

JOINT BOARD SPECIAL MEETING
Rockingham Selectboard & Bellows Falls Village Trustees
Tuesday, October 27, 2015

Present:

BF Trustees: Colin James, Nancy McAuliffe, Sanford Martin, Evelyn Weeks, Stefan Golec

Rockingham Selectboard: Thomas MacPhee, Joshua Hearne, Peter Golec, Ann DiBernardo

Absent: Susan Hammond

Also Present: Willis Stearns, II, Municipal Manager; Kerry Bennett, Village Clerk; Ray Massucco, Town/Village Counsel

Press: None

Call to Order: Meeting was called to order at 5:00 p.m. by Village President Nancy McAuliffe. McAuliffe stated that the Board would be going into executive session and asked each Board to make the motions.

Executive Session – Confidential attorney-client communications made for the purpose of providing professional legal services to the body (1 V.S.A. §313(a)(1)):

Sanford Martin made the motion to find that premature general public knowledge of confidential attorney-client communications made for the purpose of providing professional legal services to the Bellows Falls Village Trustees (1 V.S.A. § 313(a)(1) will clearly place the municipality at a substantial disadvantage by disclosing confidential communications. 1 V.S.A. § 313(a)(3). Motion was seconded by Evelyn Weeks. Motion passed unanimously.

Sanford Martin made the motion that the Bellows Falls Village Trustees enter executive session at 5:02 p.m. to discuss confidential attorney-client communications made for the purpose of providing professional legal services to the Board under provisions of Title 1, Section 313 (a) (3) of the Vermont Statutes and invite Attorney Ray Massucco, Municipal Manager Willis Stearns, II, and Village Clerk Kerry Bennett to attend. Motion was seconded by Colin James. Motion passed unanimously.

Peter Golec made the motion to find that premature general public knowledge of confidential attorney-client communications made for the purpose of providing professional legal services to the Rockingham Selectboard (1 V.S.A. § 313(a)(1) will clearly place the municipality at a substantial disadvantage by disclosing confidential communications. 1 V.S.A. § 313(a)(3). Motion was seconded by Joshua Hearne. Motion passed unanimously.

Peter Golec made the motion that the Rockingham Selectboard enter executive session at 5:02 p.m. to discuss confidential attorney-client communications made for the purpose of providing professional legal services to the Board under provisions of Title 1, Section 313 (a) (3) of the Vermont Statutes and invite Attorney Ray Massucco, Municipal Manager Willis Stearns, II, and Village Clerk Kerry Bennett to attend. Motion was seconded by Joshua Hearne. Motion passed unanimously.

The Board came out of executive session at 5:30 p.m. and the following action was taken:

Peter Golec made the motion that the Rockingham Selectboard approves and accepts the Pre-Determination Conciliation Agreement regarding James Mitchell, HRC Case No. PA14 - - 002, as presented and authorize the Selectboard Chair to sign the agreement on behalf of the Board. Motion was seconded by Joshua Hearne. Motion passed unanimously.

Evelyn Weeks made the motion that the Bellows Falls Village Trustees approves and accepts the Pre-Determination Conciliation Agreement regarding James Mitchell, HRC Case No. PA14- - 002, as presented and authorize the Village President to sign the agreement on behalf of the Board. Motion was seconded by Stefan Golec. Motion passed unanimously.

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

Approve Minutes of September 29, 2015: *Peter Golec made the motion to approve the minutes of September 29, 2015 as printed. Motion was seconded by Joshua Hearne. Motion passed unanimously.*

Public Comment on items not on the Agenda – 3 minutes per person: None

Agenda:

1. Approve Health Insurance Coverage & Reimbursement Plan: Stearns noted that a memo was included in the Board packets showing the percentage of increase for each of the 3 plans offered by the municipality and reminded the Board that this is a known figure for calendar year 2016. However, the first 6 months of 2017, which will be part of the upcoming budget process for FY17, will not be known until next year at this time and a 10% increase will be included in these budgets. Stearns also reminded the Board that an employee reimbursement program was set up 2 years ago to assist employees with the increasing expenses of health insurance. This program has been working very well. Stearns stated that it is staff suggestion to continue with the 3 plans offered through Blue Cross Blue Shield and continue with the reimbursement program.

Peter Golec made the motion that the Rockingham Selectboard continue with the 3 plans offered to employees through Blue Cross Blue Shield of Vermont and continue with the reimbursement program as established. Motion was seconded by Ann DiBernardo. Motion passed unanimously.

Colin James made the motion that the Bellows Falls Village Trustees continue with the 3 plans offered to employees through Blue Cross Blue Shield of Vermont, and continue with the reimbursement program as established. Motion was seconded by Evelyn Weeks. Motion passed unanimously.

2. Board Items

- a) Award Safe Routes to School Construction Contract – Selectboard Only: Stearns noted that this is a Selectboard only item and reminded the Selectboard that this is a fully funded State grant and there are no Rockingham tax dollars associated with this project. Stearns stated that the bid opening was held on September 29 and two bids were received – one from Hodgkins & Sons, Inc. for \$99,995.75, and one from Wright Construction for \$145,485.56. While Hodgkins was the low bidder, the State noted that two documents required in the bid were not included in Hodgkins bid documents. Therefore, that bid was not accepted. It is the recommendation of DuBois & King, Inc. that the bid be awarded to Wright Construction. The Board discussed this in detail and MacPhee suggested that the Board not approve the bid and that the project go back out to bid at a later date. Stearns reminded the Board that this project has now gone on for 5 years and going back out to bid may delay this further. Golec stated that while he agreed with MacPhee, he also noted that each of the two contractors would now know the other's bid which could further impede the project should it be re-bid. *Peter Golec made the motion to accept the bid from Wright Construction in the amount of \$145,485.56 and authorize the Municipal Manager to sign any and all documentation for this project. Motion was seconded by Joshua Hearne. Motion passed with Golec, Hearne and MacPhee voting in favor of the motion. DiBernardo opposed.*

Other Business:

- Golec stated that he has heard that the Recreation Building has termites. Stearns stated that this is true and that there is significant water damage to the north side of the building. Stearns stated that he and Development Director Walsh met with Ingram Construction today and Engineer Phil Savoy last week. Traps have been set to try to capture the termites and a solution is being investigated for the water damage. Stearns will update the Board at next week's meeting.
- MacPhee stated that he received a phone call from Attorney Richard Saudek, who represents the Town in the TransCanada cases. Saudek informed him of a possible conflict with another client of his firm, which he believes is not an issue, but wanted to give the Town a heads up.
- Golec announced that the bridge in Saxtons River is being paved.

Adjourn: *Colin James made the motion to adjourn the meeting at 5:50 p.m. Motion was seconded by Thomas MacPhee. Motion passed unanimously.*

Attest: _____
Kerry Bennett, Recording Clerk