

**TOWN OF ROCKINGHAM
BELLOWS FALLS VILLAGE CORPORATION**

**Merger Committee Meeting
(Rockingham Selectboard & Bellows Falls Village Trustees)**

Tuesday, April 28, 2015

Present: Thomas MacPhee, Nancy McAuliffe, Susan Hammond, Joshua Hearne, Charles Hunter, Colin James, Ann DiBernardo, Stefan Golec
Absent: Peter Golec, Sanford Martin

Also Present: Kristi Morris, Facilitator; Willis Stearns, II, Municipal Manager; Kerry Bennett, Recording Clerk; Ellen Howard, Zoning Administrator; Dennis & Marjory Ladd; Catherine Bergmann; Joe Brissette; Mary Barber; Eleanor Landry; Deborah Wright

Press: Joey Powers & George Powers, FACT8; Joel Slutsky, The Shopper; Domenic Poli, Brattleboro Reformer

Call to Order: Meeting was called to order at 6:00 p.m. by Facilitator Kristi Morris.

Additions to the Agenda for Routine Administrative Matters and/or Pressing Matters that will require ratification at a future meeting: None

Approve Minutes of March 24, 2015: *Nancy McAuliffe made the motion to approve the minutes of March 24, 2015 as printed. Motion was seconded by Joshua Hearne. Motion passed with 6 in favor – 2 abstentions (DiBernardo & James)*

Public Comment on Items Not on the Agenda (3 minutes per person):

- Ellen Howard, Zoning Administrator, noted that Chapter Two, which has already been reviewed and tentatively approved by the Committee, 2.3 APPOINTED TOWN OFFICERS – 4th bullet – Planning Commission/Zoning Board of Adjustment (seven (7) members for four year terms with terms staggered, should be changed as follows *Planning Commission/Zoning Board of Adjustment or Development Review Board Members (no fewer than five (5) or more than seven (7) members for four (4) year terms with terms staggered.* This will be noted in the draft document.
- Catherine Bergmann asked when the figures on taxes and financial information would be available for the public. MacPhee explained that the Committee is going through this document section by section and these would be available under Chapter 10. Morris again outlined the procedure that this Committee is taking developing a Merger Document for those who have not previously attended a meeting. Bergmann asked if this process would all be done publically. MacPhee stated that it would.
- Joe Brissette asked that Morris refresh the public's memory of where the working document came from. Morris explained the actions to date. Brissette asked if there were minutes available from the 2009 Committee. Bennett stated that there was a notebook from this committee and will research this.
- Mary Barber stated that she recalls being present when the 2009 document was discussed and that there was not much of a savings and agreed with Bergmann that the figures need to be made public. Morris stated that these questions will all be answered through the process.

- Deborah Wright noted that there is a letter from Paul Gillies included in the 2004 documents but only shows pages 1, 3 and 5. Wright also noted that the vote in 1994 failed by a 5 to 1 margin.

Agenda:

1. Continue with Review of Draft Document – 2 hour time limit
 - a) Chapter Four – Town Manager: Morris read Chapter Four in its entirety. *Charles Hunter made the motion to adopt Chapter Four – Town Manager. Motion was seconded by Nancy McAuliffe. Motion passed unanimously.*
 - b) Chapter Five – Town Meetings: Morris read Chapter Five in its entirety. *Charles Hunter made the motion to adopt Chapter Five – Town Meetings. Motion was seconded by Ann DiBernardo.*
 - Hunter noted in 5.1 there was an unnecessary comma; 5.2 - 1st should be spelled out and a comma after “Selectboard” should be removed.
 - DiBernardo suggested that 5.5.5 Meeting Warning include language for a publically designated place in Town Hall.
 - Hammond asked if this is the section where changing the Business Meeting to a Saturday would be discussed. After brief discussion Hunter asked for a straw poll of the public in attendance, which showed 3 out of 8 in favor of a Saturday meeting. DiBernardo stated that she had previously done research on this and the change did not dramatically change the attendance. James felt that having the business meeting 4 days before voting may also change the number of people voting. Brissette felt the Committee should find a way to poll all voters and not just those in attendance here. MacPhee suggested this be left as is for now.
 - Bergmann asked that the applicable State Statute be identified throughout this document.
 - Barber asked about having the budget voted by Australian ballot. MacPhee stated that this has gone to vote a number of times and has always been defeated. Stearns stated that this has been previously discussed in Chapter 3 Selectboard 3.4H Powers and Duties, and the suggestion has been made that a vote by Australian ballot be included in the final Charter document.
 - Wright asked that the Town Reports be distributed earlier than 10 days.

Morris called for a vote on the motion to adopt Chapter Five with noted changes – Town Meeting. *Moton passed unanimously.*
 - c) Chapter Six – Planning and Zoning: Morris read Chapter Six in its entirety. *Charles Hunter made the motion to adopt Chapter Six – Planning and Zoning. Motion was seconded by Ann DiBernardo. Stearns suggested that the Committee suspend its rule allowing Committee members input first and allow Zoning Administrator Ellen Howard to speak. Morris stated that this was within his duties and asked Howard to address the Committee. Howard noted that she had distributed suggestions to the Committee prior to the meeting and outlined her suggestions as follows:*

- 6.1 – 2nd paragraph addressing minutes be eliminated. This is not addressed for any other committee or board throughout the document.
- 6.2 – Zoning Ordinance be changed to Zoning By-Laws
- 6.3 – Flood Hazard Area Zoning By-Law: First sentence to read “The Flood Hazard Area Zoning ByLaw, *of the Town of Rockingham, ...*

The Committee was in agreement with these suggestions. Morris stated that there are 2 ways to proceed. Hunter could withdraw his motion or the Committee could defeat the motion on the floor. *Hunter withdrew his motion.*

Thomas MacPhee made the motion to adopt Chapter Six – Planning and Zoning with recommendations made by the Zoning Administrator and delete paragraph 2 under 6.1, change Ordinance to Bylaw in 6.2, and add “of the Town of Rockingham” under 6.3. Motion was seconded by Stefan Golec. Motion passed unanimously.

- d) Chapter Seven – Budget and Taxation: Morris read Chapter Seven in its entirety. *Charles Hunter made the motion to adopt Chapter Seven – Budget and Taxation. Motion was seconded by Nancy McAuliffe. MacPhee asked if a date should be established for setting the tax rate. Stearns stated that the tax rate is normally set when the Town receives the education rates from the State of Vermont and setting the tax rate is not date specific. Hunter also suggested that the time frame for distribution of the Town Report be looked into. Morris called for a vote on the motion. Motion passed unanimously.*
- e) Chapter Eight - General Provisions: Morris read Chapter Eight in its entirety noting that there were two paragraphs numbered 8.3. *Colin James made the motion to adopt Chapter Eight – General Provisions with the last section changed from 8.3 to 8.4. Motion was seconded by Nancy McAuliffe. Hammond asked about 8.3 Municipal Law. Stearns noted that specifics of these will be discussed in Chapter 10. Hunter suggested that “bylaws” be added to 8.3. Barber suggested that the word Town in 8.3 be changed to Municipal as Town does not include the Village. Stearns stated that when completed this will be a “Town” document. Morris called for a vote on the motion. Motion passed unanimously.*

Set Agenda Items for May 26, 2015: Morris stated that he will not be available on May 26. A Special Meeting will be warned for Wednesday, May 27, 2015 at 6:00 p.m. with Chapter Nine – Water and Wastewater Utilities as the only item on the agenda.

Other Business: None

Adjourn: *Thomas MacPhee made the motion to adjourn the meeting at 7:27 p.m. Motion was seconded by Colin James. Motion passed unanimously.*

Attest: _____
Kerry Bennett, Recording Clerk