

MINUTES

TOWN OF LUDLOW BOARD OF SELECTMEN

REGULAR MEETING

October 1, 2012

BOARD MEMBERS PRESENT:

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

STAFF PRESENT:

Frank Heald

OTHERS PRESENT:

Jim Alic Carl Matteson Virginia Snyder
Ken Davis Jean Morrill Linda Tucker
Phil Dunwoody Dave Norton John Wu
Frank Greiner Andrew Snyder KP Whaley (LPC-TV)

1. Call to Order

- A. Chairman Howard Barton called the meeting to order at 7:00 p.m. All members present.

2. Approve Minutes of Previous Meetings

- A. Howard Barton advised that the minutes to be approved are from the regular meeting and Public Hearing of September 17, 2012.
- B. **MOTION by Doug Ficken and seconded by Brett Sanderson to approve the minutes of September 17, 2012 as presented. Motion passed unanimously.**

3. Comments from Citizens

- A. There were none.

4. Liquor Control Board

- A. Frank Heald noted that this is for the former Bueller's/Christopher's location.
- B. Frank Greiner advised that he had started the process of opening Frank's Tavern last year and then Irene flooded the space. He has had the repairs done and the space is up to code. They are still a couple of weeks out from opening.
- C. Frank Heald advised that taxes are current and there is a payment plan in place for water/sewer. The applicant is also in the process of requesting abatement for water/sewer not used since Irene. They will take this to the Trustees and Water Commissioners tomorrow night.
- D. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the request for a liquor license for Frank's Tavern. Motion passed unanimously.**

5. Consider Fees for Use of Public Facilities

- A. Phil Dunwoody explained that they wish to further discuss the issue of charging fees for the use of facilities for public good. It is hard to understand the justification for charging non or not-for-profit organizations for uses for the good or betterment of the citizens. They are asking the board to reconsider the fees.
- B. Howard Barton asked how many times per year the facility is used.
- C. John Neal asked which organizations they are talking about.
- D. Jim Alic said that FOLA pays for use when it collects fees and they consider that to be fair. He added that the FOLA board meetings have not been held here.
- E. John Neal asked when the meetings generally occur,

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- F. Jim Alic said the Democratic Committee meets in the evenings and FOLA during the day.
- G. Ken Davis said that he is in both the Republican committee and the Knights of Columbus. The Knights will be holding a BBQ in October at the gazebo and were told that the fee is \$100. He said that other groups have not been charged or have been charged less. The BBQ proceeds go toward a scholarship for a Black River High School student.
- H. Phil Dunwoody agreed that profit making or uses for personal gain should be charged a fee, but something that benefits the residents should not be charged a fee. To charge them a fee is working against the good of the residents.
- I. Bruce Schmidt recounted that at the last meeting, the board agreed to waive fees for caucuses required by the state, but that for other functions, fees would be charged. The Republican Committee brought in candidates that are not representing Ludlow. He said that he struggles with the political part of it.
- J. Phil Dunwoody said that it is hard to get people involved and the fees are just another impediment to organizations. The Democratic and Republican Committees exist to help the government and it is not fair to charge them. The speakers brought in help local people to understand the issues better.
- K. Howard Barton asked Frank Heald to explain the fee schedule.
- L. Frank Heald said the fees are typically charged for off-hour and evenings for security, liability and clean-up costs. During the day, the conference rooms are generally open. For most of the FOLA events, they have not been charged fees. Ralph Pace has been certified to close-up the building, after events, on behalf of the town. If FOLA charges admission fees for an event, they are charged use fees. He said that he is not aware of fees being charged to the Knights, Legion or Lions groups. Basically we charge use fees for the Community Center, Vets Park and the mini park. We do not charge true non-profit groups. If they ask us to waive the fees, we waive them.
- M. Ken Davis said that when his group came in to get an application to use space, we were told that the fee is \$100. When we have used the room upstairs, we clean it up and lock it up. Some of the Republican Committee members are justices of the peace.
- N. Jim Alic said that his group also cleans and locks up.
- O. Frank Heald said the charge for this room and the auditorium is \$25/hour.
- P. Bruce Schmidt asked if there is a requirement for non-profits to be 501(3)c.
- Q. Frank Heald said not necessarily, they are judgment calls. He said that with the new staffing at the Community Center, someone is there until 8:00 p.m.
- R. Bruce Schmidt asked if we can offer the Community Center free of fees before 8:00 p.m. for non-profits.
- S. Frank Heald said it would be possible, but it is not as quiet as here.
- T. Bruce Schmidt asked about the Community Center after 8:00 p.m.
- U. Frank Heald said there would be charges due to overtime and expenses. He said that he would be able to go back over the last year and provide you a report on fees charged. He said they try to be liberal and accommodate anything that benefits the community.
- V. Ginny Snyder said that there is a budget item for maintenance. If you charge fees, are you double-dipping. Our group cleans up after ourselves. The politicians speak to people of the community and it directly affects them. The board should also be mindful that the business community needs to be supported. Will the board start charging for the Chili Cook-off. It is a slippery slope.
- W. Howard Barton said that this board supports these events and makes sure they fill out the appropriate paperwork.
- X. Ginny Snyder said if the Knights of Columbus are charged, will all groups be charged?
- Y. Phil Dunwoody said that organizations should leave facilities as they find them.
- Z. Howard Barton asked Frank Heald to do the research for the next meeting.
- AA. Frank Heald made it known that the Rotary is not charged for the Chili Cook-off.
- BB. Bruce Schmidt said that there are costs for electricity, cleaning, wear and tear and this board is expected to consider hidden costs and look at overall usage. The taxpayers expect us to maintain facilities.
- CC. Ginny Snyder asked if the budget is not covering usage.
- DD. Bruce Schmidt said the board budgets for anticipated usage. If there is additional usage, it is our intent to cover costs. He added that we may need to tweak the Usage Fee policy.
- EE. Jean Morrill said that we are all taxpayers here and work to raise money that goes back into the town. If we are not over budget, let them use the facilities without fees.
- FF. Ken Davis asked who would be charged fees.
- GG. Frank Heald said craft fairs, antique shows and similar events where the money goes directly to the presenters. He said individual presenters are not charged for these events, there is one flat fee for the entire show.
- HH. Ginny Snyder said the fees are nominal, but the organizations' budgets and accounts are also very low. A \$50 fee is a lot.

6. Consider and Award Ambulance Bid

- A. Carl Matteson said that 3 RFPs were sent out and the bids were due last Friday at noon. We only received one bid. It is for a different vendor than we have had in the past, but the units have the same stuff. The chassis is a little different. It is a 4WD with drop down chains. The bid is for \$178,501.
- B. Frank Heald said that includes trade-in and all programs. The bidder is Cromwell Emergency Vehicles.
- C. Carl Matteson said the manufacturer is Osage.
- D. Howard Barton asked about the budget.
- E. Frank Heald said the Ambulance service has sufficient funds.
- F. Brett Sanderson asked about the length.
- G. Dave Norton said it is 1.5 feet longer, but fits in the bay. It is similar to the unit Springfield has.
- H. **MOTION by Bruce Schmidt and seconded by John Neal to accept the bid from Cromwell Emergency Vehicles for \$178,501.**
- I. Frank Heald said they offered a \$1,000 prepay option, but he is not comfortable about it.
- J. Howard Barton asked about delivery time.
- K. Frank Heald said 180 days after signing of construction drawings.
- L. **Motion passed unanimously.**

7. Review Quotes for DVR Upgrade at the Ludlow Police Department

- A. Frank Heald advised that town has been criticized by the state's attorney for not having audio recording in the processing room. We sent out 3 quotes and received 3 prices. The low bidder was CNS from Barre, VT with a price of \$3,798.00. They have done work for Winhall, South Burlington and other places. We have spoken to the other towns and they are happy with the systems. They make the most use of our existing equipment.
- B. Bruce Schmidt noted that they are low by quite a bit.
- C. Frank Heald said that Chief Billings is comfortable with the bid. The other vendors want to replace more of our equipment. Countryside bid a full-sized, 16 camera design. Frank Heald said that he goes along with the recommendation of Chief Billings and Dave Van Guilder.
- D. **MOTION by John Neal and seconded by Brett Sanderson to approve the bid from CNS for \$3,798.00. Motion passed unanimously.**

8. Consider Amendment to Town & Village of Ludlow Personnel Policies for Health & Safety Page #35 CDL Physicals

- A. Frank Heald advised that this got by him over the years. There is a municipal exemption for CDL physicals if they drive only in this state. Some of the buses, tandems and dump trucks travel out of state. He would like to know that anyone driving a large vehicle is physically fit to do so. We researched the local clinic and a physical for a CDL card will run about \$95-\$97 and he recommends the policy be changed to require these physicals.
- B. Howard Barton said if physicals are required by the DOT for out of state travel, there is not much we can do about that.
- C. Bruce Schmidt asked about fire vehicle drivers.
- D. Frank Heald said that you do not need a CDL license to drive a fire truck.
- E. Howard Barton asked if the Fire Department has discussed having their drivers be CDL. They are driving heavy vehicles under bad circumstances.
- F. Brett Sanderson said not recently.
- G. Howard Barton suggested that Frank Heald research that for the future.
- H. **MOTION by John Neal and seconded by Bruce Schmidt to adjust the Ludlow Personnel Policies for Health & Safety to include CDL physicals.**
- I. Doug Ficken asked if this would be effective immediately.
- J. Frank Heald said it would take some time to get it in place.
- K. Brett Sanderson said the cards would be good for one year.
- L. Frank Heald said they would like to do the physicals in October
- M. **Motion passed unanimously.**

9. Department Head Reports

- A. Howard Barton advised that all reports are in.
- B. There were no comments.

10. Other Business

- A. Mill Street Bridge
 - i. Doug Ficken said that he walked the bridge recently and there is badly exposed rebar and will the bridge continue to be open to foot traffic and what are the plans for the bridge.
 - ii. Frank Heald said that FEMA is not doing deck repairs at this point. We need to totally close the bridge or build a plank footbridge across the existing deck.
 - iii. John Neal asked about steel plates.
 - iv. Frank Heald said the best plan would be to remove the existing deck and put a footbridge across. The steel would be too heavy.
 - v. Bruce Schmidt asked if we need to close the bridge tomorrow for safety.
 - vi. Howard Barton said that children use the bridge going to and from school.
 - vii. Brett Sanderson suggested a shim with hot mix.
 - viii. Frank Heald said he would look at it tomorrow. He did not suggest putting heavy equipment on the bridge.
 - ix. Bruce Schmidt said it is a good walking route for the kids.
 - x. Brett Sanderson said the wood would weigh as much as the hot mix. You could use wheel barrels to get the mix on.
 - xi. John Neal said something should be done as soon as possible.
 - xii. Doug Ficken suggested a 4' to 5' wide walkway.
 - xiii. Frank Heald said that he and Ron Tarbell would look at it tomorrow.
- B. Main Street Manhole Repairs
 - i. Frank Heald said that sometime during the mid-month, they would be digging up and replacing the manhole on Main Street by the traffic light. It is on the main trunk to through the village. The plan is to scope the job and have all of the materials on site. They would block off traffic on Main one way. They would pump to the manhole by IGA to the manhole by Aubuchons. They would stage the job in the mid afternoon and work would start about 8 or 9 p.m. and continue throughout the night. They are planning to do this somewhere between October 16 through the 19th depending upon the weather. Gurney will do the work.
- C. Harley Davidson Event
 - i. Frank Heald said that he had met with the Okemo Valley Chamber of Commerce and Bill Bortger of the Harley Davidson Owners Group. They will be holding an event at Jackson Gore between August 22- 25, 2013 called Iron Adventure. It will involve the towns of Ludlow, Chester, Plymouth and Weston and they estimate that somewhere between 1,000 and 1, 500 bikers will participate or more. They will present this to the Trustees tomorrow evening. There will be many events including shows, parades, fireworks and barbecues.
 - ii. Bruce Schmidt said it would be good for the town.
 - iii. Frank Heald said they anticipate between 2,000 and 3,000 people and much of the activity will be at Jackson Gore. It will be good for the region.

11. Sign Warrant Orders

- A. Warrant orders have been signed.

12. Set Date for Next Meeting

- A. Howard Barton advised that the next regular meeting would be November 5, 2012 at 7:00 p.m.

13. Possible Executive Session / Contracts / Personnel/Legal

- A. Frank Heald advised that an Executive session is not needed.

14. Adjourn

- A. **MOTION by Brett Sanderson and seconded by John Neal to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 7:53 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

Doug Ficken

Bruce Schmidt

John Neal