

ROCKINGHAM SELECTBOARD REGULAR MEETING

Tuesday, October 4, 2016

Present: Lamont Barnett, Joshua Hearne, Peter Golec, Ann DiBernardo, Stefan Golec

Also Present: Willis Stearns, II, Municipal Manager; Kerry Bennett, Recording Clerk; Chris Glennon, Stewart Reed & Gary Fox – BF Historical Society; Sanford Martin; Paul Milman, Rick Holloway & Jill James – Chroma Technology; Adam Grinold, Executive Director BDCC; Listers Camilla Roberts, Paul Noble & Mike Harty; Deborah Wright; Andrew Smith

Press: Kevin O'Connor; FACT8; Joel Slutsky, The Shopper; Tory Jones Bonenfant, Eagle Times

Call to Order: Meeting was called to order at 6:30 p.m. by Chairman Lamont Barnett

Additions to the Agenda for Routine Administrative Matters and/or Pressing Matters that will require ratification at a future meeting: No additions, but Stearns noted that items #1 on the agenda can be tabled until the next meeting and #2 can be deleted.

Approve Minutes of September 20, 2016: *Ann DiBernardo made the motion to approve the minutes of September 20, 2016 as printed. Motion was seconded by Peter Golec. Motion passed.*

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

Manager's Report:

- Parking ban will be in effect from November 1, 2016 through April 1, 2017. There will be no parking on the streets in the Town of Rockingham including the villages of Bellows Falls and Saxtons River from 12:00 a.m. to 7:00 am and also 24 hours prior to and immediately after a storm. Vehicles in violation will be towed at owner's expense.
- Leaf and lawn debris pickup will continue through November 30 weather permitting. All debris must be in clear plastic bags and be able to be handled by one individual. Pickup will occur on Mondays and Fridays only.
- Hydrant flushing by the Bellows Falls Village Water Department will continue until October 21.
- Plaques from the Vilas Bridge are in Swanzey, NH and were removed by the NH Department of Transportation.
- VLCT Municipal Action Paper #4 was distributed and Stearns encouraged the board members to read these.
- Stearns then reported that there appears to be a significant problem with the Bridge Street Bridge and pictures were circulated that were taken earlier today. According to those involved in the project it appears that there may be a material failure. Stearns reported that a bridge inspector from the State of Vermont will be here in the morning and it is a possibility that this bridge could be closed. Stefan Golec asked if any of the businesses that use the bridge have been notified. Stearns stated that the conversation on this issue only began around 4:15 this afternoon and these businesses will be notified. Barnett asked about the possibility of a bailey bridge and Stearns indicated that he would be checking on this. Stearns noted that he will keep the board informed via email.

Agenda:

1. Introduction of Development Director: Tabled to next meeting.
2. Water/Wastewater Allocation for Halladay's Harvest Barn – Industrial Line: Not a board item so was removed from the agenda.
3. Chroma Technology
 - a) Request for Tax Stabilization: Paul Milman, CEO, was present and informed the Board that there were some modifications to the letter that was included in the Board packets. Milman stated that Chroma is no longer interested in the education portion of the tax stabilization request and Chroma would continue to pay that. The request now is for tax stabilization of the facility as of the April 2017 grand list assessment for the duration of the expansion and will then return to the tax rolls. Milman stated that they believe it will take approximately 2 years. Barnett asked what the plan was if it took longer than that. Milman stated that he is confident that it will be done in that time period but in the event that it is not Chroma will come back to the Board. *Peter Golec made the motion that the Selectboard approves the tax stabilization request for Chroma Technology with the April 2017 grand list value of the Town portion only excluding the education portion, for the duration of the expansion project, and authorize the Municipal Manager to sign the agreement on behalf of the Town. Motion was seconded by Stefan Golec. Motion passed.*
 - b) Request for Loan from Revolving Loan Fund: Stearns stated that Chroma is requesting a \$100,000.00 loan from the Town's revolving loan fund for a term of 7 years commencing on December 1, 2016 at an annual interest rate of 3%. Stearns stated that these funds will be used as the match to the CDBG grant that the Town is applying for on behalf of Chroma Technology. Stearns stated that the CDBG grant application hearing will be held on October 13 in Montpelier. DiBernardo asked if the Town would be asking for any collateral as is outlined in the Revolving Loan Fund Policy. Peter Golec noted that this request goes beyond the RLF policy of a cap of \$50,000 amount to be loaned. Adam Grinold, Executive Director of Brattleboro Development Credit Corporation, was present and stated that this loan is not only the required match for the grant but is also a strong show of support from the Town for the expansion of this business. *Stefan Golec made the motion that the Board approves the loan request for Chroma Technology of \$100,000.00 for 7 years at 3% interest beginning December 1, 2016, and authorize the Municipal Manager to sign any and all documents necessary. Motion was seconded by Peter Golec. Motion passed.*
 - c) Quitclaim Deed – Town of Rockingham to Chroma Technology: Stearns stated that this quitclaim deed has been briefly reviewed by Town Counsel and he feels comfortable with the Board approving the deed contingent upon counsel approval. Stearns reported that this deed encompasses the entire 11.6 acres and Imtec Lane that Chroma owns and is making it clear that the Town has no claim to any of this property. *Peter Golec made the motion to approve the quitclaim deed pending Town counsel approval and authorize the Municipal Manager to sign on behalf of the Town. Motion was seconded by Joshua Hearne. Motion passed.*

4. Recreation Center Repair Update: Stearns reported that the Board had previously authorized him to enter into a contract with Ingram Construction as construction manager for the project. Stearns stated that he had stated at that time that there was no cost for Ingram. However, this was incorrect and Ingram's cost and fees are the amount quoted at that time. DiBernardo asked how long the repairs would take. Stearns stated that it should take 6 to 8 weeks. There was no further action required of the Board. Stearns did note that he will treat this project as he did the Library renovation project and will be on site every day.
5. Review & Sign TLR Lease – Town & BF Historical Society: Stearns noted that the lease has been reviewed and revised between the Town's attorney and the BFHS attorney. Stearns stated that Item #9 was a concern and this has been revised to show that the Town shall be co-applicant for any grants for environmental testing or remediation leading to the property transfer and the Town may cooperate in any other applications. Stearns also reported that the insurance limitations are outlined in Schedule A. Peter Golec asked about security of the building and who would get a call if there was an issue. Stearns stated that he believed the Manager would get a call as owner. *Joshua Hearne made the motion that the Selectboard approves the lease as revised and authorize the Municipal Manager to sign on behalf of the Town. Motion was seconded by Ann DiBernardo. Motion passed.*
6. Highway Department
 - a) Access Permit – DiBernardo - Pleasant Valley Road: Stearns stated that the Highway Superintendent has no issues with the request and the directions, restrictions and conditions are stated on the Access Permit. *Peter Golec made the motion to approve the access permit for Samuel and Dolapo Neill for 1 Pleasant Valley Road as requested. Motion was seconded by Joshua Hearne. Motion passed.*
7. Town-Owned Property Update
 - a) 34 Old Terrace: Trash was being dumped on this property over the bank and drug paraphernalia was discovered. The Bellows Falls Police Department is investigating and the building has been re-secured.
 - b) 42 Hyde Street: It was reported that someone had gained access to the building on the back and this has been re-secured as well.
 - c) 456 Rockingham Road: Multiple attempts have been made to serve the individual for eviction and he is eluding the constable. Attempts will continue. Barnett suggested that the court be asked if the Town could publicize the notice and Stearns will ask the Town Agent follow up.
 - d) 38 Green Street: No documentation has been received from the prior owner's attorney but did receive an email today requesting that they continue access through the Columbus Day holiday. Barnett polled the board and the consensus was unanimous that The Town has gone above and beyond for this individual and that no extension be granted to the September 30 deadline date. Stearns will have the locks changed tomorrow and will contact Ruggiero to commence with final clean-up of the site. Stearns also noted that he has been contacted by an individual interested in the property. Stearns noted that 30 day notice must be posted and the Board can then entertain an offer.

8. FY2017 Budget Status: Stearns stated that there is nothing out of the ordinary to report. Stearns did state that he will be coming to the Board with financing options for the \$165,000 for the Highway Department 6-wheeler, \$250,000 for the repairs to Town Hall & Rec Center, and \$500,000 for the fire trucks.

DiBernardo stated that she felt the Board should budget for fire retardant for the covered bridges as was done on the Bartonsville Bridge. Stearns stated that he believes quotes were obtained in 2011 and 2012 but no action was taken and this was never done. Barnett requested that Stearns get a quote on this and an opinion from ANR.

9. Selectboard Items
- a) Budget Goals: After a brief discussion on goals and information on reappraisal and its impact on the tax rate, it was the consensus of the Board that a 2¢ decrease on the tax rate, or \$100,000 decrease in the budget be a direction for the Manager going into budget season. Stearns did inform the Board that the \$150,000 new debt could be refinanced over a longer period by approval at the annual meeting.

Review Overtime & Comp Time Report: No comments or concerns.

Review Task List:

- Park & Ride – Stearns reported that the Highway Department would be finishing up its portion in the next 2 weeks and that asphalt is scheduled to be down on October 19. Barnett asked about a charging station and Stearns stated that there would be Level 1 stations and the Town is responsible for the electricity for this.
- TransCanada negotiations – the decision has not been made yet for Rockingham but likely it will be less than what we have been taxing them for and will require payback to TransCanada. DiBernardo asked where this money would come from. Stearns replied that it could be financed, taken from fund balance or an applied credit for TransCanada.
- Vilas Bridge – Deborah Wright reported that she has not received the email she was expecting yet.
- Railroad Tunnel – can be removed from list

Review Agenda Items for Next Meeting – October 18, 2016: Nothing at this time.

Review Agenda Items for Joint Board Meeting - November 29, 2016: Stearns reported that there is a need for a Special Joint Board Meeting to approve health insurance rates. This meeting will be held following the Trustees regular meeting on October 11. The next scheduled Joint Board Meeting is set for November 29 and sidewalks and parking is on the agenda.

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

Other Business:

- Peter Golec noted that there appears to be sink holes on the west side approach to the Centennial Bridge in Saxtons River.

Executive Session: *Peter Golec made the motion to find that premature general public knowledge of pending or probable civil litigation or a prosecution, to which the public body is or may be a party will clearly place the municipality at a substantial disadvantage by disclosing information. Motion was seconded by Joshua Hearne. Motion passed.*

Peter Golec made the motion that the Board enter executive session at 8:00 p.m. to discuss the pending or probable civil litigation or a prosecution, to which the public body is or may be a party under provisions of Title 1, Section 313 (a)(1) of the Vermont Statutes, and invite the Rockingham Listers and the Municipal Manager to attend. Motion was seconded by Joshua Hearne. Motion passed.

The Board came out of executive session at 8:30 p.m. There were no announcements made.

Adjourn: *Peter Golec made the motion to adjourn the meeting at 8:30 p.m. Motion was seconded by Joshua Hearne. Motion passed.*

Attest: _____
Kerry Bennett, Recording Clerk