

Bellows Falls Village Trustees Regular Meeting  
Tuesday, July 12, 2016

Present: Myles Mickle, Colin James, Stefan Golec, Evelyn Weeks, Steve Adams

Also Present: Willis Stearns, II, Municipal Manager; Kerry Bennett, Village Clerk; Attorney Ray Massucco; Chrissy Haskins, PE, Dufresne Group; Brad Aldrich, A&E; Robin & Brian Story; Deborah Wright; Gary Fox, Dan Hartigan, & Jesse de la Rosa from BF Farmers Market;

Press: Matthew Farkas & Kevin O'Connor, FACT8; Maddi Shaw, Brattleboro Reformer; Tory Jones Bonenfant, Eagle Times

Call to Order : Meeting was called to order at 6:30 p.m. by President Myles Mickle.

Additions to the Agenda for Routine Administrative Matters and/or Pressing Matters that will require ratification at a future meeting:

- Colin James stated that he is currently the Trustee appointee to the Waypoint Center Board and Evelyn Weeks has expressed an interest in this appointment. James stated that he had no problem with this. *Stefan Golec made the motion to appoint Evelyn Weeks as the Trustee representative to the Bellows Falls Waypoint Center Board. Motion was seconded by Colin James. Motion passed unanimously.*

Approve Minutes of June 14 & 23, 2016: *Evelyn Weeks made the motion to approve the minutes of June 14 and June 23, 2016 as printed. Motion was seconded by Steve Adams. Motion passed unanimously.*

Public Comment on Items not on the Agenda: (3 minutes per person): None

Manager's Report:

- Stearns noted that forms were available for the State of New Hampshire 2016 Seven to Save that could be filled out to nominate the Vilas Bridge to be saved.

Agenda:

1. Unsafe Buildings Process: Attorney Ray Massucco was present to review the Unsafe Building Ordinance process for the Board. Stearns stated that this process would apply to 25 Hapgood Street that is current closed by an order of the Bellows Falls Fire Chief and has not reached the level of a health order. Stearns also noted that the property has gone up for tax sale in the recent years and been redeemed at the last minute and is up for tax sale again now. Stearns did remind the Board that the tax sale process could take 15 to 18 months before the Town can take ownership. Stearns also noted that there has been rumor that this property is in bankruptcy but that the Town and/or Village has not been notified of such. Massucco then proceeded to review the ordinance with the Board noting that in the recent past the Board has been hesitant to proceed with the ordinance process due to the expense. Massucco stated that the ordinance is functional and has worked in the past but if the Board is not going to follow through with the process or enforce the ordinance then there is no need to have an ordinance.

James asked Massucco what his recommendation would be. Massucco stated that the Board should follow the process. Robin Story, neighbor to 25 Hapgood Street, stated that her frequent calls to the Manager and her attendance at meetings to voice her concerns should qualify as “filing a complaint.” Story also stated that she had recommended an increase to the budget to be used for this ordinance enforcement at Village Meeting but this was defeated but felt it was understood that the fund balance could be used if necessary to enforce ordinances. Deborah Wright stated that this issue has been ongoing for 3 years and with no proof of bankruptcy asked why the Board has not taken any action to date. Golec asked what the costs would be. Stearns stated that it is an unknown but most likely in the neighborhood of \$35,000 to \$50,000. Golec asked if the property was in bankruptcy if there was anything that could be done. Massucco stated that it is possible, and likely, that this could be removed for enforcement of the ordinance and a lien would be placed on the property. *Stefan Golec made the motion to authorize the Municipal Manager to initiate action according to the Unsafe Building Ordinance process on 25 Hapgood Street. Motion was seconded by Evelyn Weeks. Motion passed unanimously.* Brian Story stated that he felt this would be good for the community and hoped that the Board would proceed beyond this property and address some of the other buildings in the Village.

2. Review & Approve Agreement – Walpole/Bellows Falls – Joint Treatment of Wastewater: Stearns noted that this agreement has come before the Board twice with no action being taken the first time and a vote of 3 to 2 to not sign the agreement. Attorney Massucco gave the Board a brief background of this agreement noting that this is a significant revenue stream for the Village. Massucco noted that the two municipalities are operating “in good faith” at present. Golec asked what the Village’s liability was should the line under the Vilas Bridge be damaged. Massucco stated that the Village has none, it is Walpole’s responsibility. *Stefan Golec made the motion to table this item until it is brought back up by a vote of the Board. Motion was seconded by Evelyn Weeks. Motion passed with Golec, Weeks and Adams voting in favor of the motion. Mickle & James opposed.*
3. Updates
  - a) Water Projects: Chrissy Haskins, Dufresne Group, distributed handouts on Phase 1 and 2, estimated \$8,200,000.00, Sewer Main Improvements, and a table titled Project Update Water & Sewer System Improvements. Haskins reviewed all the aspects of the project, what was completed, what will be completed this year, and what will be left to be done. Haskins also explained the funding of the project and how they are scheduling work in conjunction with any work to be done by the Wastewater Department, the Highway Department, and the State of Vermont.
  - b) Wastewater Projects – Brad Aldrich, PE, President of Aldrich & Elliott, was present to give an update on the Wastewater projects. Aldrich noted that there were 2 contracts – one for the pump station refurbishment awarded to Scherbon Consolidated, Inc, and one to Penta Corporation for the Plant upgrades. Aldrich explained the project, what has been

completed, what is still to be completed and what is to be done in the future. Aldrich also stated that there are 3 underground tanks that will be removed in the next 2 to 3 weeks.

4. Farmers Market Update: Jesse de la Rosa was present from the Farmers Market and distributed information on how the Market is doing at the new location at Hetty Green Park and they would like the location to be made permanent. *Colin James made the motion to allow the Bellows Falls Farmers Market to remain at the Hetty Green Park location for the remainder of the 2016 season. Motion was seconded by Steve Adams. Motion passed unanimously.*
5. Finance Office – C. Stearns
  - a) FY2016 YTD Budget Status: Stearns noted that the information provided in the packets was incorrect and the FY2017 financials were presented instead of the FY2016. In addition, Stearns stated that he had not calculated the additional payroll cycle and it appears the Village will be running a deficit for FY2016. Stearns also reminded the Board that the action to occur regarding 25 Hapgood Street will run between \$35,000 and \$50,000. Stearns asked if the Board had any questions.

Weeks asked what the impact of the water & wastewater projects would have on the rates. Stearns reminded the Board that the process to minimize the impact was begun a few years ago along with lowering the minimal threshold for water usage. Stearns also noted that the Bellows Falls Union High School will be installing a new irrigation system which could use 10,000 gallons per hour.

Stearns also noted that tax bills have been sent out and if you didn't receive one you should contact the Town Offices immediately. Stearns also stated that the rebate/pre-bate program has changed this year and for those receiving a rebate/pre-bate and there is a balance after Town taxes are paid, they are now allowing the Village taxes to be paid, any delinquent taxes, and any utility delinquencies.

Stearns also informed the Board that the Town now owns 38 Green Street by quit claim deed and the property has been cleaned up and boarded up.

6. Trustee Items
  - a) Discuss memo re: Short Term & Long Term Goals: Stearns had submitted a memo to both the Selectboard and the Trustees with goals. Weeks stated that she would like sidewalks to be a goal. Stearns reminded the Board that sidewalks are a Town function. Mickle noted that 25 Hapgood Street, by the action of the Board earlier in the meeting, was a priority goal. James felt that other unsafe buildings should be pursued as well. Adams also said sidewalks and discussions with the public on town vs. village responsibilities and ways to inform the public should be a goal. This will be put on the next agenda for further discussion.

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- b) Ratify votes taken at 6/14 & 6/23 meetings: *Colin James made the motion to ratify the vote taken at the 6/14/2016 meeting on the Declaration of Official Intent for the \$1.8 million bond, and the vote taken on 6/23/2016 approving outside employment of the Municipal Manager. Motion was seconded by Steve Adams. Motion passed unanimously.*

Overtime & Comp Time Reports: Stearns stated that the overtime in the Police Department budget for the Alumni weekend will be reimbursed by the Alumni Association.

Review Fire Dept & Police Dept Call Logs: Bennett stated that both Alisha Beam at the Police Department and Steve Cenate the Fire Department were both on vacation and no call logs were available.

Review Agenda Items for Next Regular Trustees Meeting – August 9, 2016:

- Trustee Goals
- FY2016 & FY2017 YTD Budget Status

Review Agenda Items for Joint Board Meeting – August 30, 2016:

- Criteria and Evaluation Form for Municipal Manager Review

Approve Orders, Bills and Warrants: *Stefan Golec made the motion to approve the orders, bills and warrants as presented. Motion was seconded by Evelyn Weeks. Motion passed unanimously.*

Other Business:

- Stearns noted that a bus tour has been scheduled for Saturday, July 23 at 9:00 am in conjunction with the Rockingham Selectboard and a few members of the Saxtons River Trustees. This will be warned as a Joint Board Meeting and is open to the public.
- Deborah Wright read a section from the current agreement with Walpole for the treatment of wastewater noting that this agreement was still in force and informed the Board that by not signing the agreement the Village may be losing money.

Executive Session: No executive session was necessary.

Adjourn: *Myles Mickle made the motion to adjourn the meeting at 8:20 p.m. Motion was seconded by Colin James. Motion passed unanimously.*

Attest: \_\_\_\_\_  
Kerry Bennett, Village Clerk