

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

**PUBLIC HEARING and
REGULAR MEETING**

October 7 2019

BOARD MEMBERS PRESENT:

Bruce Schmidt, Chairman
Justin Hyjeck

John Neal
Brett Sanderson

Heather Tucker

STAFF PRESENT:

Scott Murphy

OTHERS PRESENT:

Chief Billings
Dan Buckley
Terry Carter
Alan Couch
Aaron Galley

Stephanie Grover
Sharon Huntley
Alan Isaacson
Logan Nicoll
Marissa Selleck

Torrin Tofferi
George Tucker, Jr.
Joann Wilson
Ed McEaney

**PUBLIC HEARING
7:00 P.M.**

Pursuant to the provisions of Title 24, Chapter 117, §4444, of the Vermont Statutes Annotated, the Ludlow Select Board proposes to adopt the Municipal Plan.

The Select Board for the Town of Ludlow will conduct a public hearing for the residents, taxpayers and interested persons in the Town of Ludlow on the seventh day of October 2019, at 7:00 PM in the Howard Barton, Jr. Conference Room to hear comments on “The Plan.”

1. Bruce Schmidt opened this meeting at 7:00 p.m. and advised that this is a Special Town Meeting receive public comments regarding the adoption of the Municipal Plan.
2. Scott Murphy said the Select Board will receive comments tonight. They will close the hearing and discuss comments during their regular meeting. If there are no changes or minor changes, they may vote to adopt the plan. If they vote to adopt it, and there is no petition, it will become effective in 21 days. If there are substantial changes to be made, they will have to have another hearing. There is no definition of “substantial changes.”
3. Alan Couch said the plan is beautiful. He said the Planning Commission had worked on the Plan for a long time. Their goal was to make the Plan more concise and easier to read. The focus was to plan where the town and village would be in the next 5 to 10 to 15 years. The Planning Commission looked at the goals listed in the existing plan and to establish who would be responsible for the goals and how to implement them. The Planning Commission wants to allow people to develop their properties while not changing the character of the town.
4. Terry Carter said that the Planning Commission held public meetings (at which they served pizza) and received public comments. They tried to incorporate those comments into the new plan, wherever possible.

5. Bruce Schmidt asked if there were any further comments. There were none
6. **Bruce Schmidt closed the public hearing at 7:03 p.m.**

REGULAR MEETING

1. **Call to Order**

- A. Chairman Bruce Schmidt called the meeting to order at 7:04 p.m. All members present.
- B. Bruce Schmidt led the meeting in the Pledge of Allegiance.

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

- A. Bruce Schmidt advised that no changes are needed.

3. **Approve Minutes of Previous Meetings**

- A. Bruce Schmidt advised that the minutes to be approved are from the regular meeting of September 2, 2019.
- B. **MOTION by Justin Hyjeck and seconded by Brett Sanderson to approve the minutes of September 2, 2019 as presented. Motion passed unanimously.**

4. **Comments from Citizens**

- A. There were none.

5. **Liquor Control Board – JW Sandri – Sunoco – 2nd Class LL**

- A. Scott Murphy advised that JW Sandri has applied to renew their 2nd class liquor license.
- B. Brett Sanderson noted that Chief Billings does not have any issues.
- C. **MOTION by Brett Sanderson and seconded by John Neal to approve the liquor license for JW Sandri as indicated. Motion passed unanimously.**

6. **Review Proposed Municipal Plan & Possibly Approve**

- A. Bruce Schmidt asked if there were any comments from the public or board. There were none. He said the Select Board members had received an Executive Summary.
- B. **MOTION by John Neal and seconded by Heather Tucker to approve the Municipal Plan as presented. The plan will become effective in 21 days if there are no petitions. Motion passed unanimously.**
- C. Bruce Schmidt thanked the Planning Commission for their hard work. They received a lot of public input and kept the work moving along. There are no drastic changes to the Plan.

- D. Alan Isaacson expressed gratitude to Jason Rasmussen and the Regional Planning Commission did a lot of work on the plan. The town had a grant for work done by Jason Rasmussen and the Regional Planning Commission.

7. **Consider Ludlow Garden Club's Request RE: Kesman Memorial Park Christmas Tree & Lights**

- A. **MOTION by Brett Sanderson and seconded by Heather Tucker to approve the request from the Garden Club for a Christmas tree and lights at Kesman Memorial Park as presented. Motion passed unanimously.**

8. **Possibly Approve Sale of Fire Department Trailer**

- A. Scott Murphy advised that the Fire Department purchased a new trailed and will be selling the old one. The Select Board must approve the sale of any town asset.
- B. **MOTION by John Neal and seconded by Heather Tucker to approve the sale of the Fire Department trailer. Motion passed unanimously.**

9. **Consider Sidehill Cronchers Snowmobile Club Road Request**

- A. Scott Murphy said that they are requesting the same roads as in the past, with no changes. There have been no issues this past year.
- B. Bruce Schmidt said that the group does a good job with following the rules, marking the paths and signage.
- C. **MOTION by John Neal 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 2019-2020 season. Motion passed unanimously.**

NOTE: AGENDA ITEM #12 WILL BE DISCUSSED AT THIS TIME. NOTES ARE IN AGENDA ITEM ORDER.

10. **Possibly Approve the Police Department Union Contract**

- A. Scott Murphy said that Bruce Schmidt and Brett Sanderson were also part of the negotiations. He believes that they have reached a good, happy medium. He said that the staff had rejected a previous offer, noting that some people were not happy that their particular pay scale had not been addressed.
- B. Chief Billings agreed.
- C. Bruce Schmidt said that we need to be careful to keep up to date with staff and officers' starting wages.
- D. Scott Murphy said that they have a good staff now and this contract would bring us close to the average with towns of similar size.
- E. Bruce Schmidt said that Scott Murphy did a good job.
- F. **MOTION by Justin Hyjeck and seconded by Heather Tucker to approve the proposed Police Department Union Contract as presented. Motion passed unanimously.**

11. Possibly Set New Rates for Ludlow Ambulance Service & RFQ for Ambulance Billing Services

- A. Stephanie Grover advised the Comstar provided them with the list of average Vermont ambulance service rates and Ludlow is significantly lower. We can't change the Medicare rates, but we can increase other rates. We also met with 2 other consultants and they also said our rates are very low.
- B. Scott Murphy said Ludlow's rates are 50% lower than the average Vermont rates. We would like to get up to the average. He added that most of the clients in Ludlow are on Medicare.
- C. Stephanie Grover said that if a person is part of the subscription program, there is no co-pay. She added that the subscription rate - \$45.00 – should be increased.
- D. Bruce Schmidt asked if we increase our rates, will our reimbursements increase.
- E. Scott Murphy said they should. He added that we do not have many delinquent payments. He said they will present the Billing Service Plan next month. He said that Comstar did a good job.
- F. Jeff Billings said that the private companies will pay more.
- G. Aaron Galley said they shouldn't forget about the people who are not on Medicare.
- H. **MOTION by Brett Sanderson and seconded by John Neal to approve the proposed Ambulance Department Service rates increases as presented. Motion passed unanimously.**
- I. Scott Murphy introduced Stephanie Grover as the new Ambulance Service Coordinator. He said she is doing a great job. He added that Chief Billings also stepped up assisting the service.
- J. Stephanie Grover said that morale is up and they have had 5 new applications.
- K. **Bruce Schmidt congratulated Chief Billings on 30 years in Law Enforcement.!!**

12. Set Special Meeting Date for Town Vote on Acquisition of the High School Building

- A. Scott Murphy asked that he researched with VLCT and the town does not need to have a special informational meeting and it can be done at their next regular meeting on November 4, 2019. They can hold the vote on November 12, 2019. It will be a single question item.
- B. Alan Couch asked who will acquire the building.
- C. Bruce Schmidt said the town. Currently, the building is owned by the Ludlow- Mount Holly schools.
- D. Bruce Schmidt asked why, when they voted on the Gill Home and Public Safety Building, they went "behind the curtain." Why is this different?
- E. Scott Murphy said that in 1989, at their town meeting, under Article 16, the town voted not to go to Australian ballot. You can go back to the voters to change this.
- F. Bruce Schmidt suggested, that since the Gill Home vote was by petition, possibly that made the difference.
- G. Dan Buckley said that the Ludlow School votes are public and Union 39 votes are by Australian ballot.
- H. Bruce Schmidt said that Ludlow Elementary School votes are floor votes. He added that he has received feedback from people as to why this is a public vote. We need to be careful to follow what has to be done.
- I. Bruce Schmidt asked who will provide the information needed for the voters.
- J. Scott Murphy said the High School Building Committee.
- K. Dan Buckley asked if they would be provided with a copy of the report.
- L. Scott Murphy said yes and added that it would be on the website.
- M. Bruce Schmidt said the meeting would be held in this building.

13. 1% Local Options Tax Discussion

- A. Scott Murphy asked that there is information in their packets from the state regarding uses for the local options tax. He said the town voted it down in 2016. He said the information contains a summary of what other towns use the tax for; reduction in property taxes, infrastructure, and some a vague. This is an opportunity to get back money from the state. Ludlow has sent \$20 million to the state in property taxes. We need to have public discussions, discussions with other towns and discussions with the hospitality industry in town. He said that in Wilmington initially, there was push back from the hospitality industry in town, but they realized that is was helping them also.
- B. Justin Hyjeck said that in Killington, they repealed the sales tax because Killington Resort was against it because they purchase in town. The town has benefited from the tax. He added that as a business owner, the local population is a concern. He added that 30% of this would go to the state.
- C. Scott Murphy said the town does get 70%, but the state collects an additional 3% for handling. He gave the following breakdown based on 2017 figures:

	Sales	1%	Less 33% state share	Net to Ludlow
Taxable	62,035,330	620,353	204,716	\$415,637
Meals	16,819,193	168,191	55,503	\$112,688
Alcohol	5,267,603	52,676	17,383	\$35,293
			Est. Possible Rev.	\$563,618

- D. Aaron Galley asked what our total budget is.
- E. Bruce Schmidt said \$3.4 million.
- F. Aaron Galley asked what the money would be used for.
- G. Bruce Schmidt said 50% to lower the municipal property taxes and the other 50% for future projects.
- H. Aaron Galley asked what that would amount to in property tax reduction.
- I. Bruce Schmidt said \$.02 to \$.025.
- J. Justin Hyjeck noted that they had increased the tax rate this year by 2%.
- K. Bruce Schmidt said that if the board wants to move forward, we need good information and we need to sell it to the voters. We also have to consider that we may be owning the school building and will have maintenance costs to consider. We also should think about our infrastructure like roads, sidewalks and maintenance on other town buildings.
- L. Scott Murphy said the Village is facing several infrastructure projects such as:
 - i. storm drains on Gill Terrace
 - ii. Depot Street water/sewer lines
 - iii. Commonwealth Avenue water line
 - iv. High Street water lines
 - v. Pond Street water/sewer lines
 - vi. Meadow Street water lines
 - vii. Terrace water lines
- M. Justin Hyjeck asked if there are any state incentives available.
- N. Scott Murphy said there is only so much money available. The Village did receive a Clean Water grant that they are using for the Waste Water Treatment Facility upgrades. The state has new regulations and wanted us to close off the 4" water lines to the fire hydrants because of the lower water pressure. We were able to paint those a different color. The Village has needs.

- O. Bruce Schmidt said this board needs to continue this discussion and educate the voters. We need to be careful about our taxes. He asked for this to be put on next month's agenda.
- P. Dan Buckley asked what the procedure is for someone who may want to apply for some of these funds.
- Q. Bruce Schmidt said they would bring their projects to the Select Board and be put to a public vote.
- R. Torrin Tofferi asked which taxes they would impose.
- S. Bruce Schmidt said the board will listen to input.
- T. Justin Hyjeck said most towns have local options taxes on rooms, meals, Alcohol and sales.
- U. Torrin Tofferi asked if the public would be able to vote on each tax separately.
- V. Aaron Galley said most of the towns that have local options taxes are resort towns.
- W. Scott Murphy said that Ludlow is grandfathered in for the tax and does not have to go to the Legislature for approval.
- X. Logan Nicoll said that resort towns are grandfathered, other towns are not.

14. Department Head Reports

- A. Bruce Schmidt noted that all Department Head reports are in.

15. Municipal Manager Updates

- A. Update on the Jewel Brook Dams Rehab Project
 - i. Scott Murphy advised that they are moving along with the assessments on the supplemental water sheds. Dubois & King will do the assessment and this is 100% State and Federal funding. He said the dams were built in the 1960s and 1970s and are inspected yearly.
 - ii. Dan Buckley said work was done on the #4 dam after Irene.
- B. Summer Program Summary
 - i. Scott Murphy said that Vanessa White gave a summary of the Summer Program and would like to use the facility next summer. She made a video which will be run on Okemo Valley TV.
- C. Senior Center
 - i. Scott Murphy said that they needed a new boiler in the Senior Center and the cost was \$5,500 (\$500 over purchase authorization limit.) It was not according to procedure, but he felt that there was a timing issue.
- D. Salt Shed
 - i. Scott Murphy said that they are applying for a grant for a Salt Shed that would cost about \$260,000 with Ludlow's share being \$50,000. The Regional Planning Commission was helpful in submitting the grant application.
- E. Water/Sewer Shut-offs
 - i. Scott Murphy said that they will start with the shut-offs this Tuesday. The owners of the delinquent properties have been notified and contacted.
 - ii. Justin Hyjeck said he heard good things about the camp.
- F. MVP Deductibles

- i. Scott Murphy said that they will discuss the out-of-pocket costs for the insurance next month.

16. **Other Business**

A. **Field Trip Buses**

- i. Heather Tucker said that an Elementary School teacher told her that there would not be any overnight field trips any more.
- ii. Scott Murphy said that is correct. The town does not have enough bus drivers, currently only 2 and they have been working overtime to try to cover routes. He said there are 6 buses at Green Mountain that are rarely used and we may shift the overnight trips to them.
- iii. Dan Buckley said the Mount Holly buses run out of the supervisory union.
- iv. Bruce Schmidt asked why we don't get more drivers. We need to make an effort.
- v. Scott Murphy said that the office has made a 100% effort and Pam Cruickshank has been juggling drivers to take the students to the other schools they may go to and to colleges.
- vi. Bruce Schmidt suggested that they have conversations with the other schools for drivers.
- vii. Scott Murphy was out suggestion, but other towns are also having problems finding drivers. He added that our drivers know that their positions are only until June.
- viii. Heather Tucker said she will suggest to the teacher that she go to the Supervisory Union or other schools for help.

17. **Set Date for Next Meeting**

- A. Next regular meeting will be November 4, 2019 at 7:00 p.m.
- B. First FY2021 Budget Review Dates will be November 18, 2019 at 6:00 p.m.

18. **Sign Warrant Orders**

- A. Warrant orders have been signed.

19. **Possible Executive Session/ Personnel Issues/Contracts/ Legal Issues**

- A. To Consider Wage for personnel.
- B. **MOTION by Brett Sanderson and seconded by Heather Tucker to enter into Executive Session for Personnel issues. Motion passed unanimously.**
- C. Board entered into Executive Session at 7:58 p.m.
- D. The Select Board came out of Ex Session at 8:31, no action taken.

20. **Adjourn**

- A. Meeting adjourned at 8:31 p.m.

Respectfully submitted,

Lisha Klaiber

Bruce Schmidt., Chairman

Brett Sanderson

Justin Hyjeck

Heather Tucker

John Neal