

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

January 4, 2021

**ZOOM ELECTRONIC MEETING
6:00 P.M.**

Join ZOOM Meeting:

<https://us02web.zoom.us/j/86937713325?pwd=TDB0Wk9HVU54WmY2aFRNOVc5cEZGdz09>

Meeting ID: 869 3771 3325

Passcode: 583569

Dial by phone:+1 929 436 2866 US (New York)

Meeting ID: 869 3771 3325

Passcode: 583569 (that's L-U-D-L-O-W on a phone keypad)

Find your local number: <https://us02web.zoom.us/u/k01alBshw>

BOARD MEMBERS PRESENT:

Bruce Schmidt, Chairman
Scott Baitz

Justin Hyjek
Brett Sanderson

Heather Tucker

STAFF PRESENT:

Scott Murphy

Ulla Cook

OTHERS PRESENT:

Eric Alden
Terry Carter
Alan Couch
Sharon Huntley
Alice Nitka

Melissa Perino
Pat Pullinen
Kendra Rickerby
Tim Rumrill
Marissa Selleck

Arthur Smith
Jean Strong
Tom Telling
Eric Chattergee (Okemo Valley-TV)

1. CALL TO ORDER

- A. Bruce Schmidt called the meeting to order at 6:00 p.m. He led the meeting in the Pledge of Allegiance. He asked Scott Murphy to read the guidelines for Zoom meetings.
- B. Scott Murphy said that this open meeting of the Town of Ludlow Select Board is being conducted remotely consistent with Governor Scott's Executive Addendum #6 of Order of 01-20 Act 92, due to the current State of Emergency given the outbreak of the coronavirus.

2. CONSIDERATION OF ANY CHANGES, ADDITIONS OR REMOVALS TO THE AGENDA

- A. No changes were needed.

3. APPROVE MINUTES OF PREVIOUS MEETINGS

- A. Bruce Schmidt advised that the minutes to be approved are from the regular meeting of December 7, 2020 and the Budget Workshop on December 21, 2020.
- B. **MOTION by Brett Sanderson and seconded by Justin Hyjek to approve the minutes of the regular meeting of December 7, 2020 and the Budget Workshop on December 21, 2020, as presented. Motion passed unanimously.**

4. COMMENTS FROM CITIZENS

- A. There were none.

5. CONSIDER & POSSIBLY APPROVE STEARN'S PIT LEASE FOR RALLYCROSS ON MAY 15, 2021

- A. Scott Murphy said that they are requesting the same roads as in the past, with no changes. Due to COVID, the group has to cancel last year's event. Their preferred date is May 15, 2021. They pay the town about \$800 for the use of the lot.
- B. **MOTION by Brett Sanderson and seconded by Justin Hyjek to approve the request for the use of Stearn's Pit for the Rally cross on May 15, 2021. Motion passed unanimously.**

6. **POSSIBLY APPROVE FY 2022 BUDGET & SET DATE TO SIGN TOWN MEETING WARNING - THURSDAY, JANUARY 21, 2021 AT 8:00 A.M.**

- A. Bruce Schmidt advised that he had asked Scott Murphy to put this on the agenda for the board to have the chance to review and, if needed make changes to the budget. He referred to page 26 and noted that the budget is down about \$6,496 or 0.2% plus voted Articles and the Ambulance Service. He said that Scott Murphy and the department heads did a good job on this.
- B. **MOTION by Justin Hyjek and seconded by Heather Tucker to move forward with the budget as presented. Motion passed unanimously.**
- C. There was a consensus among board members to meet on Thursday, January 21, 2021 at 8:00 a.m. to sign the warning for Town Meeting.

7. **FY 2020 TOWN AUDIT REVIEW WITH AUDITORS FROM TELLING & HILLMAN**

- A. Scott Murphy introduced Tom Telling from Telling & Hillman, PC, and the auditors.
- B. Tom Telling explained that the Manager's responsibility for financial statements is the preparation and fair representation of these financial statements in accordance with accounting principles generally accepted including design, implementation and maintenance of internal control that is free of material misstatement, whether due to fraud or not. He said that the Auditor's responsibility is to express opinions on these financial statements based on their audit. He said that they conducted the audit in accordance with auditing standards. The standards require that the audit is done to obtain reasonable assurance about whether the financial statements are free from material misstatement. He said that they did find one item, where a paving bill for had not been recorded in the year in which it was one. Principles require that expenditures be recorded in the year the expenditures were incurred, which would increase the expenses and liabilities and decrease the balance of the general fund. He referred to page 11 Balance Sheet of the financial report and said that as of June 30, 2020:

Total Assets	<u>\$2,036,538</u>
Total Liabilities	\$1,214,901
Deferred Inflows of Resources (mostly taxes)	\$ 377,762
Fund Balance	\$ 443,875
TOTAL LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE	<u>\$2,036, 538</u>

Tom Telling then referred to page 13 – Statement of Revenues, Expenditures and Changes as of June 30, 2020:

Total Revenues	\$5,357,377
Total Expenditures	\$5,417,186
Total Other Financing Sources	\$195,849
Fund Balance - End of Year	\$443,875

- C. Bruce Schmidt noted asked about the fund balance at the beginning of the year - about \$300,000.
- D. Tom Telling said that, plus the \$136,040 change during the year is the fund balance at the end of the year.
- E. Bruce Schmidt asked if they could have used that \$300,000 to lower tax rate.
- F. Tom Telling said yes.
- G. Justin Hyjek asked if the town also ran a deficit last year.
- H. Scott Murphy said no.
- I. Tom Telling then referred to page 15 and 16 – regarding the Ambulance Proprietary Fund. He said that page 16 shows revenues of \$506, 148 and expenses of \$676, 818 for total of -\$170,670. He referred to page 12 – Reconciliation of Government Funds Balance Sheet to the Statement of Net Position:

Total Assets & Deferred Outflows of Resources	\$10,425,345
Total Liabilities	\$3,469,937

Total deferred inflows or resources	\$135,325
Fund Balance/net position	\$6,820,083
Total Liabilities, deferred inflows of resources, and fund balance/net position	\$10,425,345

- J. Bruce Schmidt noted that compensated absences is \$179,953 and asked if that is high.
- K. Tom Telling said there is a foot note on page 23 regarding town policies concerning compensated time.
- L. Tom Telling referred to page 10 – Statement of Activities for Year End June 30, 2020. Ludlow’s net position, based on the accrual basis at year end was \$7,177,016.
- M. Bruce Schmidt asked board members if they have any question. He said that based on this report, the tax payers can be assured that we are doing a good job. He said that he likes the thoroughness of the report.
- N. Tom Telling said that if there were a problem with the internal controls, they would issue a letter. If there are no problems with the audit, there will not be a letter.
- O. Bruce Schmidt said they will look at the item concerning spending money from one year into another.
- P. Tom Telling said this is a terrific town to work with and thanked Ulla Cook and Scott Murphy.

PRESENTATION OF THE VT ELDER JUSTICE PROGRAM FOR WINDSOR COUNTY BY ARTHUR SMITH

- A. Arthur Smith introduced himself as the Elder Justice Grant Coordinator for Windsor County. The group was awarded a Department of Justice Grant to coordinate a multi-agency response to abuse in later life. The target audience is persons 50 and older who were suffering from abuse, neglect or financial exploitation perpetrated by someone in and ongoing relationship (family, spouse or caregiver.) This is incorporated into the Vermont State Plan on Aging and is pilot for initiatives in Elder Justice. He said that during COVID the numbers of cases of abuse have increased and it is projected that by the year 2030, over 25% of the people living in Vermont will be over 65. The project is intended to identify the gaps in support services, and set protocols for law enforcement and community services. We will be training investigators and detectives. It begins with what you see and how you understand what you see, Protective services will only get involved if the elderly person is in long term care, can’t maintain themselves financially, can’t live alone or can’t protect themselves. Sometimes, the person is afraid to ask for help. He asked the Select Board members to be on the look out for possibly cases of elder abuse and to notify the police. We are trying to bring people together to fill in the gap and set up unique programs. We are also trying to make people aware of scams. He said that vulnerable, isolated people are more receptive to scams
- B. Bruce Schmidt thanked him for his time and for the information in members’ packets.

8. UPDATE ON BRIS STATUS BY KENDRA RICKERBY, PRINCIPAL

- A. Kendra Rickerby said that the school opened on September 8, 2020 and currently has 16 students enrolled. They have raised \$30,000 since opening. They have an innovative spirit and hope to work with Castleton University and hope to work with Okemo Valley TV. There are 3 volunteers and 2 paid, part-time adjunct staff. Their goal is to empower learning. With Castleton, they are applying for federal and state grants, dual enrollments for 11th and 12th graders, professional learning support and training for new faculty. They are working with the Black River Innovative Campus with their digital library. They are in the preliminary stages of discussions with Okemo. The computer system in their building needs to be upgraded and they hope to work with Okemo on this. They recently voted to change the name of the school to Expeditionary School at Black River. Their goals:
 - i. Offer an educational balance depending on access to internet with appreciation for learning with natural environment (AKA – unplugged.)
 - ii. Cost effective education
 - iii. Substance for workforce development
 - iv. They offer a 12-month flexible scheduleShe said that their location is an attraction. In year #2, they hope to increase to 30 students and need to raise \$250,000 to operate tuition free. Full tuition is \$15,000 per student. She said that currently enrolled students must reapply for next year. She said they are recruiting sponsors.
- B. Justin Hyjek asked if, other than the 2 part-time and 3 volunteers, are there any other staff.
- C. Kendra Rickerby said that she is the only full-time staff member. She said that most of the staff sends out links via ZOOM. She said that the daily schedules are determined week by week and that allows us to be flexible.

- D. Pat Pullinen said that it will not look like a regular school schedule and this challenges the students.
- E. Justin Hyjek asked if they will be adding more staff next year.
- F. Kendra Rickerby said they will have to recruit students and, in the spring, they will determine which of the current 16 will be returning. The \$250,000 needed to be raised includes salaries and if possible, they will hire more full-time staff.
- G. Scott Baitz asked what determines if the current students will return.
- H. Kendra Rickerby said they would be tuition free. She said that their commitment to turn in work on time and their work ethic will be part of the determination.
- I. Scott Baitz asked if some may not return.
- J. Pat Pullinen said we will interview the students and families to determine fit. We will look at expectations.
- K. Justin Hyjek asked about work for training. He said that Castleton has a school for hospitality at Killington and asked if this school has reached out to Okemo.
- L. Pat Pullinen said that he reached out to Castleton and if we get up and running, we will talk about it further.
- M. Justin Hyjek asked if they have reached out to other larger businesses in the community.
- N. Kendra Rickerby said, not officially. We can tailor our programs to meet the needs of the businesses. She said that she is very familiar with programs at Stowe.
- O. Marissa Selleck said that she spoke with Vail and will keep the conversations going. She said that they have applied for the Vail/Okemo grant.
- P. Kendra Rickerby said they are marketing the school as “at Black River.” It has an environment of stewardship and learning.
- Q. Bruce Schmidt thanked them for this update. He said that he had recently met with Pat Pullinen and Marissa Selleck.

9. **DISCUSS POSSIBLE LETTER TO DRB RE: FOX LANE SUBSTANCE ABUSE CHANGE OF USE APPLICATION**

- A. Scott Murphy advised that there is an application in to the DRB for a change of use from a weight loss center to a substance abuse treatment center. There have been many calls and petitions from people about this. The hearing was opened at the DRB meeting in December and recessed until January 11, 2021. The applicant has requested further recess until February 8, 2021. He asked if the Select Board wants to respond to this.
- B. Bruce Schmidt said he does not think they need to respond at this time, but said that the board will reconsider at a later time.
- C. Alan Couch said that as a private citizen, he knows that there is a need for this type of facility, but not at this location. As a Planning Commission member, he is not sure if the Planning Commission should look at the zoning regulations and create an area in town, where this may be better located. He said that drug abuse does need to be addressed as a community and as a board. He would like input from the Select Board.
- D. Justin Hyjek asked about numbers of rooms and interior work.
- E. Scott Murphy explained that the applicant has not submitted site plans yet.
- F. Alan Couch said that that was one of the reasons that the hearing was recessed. He said he thinks that the applicant was trying to get a feel of what the town response would be.
- G. Bruce Schmidt said let's see where it goes and asked Scott Murphy to keep the board updated. He said that as the Select Board, they may be asked to support the project or not to support the project.

10. **CONFIRM MUNICIPAL MANAGER'S REVIEW**

- A. Bruce Schmidt said that he had met with David Rose, Chairman of the Village Trustees and the Water Commissioners and with Scott Murphy to go over the boards' reviews for Scott Murphy. The boards all agree that Scott Murphy is doing a good job and they all appreciate the job he is doing. The audit shows the great job. The boards all gave positive reviews. Moving forward, we recommend a 3% salary increase.
- B. **MOTION by Brett Sanderson and seconded by Justin Hyjek to give Scott Murphy a 3% salary increase. Motion passed unanimously.**

11. **DEPARTMENT HEAD REPORTS**

- A. Bruce Schmidt noted that all reports are in. There were no comments.

12. **MUNICIPAL MANAGER UPDATES**

- A. Scott Murphy advised that the Village will be holding a vote on the bond for the High Street Water/Sewer Project on Tuesday, January 12, 2021 from 10:00 A.M. to 7:00 P.M. They will hold a public informational meeting tomorrow, January 5, 2021 at 6:00 P.M. He said that voters are encouraged to request absentee ballots from the Town Clerk's Office by calling 802-228-2828 or email at treasure@ludlow.vt.us

13. **OTHER BUSINESS**

- A. There was none.

14. **SET DATE FOR NEXT MEETING**

- A. Bruce Schmidt that the next regular meeting would be February 1, 2021 at 6:00 p.m.
B. There will be a special meeting on January 21, 2021 at 8:00 A.M. to sign the warning for town meeting.

15. **SIGN WARRANT ORDERS**

- A. Warrant orders have been signed by Brett Sanderson.

16. **POSSIBLE EXECUTIVE SESSION/PERSONNEL/CONTRACTS/LEGAL**

- A. Scott Murphy advised that an Executive Session is not needed.

17. **ADJOURN**

- A. **MOTION by Brett Sanderson and seconded by Heather Tucker to adjourn. Motion passed unanimously.**
B. Meeting adjourned at 7:19 p.m.

Respectfully submitted,

Lisha Klaiber

Bruce Schmidt, Chairman

Brett Sanderson

Scott Baitz

Heather Tucker

Justin Hyjek