

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

November 6, 2017

BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

Frank Heald Rose Goings

OTHERS PRESENT:

Terry Carter Lyza Gardner Ted Reeves
Alan Couch Alan Isaacson Vincent Guerrero -Okemo Valley-TV

1. Call to Order

A. Howard Barton called the regular meeting to order at 7:00 p.m.

2. Consideration of any Changes, Additions or Removals to the Agenda

A. Frank Heald said there were none to be made.

3. Approve Minutes of Previous Meetings

- A. Howard Barton advised that the minutes to be reviewed are from the meeting on October 2, 2017.
- B. MOTION by Brett Sanderson and seconded by John Neal to approve the minutes from the meeting of October 2, 2017 as presented. Motion passed unanimously.

4. Comments from Citizens

A. There were none.

5. Liquor Control Board

- A. Outside Consumption Permit – Mama’s
- i. Frank Heald advised that the DRB had approved the permit to have tables in the area between Kesman Memorial Park and the building.
 - ii. Brett Sanderson asked about the sandwich sign in the sidewalk.
 - iii. Rose Goings said she would talk to them about it.

H. Frank Heald said there is no great rush to this.

9. Consider Board of Listers Errors & Omissions

- A. Howard Barton advised that there is only one property belonging to Comcast.
- B. Frank Heald advised that this is an overpayment of taxes, amounting to \$4,285.36. He said that the state sets the value for that property.
- C. Ulla Cook advised that Comcast does not pay the town portion of the taxes, only the Education part.
- D. Howard Barton noted that our own utility does pay taxes.
- E. **MOTION by John Neal and seconded by Logan Nicoll to approve the Errors & Omission Report as presented. Motion passed unanimously.**

10. Discuss Open Meeting Law/VLCT Model Rules of Procedure

- A. Frank Heald said that several months ago, this board had a discussion about “Other Business”, “Old Business” and “New Business.” He looked in Robert’s Rules of Order. He also reached out to Sara Jarvis, Staff Attorney for VLCT. Her response was also included in their packets and with it; she included VLCT’s Model Rules of Procedure. If the board is interested, he will take that model and bring it into ours. This is a general Rules of Procedure.
- B. Howard Barton said that board members all received copies of Robert’s Rules years ago. He added that the information sent by Ms. Jarvis is not much different from what this board has been doing.

11. Request for a Public Hearing from the Planning Commission RE: Municipal Plan

- A. Alan Couch said that the Planning Commission is requesting that the Select Board schedule a public hearing for the Town and Village Municipal Plan. In the past, towns have had to update the plans every 5 years. Now, after this update, we will not have to update it for 8 years. We can still make minor changes. The current town plan expired yesterday. As soon as you post a warning for the public hearing to adopt the town plan, it becomes effective. At this point, the town and village have separate plans and the village plan does not expire until March 2018. We would like to progress on the same hearing schedule.
- B. Howard Barton clarified that once the warning is posted, this plan takes effect. Then, how can it be changed.
- C. Alan Isaacson said that the Planning Commission will take their comments and include them in the draft for the hearing. You can vote it down. If there is no town plan, you would have no standing at ACT 25 hearings.
- D. Logan Nicoll said the board recently found out that as soon as the Select Board posts the warning for the hearing, the town plan takes effect. The town does not have as much to lose as the village. With no village plan, we could lose the Village Center Designation and its tax credits. We included the Select Board in the drop box distribution of the draft and hope to have comments before your hearing. This will help us avoid major changes. We can make minor changes. The major changes to the plan were in the Energy Chapter. In

order to obtain Substantial Deference with the PSB, we were required to include the Enhanced Energy Chapter in our plan. Jason Rasmussen assisted the Planning Commission in writing this chapter and most of it comes straight from the state statutes. In addition to the Energy Chapter, we updated data and cleaned up some other wording. The Planning Commission would like to do major rewrite of the town plan to really set some goals.

- E. Alan Isaacson clarified that that new plan takes effect when the Select Board public hearing is warned in the newspaper of record. If you agree to schedule the hearing, the warning will not be published until next week. Also, included in the packet, is a copy of my cover letter. It goes through the changes made to the town plan, chapter by chapter. Your copy of the plan draft is annotated. He suggested that the list of changes be read at the public hearing.
- F. Howard Barton said it could be scheduled for the Select Board's December 4th meeting.
- G. Terry Carter said the Planning Commission would have liked to have streamlined the plan and take out some of the superfluous language, but because the state decisions on Energy took as long as it did, we were in a crush for time.
- H. Bruce Schmidt complimented the Planning Commission for their efforts and said they did a good job. He understands that there was quite a bit of work done on the Energy Chapter and noted that Planning Commission members are there every month. The draft is well done and a good definition of our town.
- I. **MOTION by John Neal and seconded by Logan Nicoll to schedule and warn a public hearing for the town plan on December 4, 2017 at 7:00 p.m. Motion passed unanimously.**

12. Consider Municipal Christmas Party

- A. Frank Heald advised that this typically goes out to bid and we select the lowest bidder. He explained that the number of persons included under Town Clerk includes BCA members.
- B. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to authorize Frank Heald to schedule the Municipal Christmas party. Motion passed unanimously.**

13. Consider Sidehill Cronchers Snowmobile Club Request

- A. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the request from Sidehill Cronchers for permission to cross, ride on and maintain the list as presented of trails and roads for the 2017-2018 season.**
- B. Howard Barton voiced his concern about the recently replaced deck on the Pleasant Street Bridge. He does not want to see it destroyed by the groomers.
- C. Frank Heald said he does not think the groomers will have the same effect on the cement as they had on the asphalt. He said that he will go back to the bridge people about this. Supposedly, the cement will hold up better than asphalt. We will look at the bridge next spring.
- D. Howard Barton asked Frank Heald to keep an eye on the condition of the bridge during the season.
- E. **Motion passed unanimously.**

14. Consider Ludlow Garden Club Request RE: Lighting at Kesman Memorial Park

- A. Frank Heald advised that the Garden Club would like to string small white lights on some of the trees in park this winter.
- B. **MOTION by Bruce Schmidt and seconded by John Neal to approve the request from the Garden Club for lights at Kesman Park this winter. Motion passed unanimously.**

15. Consider FY 2019 Appropriation Requests

- A. Frank Heald advised that the list of submitted requests, with financials, for Appropriations was in the packets. Three of past requests did not get their letters in.
- B. Howard Barton noted that Streetscapes is back in.
- C. Frank Heald said they put flowers and greens by town hall and on the bridges. They are also asking for a contribution from the Village.
- D. Bruce Schmidt asked Frank Heald to check the numbers on the spread sheet as there appears to be a discrepancy.
- E. Frank Heald agreed that it does not add up and will bring it back for final approval.

16. FY2019 Budget Workshops

- A. Frank Heald said that this draft is almost complete. We won't have insurance numbers until December. He said that he put in what was there for last year until the numbers are received. He added that the Capital Budget is also not complete. We need an estimate for the Buttermilk Falls Bridge and will apply for a Structures grant from the state. There is \$30,000 left from the Pleasant Street Bridge project that will be applied to this one. He said the loader is 11 years old and has over 10,000 hours on it. We will need to borrow and trade this one in. We will decide how much to take from the Highway Fund. He asked board members to review this draft and get and get back to him with comments.
- B. Howard Barton asked for a breakdown of costs associated with the schools that is taken from the town budget; such as transportation, field maintenance, and sports uniforms. He knows that Mount Holly does not contribute any money. He would like actual numbers.
- C. Frank Heald said it can be broken out. He will get the information.
- D. Bruce Schmidt noted that on page 5, under Education Operations, it appears that \$22,000 was dropped. This may account for the discrepancy.
- E. Frank Heald said he will check. He added that typically, we bring in Ron Tarbell, Howie Paul and Chief Billings to go over their portions of the budget and you make your decisions in January. He advised that the town has used Blue Cross for insurance for the past 5-7 years. Their increase will be about 8.7%. He budgeted a 2.1% increase and is 95% sure they will switch to MVP. The same coverage will be provided for the 2.1% increase. He added that the accounting system for the HRAs will flop over. He is going to a meeting with other town managers on Wednesday and will discuss this. At this point, he sees no reason not to switch to MVP. He added that pre-existing conditions will be covered. He said that for Solid Waste, with the use by property managers of the bags, there is less waste going over the scales. This increases our operating costs, so the Transfer Station budget is going up. He still would like to purchase the additional compactor. Without it, we are spending an extra \$5,000 to \$6,000 in transportation costs.
- F. Howard Barton said we received \$70,000 from the Solid Waste district.

- G. Frank Heald said he would like to take the money for the compactor from that fund.

17. Department Heads Reports

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

18. Other Business

- A. Buttermilk Falls Bridge
i. Frank Heald advised that Forest and Parks told us that there is a hole in the bridge at Old Route 103 and Buttermilk Falls. In 1960, we received from the state, Buttermilk Falls Road, the bridge and the land to the Mount Holly line. We took some of the plates recovered from Walker Bridge and put them on the Buttermilk Falls Bridge. We'll see how long it lasts.
- B. Audit Report
i. Frank Heald advised that we received a clean audit report for the town.
- C. Box Culvert on Route 100
i. Brett Sanderson asked about the box culvert.
ii. Frank Heald said we were supposed to start work today or maybe put it off until spring.
iii. Brett Sanderson said it's too late to start now. He said it was scheduled for September.
iv. Frank Heald said the box culvert is not here, yet.
v. Brett Sanderson asked if we paid for it.
vi. Frank Heald said no.

19. Set Date for Next Meeting

- A. Next regular meeting will be December 4, 2017

20. Sign Warrant Orders

- A. Warrant orders have been signed.

21. Possible Executive Session/Personnel/Contracts

- A. Frank Heald advised that an Executive Session is needed.
- B. **MOTION by Brett Sanderson and seconded by Bruce Schmidt that in accordance with the provisions of 1VSA §313 (1) (B), he moves that the Ludlow Select Board enter into Executive Session to consider;**
- i. **A proposed labor relations agreement with certain Municipal Employees.**

The premature public knowledge of the proposed contract would place the Town and Village of Ludlow at a substantial disadvantage. This motion for executive session includes the members present and the Municipal Manager. Motion passed unanimously.

- C. In Executive Session at 7:57, no action taken. Board exited Executive Session at 8:13.

22. Adjourn

- A. **MOTION by John Neal and seconded by Logan Nicoll to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:14 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

John Neal

Bruce Schmidt

Logan Nicoll