.**
- P. Frank Heald said this will go to the Trustees and Water Commissioners tomorrow.

7. **Approve Vermont Municipal Bond Bank Refunding**

- A. Frank Heald explained that periodically, bonds are refinanced for lower interest rates and this is to redo the Public Safety Building bond.
- B. Howard Barton asked the rate.
- C. Frank Heald said the yield is about 4.4%, and the rate is probably lower.
- D. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve and sign the Vermont Municipal Bond for the Public Safety Building. Motion passed unanimously.**

8. **SWCRPC Speed Study Report**

- A. Frank Heald advised that the study was on East Lake Road. They were concerned about the amount of traffic exceeding the speed limit. It was a short survey. There was a high percentage of traffic in the 35-37 MPH range.
- B. John Neal noted that the commission recommended lowering the limit to 30 MPH.
- C. Frank Heald said it is posted at 35 MPH now and most traffic is doing the speed limit.
- D. Bruce Schmidt asked Frank Heald if he had spoken to Katherine Otto about the recommendation.
- E. Frank Heald said he had not had only recently received the report and did not have a chance to speak to her. He said that 70-95% of the traffic is doing about 35 MPH. He will speak to her.
- F. Bruce Schmidt noted that there were a lot of single trucks. Maybe they should put up No Through Trucking signs.
- G. Brett Sanderson said most of them were construction trucks.
- H. Frank Heald said the survey was done in July.
- I. Bruce Schmidt said they should leave it as it is.
- J. Frank Heald said they did put up some Pedestrian and Bike signs along with cautionary yellow speed signs for 25 MPH.
- K. General consensus to leave the speed limit at 35 MPH.

9. **FY 2013 Budget Workshop (continued)**

- A. Frank Heald advised that the board had gone through most of the working drafts at the prior meetings. He said that he spoke to Carl Matteson at the Ambulance Service about the fees for Cavendish and Plymouth and he has made a recommendation.
- B. **RECREATION**
 - i. Howie Paul has submitted a discussion paper about the recreation programs and associated labor. We are having some conversations about re-aligned personnel at this time and hope to have an alternative staffing program for the meeting in two weeks.
 - ii. John Neal asked if Frank Heald could put together a chart of money versus hours for the programs and what enrolment would be needed to break even.
 - iii. Frank Heald said that it depends on the programs. He said that if volleyball has 12 people, to those 12 people it is important.
 - iv. John Neal suggested that maybe people in the programs could volunteer to do some of the work associated with the program.
 - v. Howard Barton asked if he meant organizing, set up and clean up?
 - vi. John Neal said yes. Where is the break-even point? He would like to see some of the burden taken off the town.
 - vii. Frank Heald said the report from Howie Paul is trying to explain what we do 7 days per weeks, 52 weeks per year. We still have to open and close the gym every day. Some of this is without Howie Paul's direct involvement, some general supervision and some detailed supervision.
 - viii. Howie Paul noted that the hours of operation are M-F 7:00 a.m. to 8:00 p.m. and Saturday and Sunday 10:00 a.m. to 2:00 p.m.
 - ix. Bruce Schmidt said that his biggest issue is how the programs are set up and the number of kids involved. In basketball, are the costs greater than the fees that are collected? He is struggling with this, wants to support Howie Paul and watch the costs.
 - x. John Neal asked if there are people in the programs who can take some of the burden off Howie Paul.

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- x. Frank Heald said that we do not have the level of volunteers that we used to have 5 years ago. To keep these programs viable, Howie Paul is putting in 50-60 hours per week that he records.
 - xi. John Neal said they need to be fiscally responsible and let the people in the programs know that they need to help. We need to make an effort to enlist more volunteers to help.
 - xii. Howard Barton asked if the basketball coaches could help at the end of practice by closing things up.
 - xiii. Howie Paul said that to some extent that might work, but unfortunately there may be other programs at the same time and the basketball person would also have to be responsible for them and the programs do not end at the same time.
 - xiv. John Neal said this should also include persons in other programs, not just basketball. Maybe we need more coordination and communication. He added that he knows that Howie Paul is doing a great job, but we do need to be more creative and get more involvement.
 - xv. Frank Heald asked the board members to review Howie Paul's document and see if there is anything that sticks out to them.
 - xvi. John Neal said that some programs are repetitive and also he would like to see separate event and program calendars.
 - xvii. Frank Heald said the document shows you all the things that are done within a month's time. If you don't see any programs that you could easily cut, then we have to go back and look at how we are doing things. We will try to find a way to fund programs for less money. We will move people around and move the custodian to the evening. Kevin Mc Pherson could supervise the cleaning. Maybe we could get more Part time people.
 - xviii. Howard Barton said it would be good to look at those options.
 - xix. Frank Heald said he will come back in two weeks with suggestions.
 - xx. John Neal said to look at the creative side and be as responsible as possible and reach out to people for help.
 - xxi. Frank Heald said they are not as successful getting help as you may expect.
 - xxii. Howie Paul said he put ads out for help for basketball last year and he ended up coaching 3 teams. Other towns charge much more for their programs. With volunteers, the kids won't learn as much. The referees are doing a good job helping.
 - xxiii. John Neal said we need to consider fiscal responsibility.
 - xxiv. Bruce Schmidt said the referees' fees should be more consistent and he is not sure about the step program. It comes to a point when the town will have to face facts. If no one steps up to coach, the recreation director should not have to coach teams and we will eventually have to drop some teams. We need to look at the job description of that position at the Community center. Bruce Schmidt said that he has heard that Howie Paul is not always accessible for people with questions and at least when he was at town hall, people in the office could also help out with questions.
 - xxv. John Neal said maybe we should look at having him more at town hall. We need to make his job easier. Maybe we should make more use of electronics.
 - xxvi. Frank Heald said they will work on alternative plans.
 - xxvii. Jerry Tucker said that all of the skate park maintenance was not done this year and they are planning on working on it in the spring. He thinks there was \$2,000 in the budget for that.
 - xxviii. John Neal said it is important to make it as safe as possible there and he does not want to take anything from that budget.
 - xxix. Frank Heald said they spent \$200 so far this year and there is \$1800 left for work this spring.
 - xxx. Jerry Tucker said they will fix things up before they paint.
 - xxxi. Bruce Schmidt asked him if he coordinates work with Howie Paul.
 - xxxii. Jerry Tucker said yes.
 - xxxiii. Bruce Schmidt said he heard there were some issues there last summer and asked if we are keeping it to where it should be.
 - xxxiv. Jerry Tucker said they are. Also, he is having the kids help with the work. It gives them more pride in the park. It is also good to get other parents involved.
 - xxxv. Bruce Schmidt said he is glad that Jerry Tucker and his father are working up there.
 - C. Howard Barton asked if there were any other changes to the budget.
 - D. Frank Heald said that he fixed the issues that they discussed at previous meetings and without Recreation; we are \$89,000 over last year. He will come back in two weeks with proposals for Recreation.
 - E. Bruce Schmidt said he would not be able to attend the meeting in 2 weeks. John Neal, Howard Barton, Brett Sanderson and Doug Ficken said they could make the meeting.

10. **Department Head Reports**

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

11. **Other Business**

- A. **Year End Financial Reports**
- i. Frank Heald said that he has received a draft of the year end auditors' report as of 6/30/11 and they are very tight. They are \$35,000 in the black after the tax rate buy down. They still have a fund balance. After 6 months into this year, we had \$456,800 and used \$350,000 for the buy down. He will have a draft management letter for the next meeting.
 - ii. Howard Barton suggested using some of the money for flood costs.
 - iii. Frank Heald said the FEMA person went home on 12/20/11 and left his thumb drive for the next person. We have spent over \$1,000,000 so far and borrowed \$1,000,000. We will probably spend over \$2,000,000 and will look to bond the local share in 2014. We will not be cleared from the Federal Government until next July.

12. **Set Date for Next Meeting**

- A. Howard Barton advised that the next special meeting would be held on January 16, 2012 and the next regular meeting would be held on February 6, 2012.

13. **Sign Warrant Orders**

- A. Warrant orders have been signed.

14. **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 8:17 p.m.
- D. No action taken.
- E. Board exited from Executive Session at 8:34 p.m.

15. **Adjourn**

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

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

Doug Ficken

Bruce Schmidt

John Neal