

**CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2015**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2015 to:
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development,
One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of **ROCKINGHAM** in **WINDHAM** County
on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305,
added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	1.493			1.493	0.000
Class 2	15.516			15.516	0.000
Class 3	61.37		0.12	61.25	0.000
State Highway	23.471			23.471	0.000
Total	101.850			101.73	0.000
* Class 1 Lane	0.231			0.231	
* Class 4	15.73			15.73	0.000
* Legal Trail	0.05			0.05	
* Unidentified Corridor	0.00			0.00	

* Mileage for Class 1 Lane, Class 4, Legal Trail, and Unidentified Corridor classifications are NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
0.12 mile portion of T.H. #48 - Bezanson Rd.
(plus class 4 portion which is not shown on state map.)
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- SCENIC HIGHWAYS:** Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. []

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

[Handwritten signatures]

T/C/V Clerk Signature: *[Handwritten: Horeen Aldrich]*

Date Filed: *[Handwritten: February 4, 2015]*

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:

[Handwritten Signature]
Representative, Agency of Transportation
Johnathan Croft

DATE:

[Handwritten: 2/17/2015]

Received

FEB 6 2015

Policy, Planning & Intermodal
Development Division

Vermont Statutes Annotated

19 V.S.A. § 305. Measurement and inspection

§ 305. Measurement and inspection

(a) After reasonable notice to the selectboard, a representative of the agency may measure and inspect the class 1, 2, and 3 town highways in each town to verify the accuracy of the records on file with the agency. Upon request, the selectboard or their designee shall be permitted to accompany the representative of the agency during the measurement and inspection. The agency shall notify the town when any highway, or portion of a highway, does not meet the standards for its assigned class. If the town fails, within one year, to restore the highway or portion of the highway to the accepted standard, or to reclassify, or to discontinue, or develop an acceptable schedule for restoring to the accepted standards, the agency for purposes of apportionment under section 306 of this title shall deduct the affected mileage from that assigned to the town for the particular class of the road in question.

(b) Annually, on or before February 10, the selectboard shall file with the town clerk a sworn statement of the description and measurements of all class 1, 2, 3, and 4 town highways and trails then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2, 3, or 4 town highways, trails, or unidentified corridors are accepted, discontinued, or reclassified, a copy of the proceedings shall be filed in the town clerk's office and a copy shall be forwarded to the agency.

(c) All class 1, 2, 3, and 4 town highways and trails shall appear on the town highway maps by July 1, 2015.

(d) At least 45 days prior to first including a town highway or trail that is not clearly observable by physical evidence of its use as a highway or trail and that is legally established prior to February 10, 2006 in the sworn statement required under subsection (b) of this section, the legislative body of the municipality shall provide written notice and an opportunity to be heard at a duly warned meeting of the legislative body to persons owning lands through which a highway or trail passes or abuts.

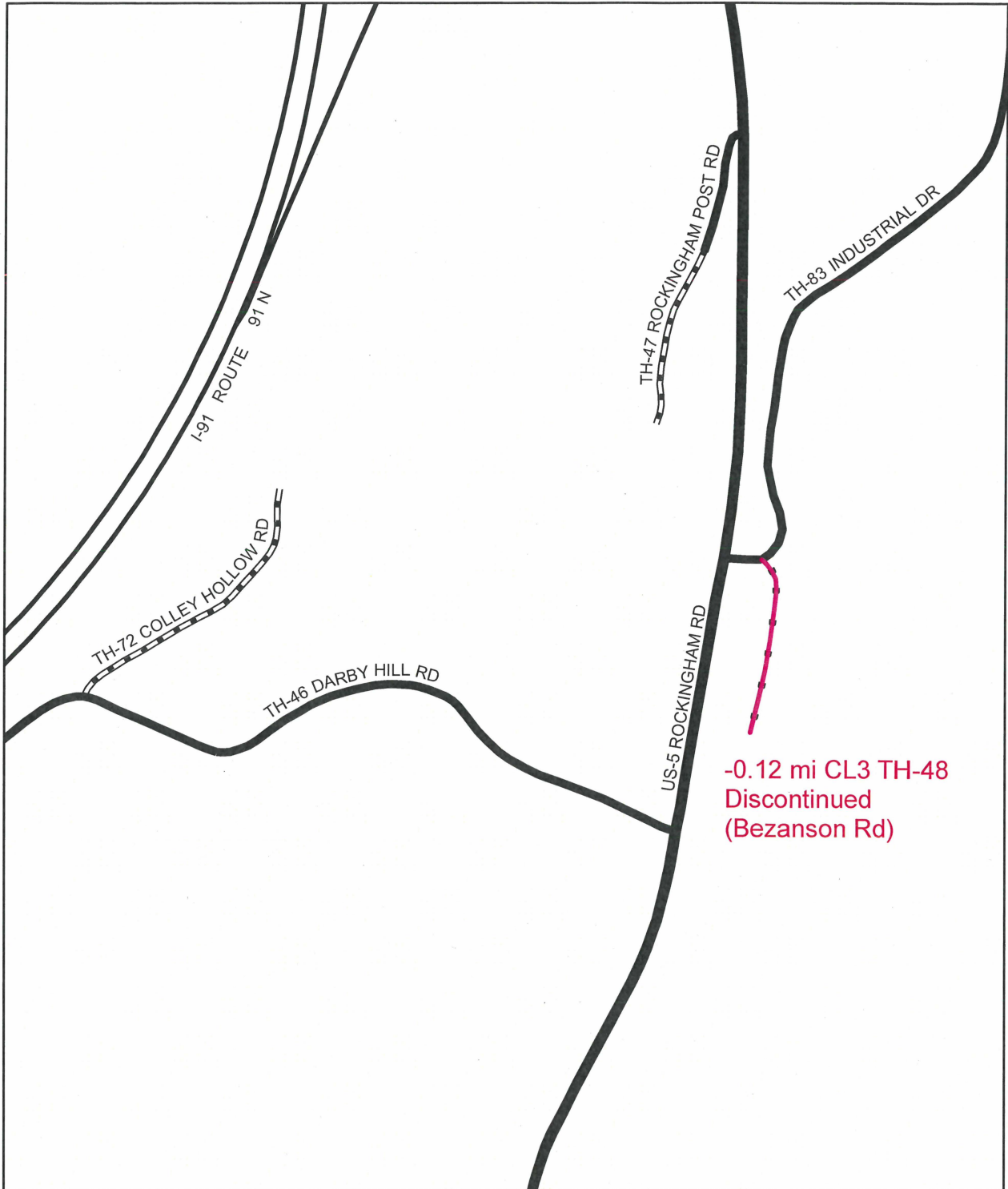
(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of any surveys of the affected highway or trail, minutes of meetings at which the legislative body took action with respect to the changes, and a current town highway map with the requested deletions and additions sketched on it. A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006. All records filed with the agency are subject to verification in accordance with subsection (a) of this section.

(f) The selectboard of any town who are aggrieved by a finding of the agency concerning the measurement, description, or classification of a town highway may appeal to the transportation board by filing a notice of appeal with the executive secretary of the transportation board.

(g) The agency shall provide each town with a map of all of the highways in that town together with the mileage of each class 1, 2, 3, and 4 highway, as well as each trail, and such other information as the agency deems appropriate.

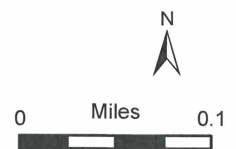
Excerpt of 19 V.S.A. § 305 - *Measurement and inspection* from Vermont Statutes Online located at – <http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=19&Chapter=003&Section=00305>

January 2015



Mileage Certificate Change 2015 ROCKINGHAM

Mapping Section
Division of Policy, Planning and Intermodal Development
Vermont Agency of Transportation - February 2015



**TOWN OF ROCKINGHAM
VERMONT
P.O. BOX 370
BELLOWS FALLS VT 05101**

TEL. 802-463-1229



February 4, 2015

Sara Moulton
Vermont Agency of Transportation
Policy & Planning Division - Mapping Unit
1 National Life Drive
Montpelier VT 05633-5001

Re: Town of Rockingham

Dear Sara:

Enclosed is the 2015 Highway Mileage Certificate for the Town of Rockingham.

Information is also enclosed regarding discontinuance of Bezanson Road.

Please give me a call if you have any questions.

Very truly yours,

TOWN OF ROCKINGHAM

A handwritten signature in cursive script that reads 'Ellen Howard'.

Ellen L. Howard
Planning-Zoning Administrator

Town Highway/Legal Trails Addition/Reclassification/Discontinuance Checklist

Submission of this checklist is not required, but is supplied to help municipalities organize the documentation required to process additions / reclassifications / discontinuances of highways and trails. The documentation is subject to verification by VTrans.

Check the box if the information is included as part of the documentation submitted.

- A description of the affected highway or trail
(clearly define the origin and terminus)
Vt. Stat. Ann. tit. 19, § 305(e)
- Minutes of meetings at which the legislative body took action with respect to the changes
(include copies of the meeting minutes)
Vt. Stat. Ann. tit. 19, § 305(e)
- Evidence of written notice to adjoining landowners
(include a copy of the newspaper notice and a copy of the letter sent to adjoining landowners)
Vt. Stat. Ann. tit. 19, § 709
- A current town highway map with the requested deletions and additions sketched on it
Vt. Stat. Ann. tit. 19, § 305(e)
- A copy of any surveys of the affected highway or trail*
Vt. Stat. Ann. tit. 19, § 305(e) Vt. Stat. Ann. tit. 19, § 704
*Note: A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006 // and a survey is not needed for Discontinuances.

For Class 3 or Class 4 town highway additions:

- A Certificate of Completion and Opening
(While not required by statute, a Certificate of Completion and Opening is a helpful document for the record)

For Unidentified Corridors:

- If the highway or trail to be added is “not clearly observable by physical evidence of its use as a highway or trail,” then supply additional documentation pursuant to statute Vt. Stat. Ann. Tit. 19 § 305(d). On July 1, 2015 any remaining “Unidentified Corridors” will be discontinued by statute. Vt. Stat. Ann. tit. 19, § 302(a)(6)(G)

All records filed with the agency are subject to verification in accordance with 19 V.S.A. § 305 (a) and 19 V.S.A. § 305 (e).

and ownership shall revert to the abutters along the centerline of the travelled portion of the right-of-way subject to any statutory rights TransCanada and Green Mountain Railroad may have for access over the discontinued town highway.

The discontinuance is described as follows:

Beginning at a point 111.4 feet easterly of and measured at right angles from centerline survey station 87+81 of Vermont Highway Project F.A.P.135 J(1), said point lying in the southerly bounds of Industrial Drive, so-called;

Thence northeasterly along the southeasterly bounds of said Industrial Drive along a curve to the left having a radius of 140.00 feet a distance of 73.44 feet to a point of non-tangent curvature;

Thence southerly along a curve to the right having a radius of 458.79 feet a distance of 279.60 feet to a point of tangency;

Thence S 27°38'45" W 80.00 feet to a point marked by an iron pin at the southwesterly corner of lands conveyed to Green Mountain Railroad Corporation in Vol. 344 at Page 369, Parcel 2, said point is also the northwesterly corner of lands conveyed to Green Mountain Railroad Corporation by Horace A. Bezanson and Betty B. Bezanson by Warranty Deed recorded in Vol. 340 at Page 397 of the Rockingham Land Records;

Thence S 27°15'34" W 251.45 feet to a point at the southwesterly corner of lands conveyed to Green Mountain Railroad by the said Bezanson ;

Thence S 27°15'34" W 40.15 feet to a point;

Thence S31°09'49" W 391.60 feet to a point;

Thence S 36°40'35" W 77.72 feet to a point;

Thence S 41°55'18" W 87.58 feet to a point;

Thence S 45°25'20" W 288.19 feet to a point in the easterly bounds of present U.S. Route No. 5 being Vermont Highway Project F.A.P.135 J(1) said point lying 60 feet easterly of centerline station 73+78;

Thence northerly along the easterly bounds of present U.S. Route No. 5 on a curve to the left having a radius of 1492.70 feet a distance of 237.48 feet to a point 60 feet easterly measured at right angles to centerline survey station 76+05.8;

Thence along the westerly bounds of Bezanson Road, so-called, the following courses and distances:

N 45°25'20" E 54.67 feet to a point;

N 41°55'18" E 83.80 feet to a point;

N 36°40'35" E 73.07 feet to a point;

N 31°09'49" E 387.52 feet to a point;

N 27°15'34" E 301.03 feet to a point;

N 18°42'41" E 155.91 feet to a point;

N 13°11'01" E 80.89 feet to a point;

N 12°11'14" W 72.72 feet to the point and place of beginning.

C. The Town of Rockingham shall have no future responsibility for maintenance or replacement of the culvert serving the private driveway running from U.S. Rt. 5 to Bezanson Road.

Title 19, V.S.A. § 717(c), Evidence of highway completion or discontinuance, provides: A person whose sole means of access to a parcel of land or portion thereof owned by that person is by way of a town highway or unidentified corridor that is subsequently discontinued shall retain a private right-of-way over the former town highway or unidentified corridor for any necessary access to the parcel of land or portion thereof and maintenance of his or her right-of-way.

11. Green Mountain Railroad owns the land on both sides of the class 3 portion of the town highway. It has no objection to the discontinuance of both the class 3 and class 4 portions. It has access via a private right-of-way to its lands east of the rail line. The west end of the right-of-way intersects Bezanson Road within the area of discontinuance.

Title 19, V.S.A. §717(c) may be applicable here.

12. The Town of Rockingham owns land on the west side of the class 4 portion, between the class 4 portion and U.S. Rte. 5. Access to this land is available via U.S. Rte. 5.

The Town of Rockingham also owns some of the land under the waters of the setback from the Connecticut River. This land abuts U.S. Rte. 5.

13. Bellows Falls Village Corporation has laid out a water main within the highway right-of-way of Bezanson Road. The Village has no objections to the discontinuance as long as a deeded easement is conveyed to the Village for the water main and its maintenance.
14. If the discontinued highway is not designated as a trail, the right-of-way shall belong to the owners of the adjoining lands. If it is located between the lands of two different owners, it shall be returned to the lots to which it originally belonged, if they can be determined; if not, it shall be equally divided between the owners of the lands on each side. 19V.S.A. 775. We find that it cannot be determined from which of the lots the highway was laid over. The centerline is determined based upon the centerline of the traveled way, Ludlow v. Watson, 153. VT. 437. Based upon the layout and monuments, the bounds of the highway as originally laid-out cannot be determined.

Based on the preceding findings, and pursuant to 19 V.S.A. sections 708-711 and 771, the Rockingham Selectboard makes the following conclusions:

A. That the public good, necessity and convenience of the inhabitants do not require the class 3 or class 4 sections of T.H. #48, Bezanson Road to continue as public rights-of-way.

B. That T.H. #48, including both the class 3 and class 4 portions, is discontinued from the intersection with Industrial Drive as shown on a plan entitled, "PLAN SHOWING DISCONTINUANCE OF BEZANSON ROAD FORMERLY A PORTION OF U.S. ROUTE 5 VICINITY OF DARBY HILL ROAD ~ TOWN OF ROCKINGHAM ~ COUNTY OF WINDHAM ~ STATE OF VERMONT ~" Dated June 04, 2014, Drawing No. 3031-1, Prepared by DiBernardo Associates, LLC, Licensed Land Surveyors, Bellows Falls, VT to be recorded in the Rockingham Land Records southerly to the intersection with the U.S. Rte. 5 right-of-way,

**DECISION AND ORDER OF THE SELECTBOARD
OF THE
TOWN OF ROCKINGHAM, VERMONT
FOR THE DISCONTINUANCE OF TOWN HIGHWAY #48,
BEZANSON ROAD
IN THE TOWN OF ROCKINGHAM**

Beginning at 5:00 p.m. on May 6, 2014, the Rockingham Selectboard held a site inspection, and at 6:00 p.m. on May 6, 2014, held a public hearing for the purpose of taking testimony of interested persons and adjoining landowners as to whether the public good, necessity and convenience of the inhabitants of the municipality required that Town Highway #48, known as Bezanson Road, in Rockingham, running southerly from its intersection with Industrial Drive be discontinued or reclassified.

The hearing was continued to July 1, 2014.

Due notice was given on March 19, 2014, by certified mail to all owners and interested persons 30 days before the date of the hearing including: Green Mountain Railroad Corporation; Sonnax Holdings, LLC; Sonnax Industries, Inc.; TransCanada Hydro Northeast, Inc.; Merchants Bank; Green Mountain Power Corporation; Commissioner, Vermont Department of Forests, Parks, and Recreation; Bellows Falls Village Corporation; and the Rockingham Planning Commission. Notice of the site visit and hearing was published in the Eagle Times on March 20, 2014. Notice was provided to the Town Clerk of Rockingham and the public notice was posted in Rockingham on March 19, 2014.

During the site inspection, members of the Selectboard walked portions of the highway. The following persons were present at the site inspection: Rockingham Selectboard members Thomas MacPhee, Chair; Ann DiBernardo; and Peter Golec. Also present were Municipal Manager Willis D. Stearns and Rockingham Planning-Zoning Administrator Ellen Howard.

The following persons were present for the hearing on May 6, 2014. Rockingham Selectboard members MacPhee, DiBernardo, Golec, and Hearne; Municipal Manager Stearns, and Planning-Zoning Administrator Howard. Present at the subsequent continuance on July 1, 2014 were : Rockingham Selectboard members Thomas MacPhee, Ann DiBernardo, Peter Golec, Sue Hammond and Josh Hearne. Also present were Willis D. Stearns; Ellen Howard; and Brent Brewer and Eric Benson, Esq. for Green Mountain Railroad.

After hearing the witnesses, and making the inspection, the Rockingham Selectboard makes the following findings of fact:

1. Green Mountain Railroad Corporation submitted a request to the Rockingham Selectboard seeking discontinuance of town highway #48, Bezanson Road. The highway runs in a southerly direction from its intersection with Industrial Drive.
2. The Rockingham Selectboard, on its own motion at its meeting of December 3, 2013 proposed to hold a hearing on discontinuing or reclassifying a portion of this town highway including any class 4 sections continuing off the class 3 portion of the highway.

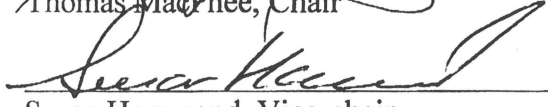
3. The highway was laid out in 1796 in Book 2 , page 432, of the Rockingham Land Records. It was part of the Rockingham Post Road which ran from the Westminster town line to the Springfield town line.
4. Book 1 and 2 of the land records were restored and cleaned in the 1970's or early 1980s. The bottom of page 432 is missing from the original record as it was "restored" in Book 2. A copy of page 432 prior to the restoration work was located in the town files. This copy includes the bottom of the page. The bottom of the copy includes information on the width of the 1796 layout. It indicates that the road was laid out 4 rods wide except in the area of the Web meadows where it was laid out 3 rods wide. The Bezanson Road section of the 1796 layout is in the Web meadows area.
5. The road is a class 3 road from the intersection with Industrial Drive for a distance running 0.12 mile per the State Highway Map. The road then changes to a class 4 road running south-southwest until it intersects with the right-of-way of the current U.S. Rte. 5. A portion of the class 4 section may, at time, be under the waters of the setback from the Connecticut River. An old concrete bridge remains within the class 4 section. It is covered with silt.
6. The class 3 and class 4 sections of the old Post Road/U.S. Rte. 5 were relinquished to the Town of Rockingham by the State of Vermont on October 24, 1941, Book 65, page 176, and more particularly shown on plans recorded in the Rockingham Land Records, cabinet 2, glide 89B, and cabinet 3, glides 64 and 68 when U.S. Rte. 5 was re-laid and constructed in an area west of the original Post Road lay-out.
7. A driveway runs downhill from U.S. Rte. 5 to Bezanson Road at the point where the town highway changes from class 3 to class 4. The private driveway status was established by the Windham Superior Court. A large culvert is under this private driveway. This culvert was constructed by the Town of Rockingham in 2008. This culvert would not serve a town highway upon discontinuance of Bezanson Road as proposed and the Town would no longer be responsible for its maintenance or replacement.
8. The class 4 portion of the road is not shown on the Vermont Agency of Transportation Highway Map for the Town of Rockingham. This class 4 section has not been passable by vehicular traffic for many, many years.
9. The Vermont Department of Forests, Parks and Recreation reviewed the proposed re-classification-discontinuance. In a letter dated April 4, 2014, the Department found the discontinuance would not affect any existing trail corridors and the Department has no objection to the proposed discontinuance.
10. TransCanada owns land on the east side of the class 4 portion of the highway. Its only access to its land is via Bezanson Road, the class 3 and class 4 sections. No testimony was submitted by TransCanada.

D. The discontinuance shall become effective upon the signing and acceptance of an easement for the water line from Green Mountain Railroad to the Bellows Falls Village Corporation within the old layout of Bezanson Road and the recording of the Decision and Order in the Rockingham Land Records.

Per Order of the Rockingham Selectboard, dated this 1st day of July, 2014 at Rockingham, Vermont.



Thomas MacPhee, Chair



Susan Hammond, Vice-chair



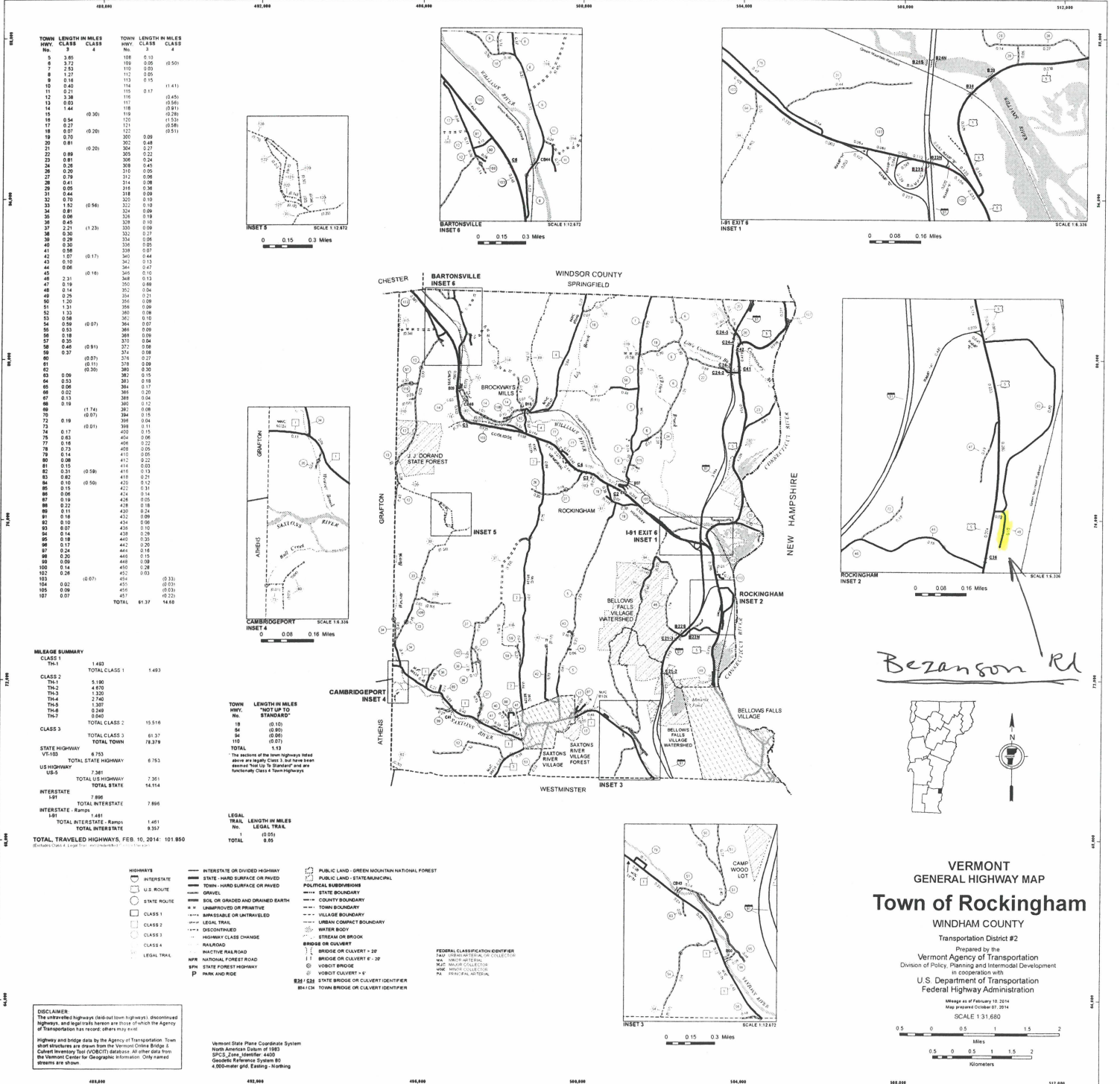
Ann DiBernardo



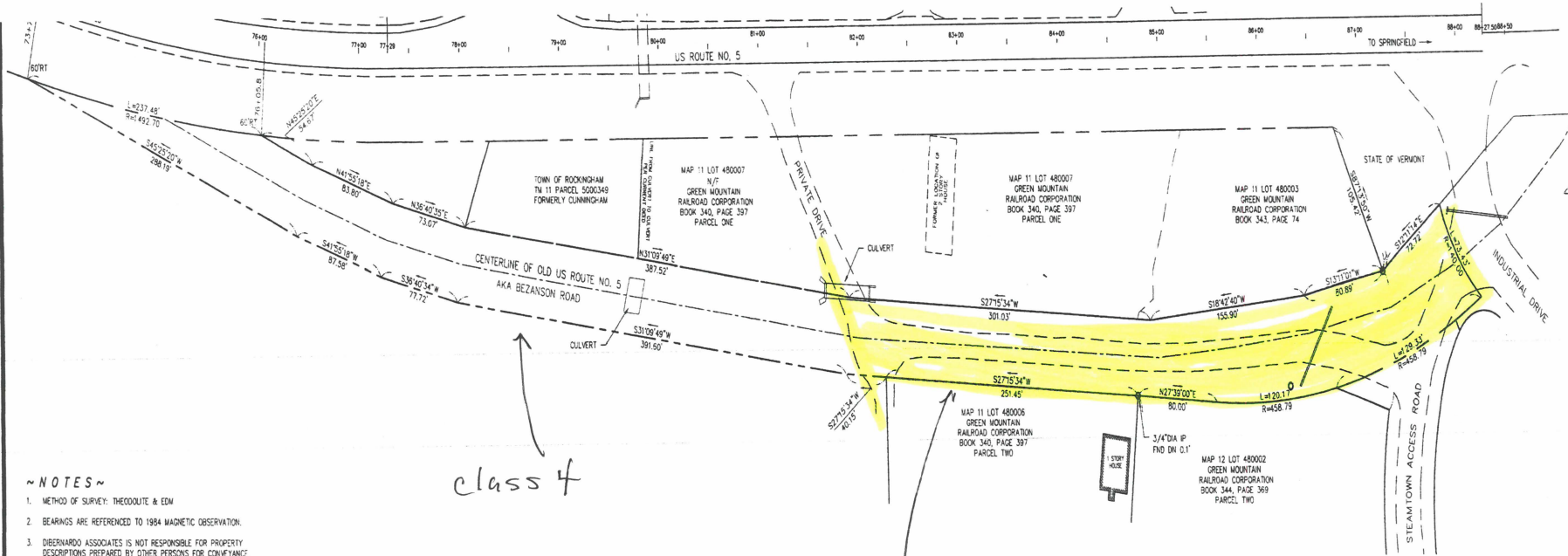
Peter Goloc



Josh Hearne



TOWN	HWY. CLASS	CLASS	LENGTH IN MILES	TOWN	HWY. CLASS	CLASS	LENGTH IN MILES
3	3	3	3.80	108	0	0	0.10
4	3	3	3.72	109	0	0	0.00
5	3	3	2.53	110	0	0	0.00
6	3	3	1.27	111	0	0	0.00
7	3	3	1.13	112	0	0	0.00
8	3	3	1.17	113	0	0	0.00
9	3	3	0.40	114	0	0	0.00
10	3	3	0.21	115	0	0	0.17 (1.43)
11	3	3	0.38	116	0	0	0.45 (0.45)
12	3	3	0.27	117	0	0	0.00
13	3	3	1.44	118	0	0	0.91 (0.91)
14	3	3	0.54	119	0	0	0.20 (0.20)
15	3	3	0.27	120	0	0	1.53 (1.53)
16	3	3	0.07 (0.20)	121	0	0	0.00
17	3	3	0.81	122	0	0	0.51 (0.51)
18	3	3	0.07 (0.20)	200	0	0	0.00
19	3	3	0.81	202	0	0	0.48 (0.48)
20	3	3	0.89	205	0	0	0.22 (0.22)
21	3	3	0.81	206	0	0	0.24 (0.24)
22	3	3	0.28	209	0	0	0.45 (0.45)
23	3	3	0.20	210	0	0	0.00
24	3	3	0.41	214	0	0	0.00
25	3	3	0.41	218	0	0	0.00
26	3	3	0.44	219	0	0	0.00
27	3	3	1.82 (0.96)	221	0	0	0.19 (0.19)
28	3	3	0.08	224	0	0	0.00
29	3	3	0.08	228	0	0	0.00
30	3	3	2.21 (1.23)	330	0	0	0.00
31	3	3	0.30	334	0	0	0.00
32	3	3	0.29	340	0	0	0.44 (0.44)
33	3	3	0.58	349	0	0	0.10 (0.10)
34	3	3	0.07 (0.17)	349	0	0	0.13 (0.13)
35	3	3	0.10	349	0	0	0.47 (0.47)
36	3	3	0.66	349	0	0	0.10 (0.10)
37	3	3	2.31 (0.16)	349	0	0	0.13 (0.13)
38	3	3	0.19	350	0	0	0.00
39	3	3	0.14	350	0	0	0.14 (0.14)
40	3	3	1.20	354	0	0	0.28 (0.28)
41	3	3	1.33	354	0	0	0.28 (0.28)
42	3	3	1.33	354	0	0	0.28 (0.28)
43	3	3	0.59 (0.07)	364	0	0	0.07 (0.07)
44	3	3	0.53	364	0	0	0.07 (0.07)
45	3	3	0.18	369	0	0	0.00
46	3	3	0.20	371	0	0	0.00
47	3	3	0.48 (0.81)	372	0	0	0.08 (0.08)
48	3	3	0.37	374	0	0	0.27 (0.27)
49	3	3	0.07 (0.30)	374	0	0	0.27 (0.27)
50	3	3	0.09	380	0	0	0.30 (0.30)
51	3	3	0.53	383	0	0	0.19 (0.19)
52	3	3	0.08	384	0	0	0.17 (0.17)
53	3	3	0.02	385	0	0	0.20 (0.20)
54	3	3	0.13	385	0	0	0.04 (0.04)
55	3	3	0.19	385	0	0	0.12 (0.12)
56	3	3	0.19	385	0	0	0.08 (0.08)
57	3	3	0.19	385	0	0	0.04 (0.04)
58	3	3	0.17 (0.01)	400	0	0	0.15 (0.15)
59	3	3	0.83	400	0	0	0.09 (0.09)
60	3	3	0.18	406	0	0	0.22 (0.22)
61	3	3	0.73	407	0	0	0.00 (0.00)
62	3	3	0.14	410	0	0	0.05 (0.05)
63	3	3	0.28	410	0	0	0.22 (0.22)
64	3	3	0.15	414	0	0	0.03 (0.03)
65	3	3	0.31 (0.58)	414	0	0	0.13 (0.13)
66	3	3	0.82	418	0	0	0.21 (0.21)
67	3	3	0.10	420	0	0	0.12 (0.12)
68	3	3	0.06 (0.50)	424	0	0	0.18 (0.18)
69	3	3	0.15	427	0	0	0.31 (0.31)
70	3	3	0.22	428	0	0	0.18 (0.18)
71	3	3	0.19	428	0	0	0.05 (0.05)
72	3	3	0.11	428	0	0	0.24 (0.24)
73	3	3	0.19	428	0	0	0.00 (0.00)
74	3	3	0.19	428	0	0	0.10 (0.10)
75	3	3	0.19	428	0	0	0.10 (0.10)
76	3	3	0.19	428	0	0	0.35 (0.35)
77	3	3	0.19	442	0	0	0.18 (0.18)
78	3	3	0.24	444	0	0	0.16 (0.16)
79	3	3	0.20	445	0	0	0.00 (0.00)
80	3	3	0.09	448	0	0	0.09 (0.09)
81	3	3	0.14	450	0	0	0.28 (0.28)
82	3	3	0.28	452	0	0	0.03 (0.03)
83	3	3	0.02 (0.07)	453	0	0	0.23 (0.23)
84	3	3	0.02	453	0	0	0.23 (0.23)
85	3	3	0.09	453	0	0	0.23 (0.23)
86	3	3	0.07	457	0	0	0.23 (0.23)
87	3	3	0.07	457	0	0	0.23 (0.23)
88	3	3	0.07	457	0	0	0.23 (0.23)
89	3	3	0.07	457	0	0	0.23 (0.23)
90	3	3	0.07	457	0	0	0.23 (0.23)
91	3	3	0.07	457	0	0	0.23 (0.23)
92	3	3	0.07	457	0	0	0.23 (0.23)
93	3	3	0.07	457	0	0	0.23 (0.23)
94	3	3	0.07	457	0	0	0.23 (0.23)
95	3	3	0.07	457	0	0	0.23 (0.23)
96	3	3	0.07	457	0	0	0.23 (0.23)
97	3	3	0.07	457	0	0	0.23 (0.23)
98	3	3	0.07	457	0	0	0.23 (0.23)
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181	3	3	0.07	457	0	0	0.23 (0.23)
182	3	3	0.07				



~ NOTES ~

1. METHOD OF SURVEY: THEODOLITE & EDM
2. BEARINGS ARE REFERENCED TO 1984 MAGNETIC OBSERVATION.
3. DIBERNARDO ASSOCIATES IS NOT RESPONSIBLE FOR PROPERTY DESCRIPTIONS PREPARED BY OTHER PERSONS FOR CONVEYANCE OF THE PROPERTY SHOWN HEREON.
4. THIS SURVEY PREPARED FROM INFORMATION TAKEN FROM THE SURVEYS NOTED IN REFERENCE PLANS HERE ON.

~ REFERENCE PLANS ~

- A. REFERENCE TO STATE OF VERMONT HIGHWAY SERIES FAP 135 J1
- B. REFERENCE TO SURVEY ENTITLED, "REVISED RIGHT OF WAY PLAN INDUSTRIAL DRIVE, PARCEL A TO BE CONVEYED TO THE TOWN OF ROCKINGHAM FOR HIGHWAY PURPOSES, BELLINGS FALLS, VERMONT" DATED DEC 5, 1991 DRAWING NO 2805 PREPARED BY SOUTHERN VERMONT ENGINEERING, BRATTLEBORO, VT STAMPED BY PETER ROY BOEMIG VT LS 483, ON FILE WITH THE ROCKINGHAM TOWN CLERK'S OFFICE IN CABINET 2 PLAN 89A
- C. SURVEY PREPARED BY STATE OF VERMONT FOR US ROUTE NO. 5 ENTITLED, "ROCKINGHAM Proj 135 J(1) SHEETS 11 & 12."
- D. PLAN ENTITLED, "GREEN MOUNTAIN RAILROAD MAP 11 LOT 48-6 & 48-7 6 BEZANSON ROAD ROCKINGHAM, VT", DATED FEBRUARY 19, 2013 PROJECT NUMBER 07004-06 PREPARED BY WAHASSE HARGEN BRUSTLIN, INC. SIX BEDFORD FARMS DRIVE, SUITE 607 BEDFORD, NEW HAMPSHIRE.

~ REFERENCE DEEDS ~

- RECORDED AT ROCKINGHAM LAND RECORDS
1. LAYOUT OF ROCKINGHAM POST ROAD RECORDED IN BOOK 2 AT PAGE 432.

~ CERTIFICATION ~

IN MY OPINION AND TO THE BEST OF MY KNOWLEDGE THIS SURVEY AND PLAN IS CONSISTENT WITH INFORMATION ABSTRACTED FROM THE TOWN OF ROCKINGHAM LAND RECORDS AND PHYSICAL EVIDENCE FOUND IN THE FIELD.
 THIS PLAN IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE EVIDENCE SHOWN AND DOES NOT REPRESENT A WARRANTY OR A GUARANTEE.

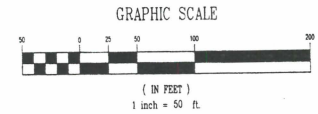
Aurelius DiBernardo
 AURELIUS DIBERNARDO VT L.L.S. NO. 16

~ LEGEND ~

- PROPERTY LINE
- - - - - RIGHT OF WAY LINE
- - - - - OLD PROPERTY LINE
- IRON PIN FOUND

class 4

class 3



PLAN SHOWING DISCONTINUANCE OF
BEZANSON ROAD
 FORMERLY A PORTION OF
U.S. ROUTE 5
 VICINITY OF DARBY HILL ROAD
 ~ TOWN OF ROCKINGHAM ~ COUNTY OF WINDHAM ~ STATE OF VERMONT ~

DIBERNARDO ASSOCIATES, LLC
 VT NH
 LICENSED LAND SURVEYORS

802-463-3021 440 ROCKINGHAM ROAD 803-358-5009
 P.O. BOX 52
 BELLINGS FALLS, VT 05601

DATE: JUNE 4, 2014 SCALE: AS SHOWN
 DRAWN BY: JD CK'D BY: JD
 SURVEYED BY: VARIOUS SURVEYS

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 DIBERNARDO ASSOCIATES, LLC
 DWG. NO. 3011-1

STATE OF VERMONT
AURELIUS DIBERNARDO
 No. 16
 LICENSED LAND SURVEYOR

**PUBLIC NOTICE OF HEARING
BEFORE THE SELECTBOARD
of the
TOWN OF ROCKINGHAM, VERMONT,
ON DISCONTINUANCE OR RECLASSIFICATION OF A TOWN HIGHWAY**

Pursuant to a decision of the Rockingham Selectboard, and in accord with 19 V.S.A. sections 708-711 and 771, 775, the Selectboard of the Town of Rockingham will meet at the intersection of Industrial Drive and the north end of Bezanson Road, Rockingham, on May 6, 2014 at 5 p.m. to conduct a site inspection of Bezanson Road, the highway which is the subject of the discontinuance or reclassification. At the conclusion of the road site inspection, the Selectboard will continue the meeting at the Town Hall, Lower Theater, 7 Square, Bellows Falls, Vermont, for the purpose of hearing persons interested in the proposed discontinuance or reclassification of the class 3 and class 4 Town Highway running from the intersection of Industrial Drive at the north end of Bezanson Road southerly along the class 3 portion of Bezanson Road and then along the class 4 section to its intersection with U.S. Rte. 5, being a portion of the highway originally laid out in 1796 in Book 2, page 432 of the Rockingham Land Records, and relinquished by the State of Vermont to the Town of Rockingham October 24, 1941, and more particularly shown on plans recorded in the Rockingham Land Records, cabinet 3, glides 64, 68, cabinet 2, glide 89B, and Book 65, page 176..

This is a public hearing and the meetings, including the site visit, are open to the public.

[Published: Eagle Times March 20, 2014]

[Posted: Town Hall March 19, 2014]

**TOWN OF ROCKINGHAM
VERMONT
P.O. BOX 370
BELLOWS FALLS VT 05101**

TEL. 802-463-1229



**NOTICE OF HEARING
BEFORE THE SELECTBOARD
of the
TOWN OF ROCKINGHAM, VERMONT,
ON DISCONTINUANCE OR RECLASSIFICATION OF A TOWN HIGHWAY**

The Selectboard of the Town of Rockingham hereby give notice to the persons named below as owners or person interested in lands and rights that may be affected by decisions of said Selectboard to discontinue or reclassify a town highway.

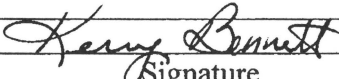
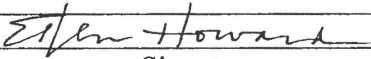
Pursuant to decision of the Rockingham Selectboard, and in accord with 19 V.S.A. sections 708-711 and 771, 775, the Selectboard of the Town of Rockingham will meet at the intersection of Industrial Drive and the north end of Bezanson Road, Rockingham, on May 6, 2014 at 5 p.m. (at least 30 days from the date of this notice) to conduct a site inspection of Bezanson Road, the highway which is the subject of the discontinuance or reclassification. At the conclusion of the road site inspection, the Selectboard will continue the meeting at the Town Hall, Lower Theater, Bellows Falls, Vermont, for the purpose of hearing persons interested in the proposed discontinuance or reclassification of the class 3 and class 4 Town Highway running from the intersection of Industrial Drive at the north end of Bezanson Road southerly along the class 3 portion of Bezanson Road and then along the class 4 section to its intersection with U.S. Rte. 5, being a portion of the highway originally laid out in 1796 in Book 2, page 432 of the Rockingham Land Records, , and relinquished by the State of Vermont to the Town of Rockingham October 24, 1941, and more particularly shown on plans recorded in the Rockingham Land Records, cabinet 3, glides 64, 68, cabinet 2, glide 89B, and Book 65, page 176.

This is a public hearing and the meetings, including the site visit, are open to the public.

As required by law, notice of this site inspection and hearing is being provided by certified mail to each persons owning or interested in lands through which the highway passes, listed below, as well as the municipal planning commission and State of Vermont Department of Forest, Parks and Recreation. A copy is posted in the office of the Town Clerk of Rockingham, and will be published in the Eagle-Times, a local newspaper of general circulation in the area not less than ten (10) days before the time set for the hearing.


The notice relating to the proposed discontinuance is available for public inspection and copying in the office of the Town Clerk of the Town of Rockingham during business hours.

The following persons are hereby notified of the public hearing:

Green Mountain Railroad Corp. 1 Railway Lane Burlington VT 05401-4290	Sonnax Holdings LLC PO Box 440 Bellows Falls VT 05101
Sonnax Industries, Inc. PO Box 440 Bellows Falls VT 05101	TransCanada Hydro Northeast Inc. Attn: Mark Cleverdon 110 Turnpike Rd., Suite 300 Westborough MA 01581
Merchants Bank PO Box 109 Burlington VT 05402	Green Mountain Power Corporation 163 Acorn Lane Colchester VT 05446
Commissioner Vermont Department of Forests, Parks, and Recreation 1 National Life Drive, Davis 2 Montpelier VT 05620-3801	
Bellows Falls Village Corporation (hand delivered) P.O. Box 370 Bellows Falls VT 05101	 Signature
Rockingham Planning Commission (hand delivered) PO Box 370 Bellows Falls VT 05101	 Signature

For information please contact Ellen Howard, Planning-Zoning Administrator, Town of Rockingham, PO Box 370, Bellows Falls, VT (802-463-1229, ext. 114).

Date: 3/19/2014

Signature: 
Thomas MacPhee, Chair, Rockingham Selectboard

**RECEIPT
OF
NOTICE OF HEARING
BEFORE THE SELECTBOARD
of the
TOWN OF ROCKINGHAM, VERMONT,
ON DISCONTINUANCE OR RECLASSIFICATION OF A TOWN HIGHWAY
RE: BEZANSON ROAD**

Kerry Bennett, Bellows Falls Village Clerk, on behalf of the Bellows Falls Village Corporation, acknowledges receipt of a Notice of Road Discontinuance or Reclassification regarding Bezanson Road with hearing to be held April 15, 2014 and hereby waives receipt by certified mail.


Kerry Bennett, Village Clerk

3-19-2014
Date

**RECEIPT
OF
NOTICE OF HEARING
BEFORE THE SELECTBOARD
of the
TOWN OF ROCKINGHAM, VERMONT,
ON DISCONTINUANCE OR RECLASSIFICATION OF A TOWN HIGHWAY
RE: BEZANSON ROAD**

Ellen Howard, Rockingham Planning Commission Clerk, on behalf of the Rockingham Planning Commission, acknowledges receipt of a Notice of Road Discontinuance or Reclassification regarding Bezanson Road with hearing to be held April 15, 2014 and hereby waives receipt by certified mail.



3/19/2014

Ellen Howard, Rockingham Planning Commission Clerk

Date

ROCKINGHAM SELECTBOARD REGULAR MEETING
Tuesday, May 6, 2014

Present: Thomas MacPhee, Peter Golec, Ann DiBernardo, Joshua Hearne
Absent: Susan Hammond

Also Present: Willis Stearns, II, Municipal Manager; Kerry Bennett, Recording Clerk; Ellen Howard, Zoning Administrator; Tim Knight; Sandy Martin; Deb Wright

Press: Joey Powers, FACT8; Chris Garofolo, Eagle Times; Domenic Poli, Brattleboro Reformer; Susan Smallhear, Rutland Herald

Call to Order: Meeting was called to order at 6:00 p.m. by Chairman Thomas MacPhee.

Approve Minutes of April 15, 2014: *Ann DiBernardo made the motion to approve the minutes of April 15, 2014 as printed. Motion was seconded by Peter Golec. Motion passed unanimously.*

MacPhee then recognized Stearns who read a brief statement of apology for the offensive statement he made at the Joint Board Meeting last week and asked for the community's forgiveness. Stearns stated that he will continue to work for both the Town and the Village as needed so that both communities remain vibrant and safe. MacPhee stated that Stearns had the full support of the Selectboard and understood that many on the Bellows Falls Trustees also supported him. MacPhee stated that as far as the Selectboard was concerned this was over and we would now move forward.

Public Comment on Items Not on the Agenda: None

Manager's Report:

- The Classic Movie tomorrow evening is James Bond "Dr. No".
- Highway will continue to pick up leaves and yard debris through the end of the month. These must be left at curbside in clear bags.
- Street sweeping is scheduled to resume tomorrow night and streets will be posted. Please move your vehicle so the sweeper is able to proceed curb to curb.
- The South Street sidewalk project is moving along. 115' of sidewalk has been poured with approximately 120' remaining.
- The Highway Department has been assisting the Library staff in preparation for the Grand Opening the end of this week.
- Green-Up Day was a success and a tremendous amount of tires and household furniture was deposited in the trucks provided by the Highway Department. These will be taken to the Recycling Center.
- Tree pruning in the Square will take place next Tuesday & Wednesday with assistance from the Highway Department.
- The Rockingham Meeting House will open for the season on May 24.
- 409 Saxtons River Road, one of the FEMA Buyout properties, will close on May 16 and the RFP for cleanup will be sent immediately thereafter. The 3rd parcel is still in a legal battle.

Rockingham Selectboard Meeting
May 6, 2014 – Page 2

- On May 12 from 8:00 am to 3:00 pm, there will be a Southeastern Regional Highway Safety Forum here at the Town Hall being put on by Windham Regional Commission.
- There will be a volunteer training session on May 14 at the Waypoint Center by the Vermont Department of Tourism & Marketing.
- On Saturday, May 17 there will be a “Community Health Day” being put on by students of the Bellows Falls Middle School at the Waypoint Center from 11:00 am to 4:00 pm.

Agenda:

1. **Road Hearing – Bezanson Road:** The Rockingham Selectboard held a site inspection at Bezanson Rd. at 5:00 p.m. on May 6, 2014 regarding the reclassification or discontinuance of the town highway. Present were Selectboard members MacPhee, DiBernardo and Golec. Also present were Municipal Manager Stearns and Planning-Zoning Administrator Howard. The class 3 and class 4 sections of road were pointed, out, the private driveway and box culvert and ditch line along the road.

The site visit was followed by the public hearing at 6 p.m. Notice was given on March 19, 2014, by certified mail to all owners and interested persons including: Green Mountain Railroad Corporation, Sonnax Holdings, LLC, Sonnax Industries, Inc., TransCanada Hydro Northeast, Inc, Merchants Bank, Green Mountain Power Corporation, and Commissioner, Vermont Department of Forests, Parks, and Recreation, Bellows Falls Village Corporation and the Rockingham Planning Commission. Notice of the site visit and hearing was published in the Eagle Times on March 20, 2014. Notice was provided to the Town Clerk of Rockingham and the public notice was posted in Rockingham on March 19, 2014.

Green Mountain Railroad Corporation submitted a request to the Rockingham Selectboard seeking discontinuance of town highway #48, Bezanson Road. The Rockingham Selectboard, on its own motion at its meeting of December 3, 2013 proposed to hold a hearing on discontinuing or reclassifying a portion of this town highway including any class 4 sections continuing off the class 3 portion of the highway.

The highway was laid out in 1796. It was part of the Rockingham Post Road which ran from the Westminster town line to the Springfield town line. Book 1 and 2 of the land records were restored and cleaned in the 1970's or early 1980s. The bottom of page 432 is missing from the original record as it was “restored” in Book 2. A copy of page 432 prior to the restoration work was located in the town files. This copy includes the bottom of the page. The bottom of the copy includes information on the width of the 1796 layout. It indicates that the road was laid out 4 rods wide except in the area of the Web meadows where it was laid out 3 rods wide. The Bezanson Road section of the 1796 layout is in the Web meadows area.

The road is a class 3 road from the intersection with Industrial Drive for a distance running 0.12 mile. The road then changes to a class 4 road running south-southwest until it intersects with the right-of-way of the current U.S. Rte. 5. A portion of the class 4 section is under water of the setback from the Connecticut River. An old concrete bridge remains within the

Rockingham Selectboard Meeting
May 6, 2014 – Page 3

class 4 section. This area was flooded when the hydro-electric dam was constructed across the Connecticut River at Bellows Falls, Vt.-North Walpole, N.H.

The class 3 and class 4 sections of the old Post Road/U.S. Rte. 5 were relinquished to the Town of Rockingham by the State of Vermont October 24, 1941, Book 65, page 176, as shown on plans recorded in the Rockingham Land Records when U.S. Rte. 5 was re-laid and constructed in an area west of the original road lay-out.

A driveway runs downhill from U.S. Rte. 5 to Bezanson Road at the point where the town highway changes from class 3 to class 4. The private driveway status was established by the Windham Superior Court. A large culvert is under this private driveway. This culvert was constructed by the Town of Rockingham in 2008. This culvert would not serve a town highway upon discontinuance of Bezanson Road as proposed and the Town would no longer be responsible for its maintenance. The class 4 portion of the road is not shown on the Vermont Agency of Transportation Highway Map for the Town of Rockingham. This class 4 section has not been passable by vehicular traffic for many years.

The Vermont Department of Forests, Parks and Recreation reviewed the proposed re-classification-discontinuance. In a letter dated April 4, 2014, the Department found the discontinuance would not affect any existing trail corridors and the Department has no objection to the proposed discontinuance.

TransCanada owns land on the east side of the class 4 portion of the highway. Its only access to its land is via Bezanson Road, the class 3 and class 4 sections. Green Mountain Railroad owns the land on both sides of the class 3 portion of the town highway. It has no objection to the discontinuance of both the class 3 and class 4 portions. The Town of Rockingham owns land on the west side of the class 4 portion between the class 4 portion and U.S. Rte. 5. Access to this land is available via U.S. Rte. 5. The Town of Rockingham also owns some of the land under the waters of the setback from the Connecticut River. This land abuts U.S. Rte. 5. Bellows Falls Village Corporation has a water main within the highway right-of-way of Bezanson Road. The Village needs an easement for the water main.

Howard noted that she has a request from Green Mountain Railroad to share in the expense of this discontinuance. Howard emphasized that a survey would need to be done, easements would need to be done, and Village counsel should review these. Howard also noted that there has been a significant expense to the Town thus far with extensive research, notices, mailings, and counsel review. It was the consensus of the Board that they were not willing to pay anything further.

Howard then advised the Board to continue this hearing to a future meeting to avoid additional costs. *Peter Golec made the motion that the hearing for the Bezanson Road be continued to July 1, 2014 at 6:00 p.m. at the scheduled Selectboard meeting. Motion was seconded by Joshua Hearne. Motion passed unanimously.*

Rockingham Selectboard Meeting
May 6, 2014 – Page 4

2. Bellows Falls Police Department K9 Program Funding: Stearns noted that the Selectboard had expressed an interest in assisting the Bellows Falls Police Department with the drug issues in the community and the K9 program is \$2,900 short of the \$7,500 needed. Stearns noted that there is a \$8,000 budget line for the Windham County Sheriff's Department and only \$1,500 has been spent out of that line item. Stearns recommended that the Board appropriate \$3,000 out of this line item for the Bellows Falls Police K9 program. *Peter Golec made the motion that the Rockingham Selectboard appropriate \$3,000 for the Bellows Falls Police Department's K9 program and this be taken from the Windham County Sheriff's line item appropriation in the budget. Motion was seconded by Ann DiBernardo.* Hearne noted that the Vermont Legislature may be close to legalizing marijuana and asked if this will be a training problem with the dog. Stearns noted that probable cause must be drawn by the officer, not the dog, and expects that should this occur that the marijuana scent would be eliminated from the training. *MacPhee called for a vote on the motion. Motion passed unanimously.* Hearne then indicated that he would contribute \$100 toward the purchase of a vest for the dog.
3. Highway Department:
 - a) Access Permit – Gaskill Road: Stearns noted that this will be a temporary access and the conditions are outlined by the Highway Superintendent on the permit. *Peter Golec made the motion that the Board approves the Access Permit for Ian & Polly Montgomery for 26 Gaskill Road with the directions, restrictions and conditions as outlined by the Highway Superintendent. Motion was seconded by Joshua Hearne. Motion passed unanimously.*
 - b) Paving Grant – Rockingham Street: Stearns distributed copies of the FY2015 Highway Grant Application for the work on Rockingham Street from just north of the Arch Bridge 3 way stop to Windham Antiques in the Square. Stearns stated that the board should give authorization to submit the application. *Peter Golec made the motion that the Board authorizes the Municipal Manager to submit the Grant Application for the work on Rockingham Street as presented. Motion was seconded by Joshua Hearne. Motion passed unanimously.*
 - c) Structures Grant – Cherry Hill: Stearns distributed the FY2015 Highway Grant Application for work on Cherry Hill to the Board. Stearns stated that he had met earlier today with Everett Hammond, Hammond Engineering & Todd Hindinger, Heritage Engineering on this issue. This also requires the Board's authorization to submit the application. The Board discussed other alternatives such as discontinuing the sidewalk or moving it to the other side of the road. Stearns will discuss these alternatives with Hammond. *Peter Golec made the motion that the Board authorizes the Municipal Manager to submit the Grant Application for the work on Cherry Hill Street as presented. Motion was seconded by Joshua Hearne. Motion passed unanimously.*

Rockingham Selectboard Meeting
May 6, 2014 – Page 5

4. Finance Office

- a) YTD Budget Status Report: Stearns noted that the tax sale expense line was way over budget but it is expected that some of this will be recouped through the process. Stearns noted that the next tax sale is scheduled for May 15 and the Board should authorize the Selectboard Chair to bid on properties as recommended by the Town Agent. *Peter Golec made the motion that the Board authorizes the Selectboard Chair to bid on properties at the May 15 tax sale as recommended by the Town Agent. Motion was seconded by Joshua Hearne. Motion passed unanimously.*

Stearns noted that taxes are due May 10. An 8% penalty will be applied on May 11.

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

Review & Update Task List:

- Park & Ride – no word on re-obligation of funds yet – project must be completed by fall 2014
- TransCanada Negotiations – Attorney Saudek will call with developments – Hearing scheduled for 5/28 with Barnett & Bennington
- Vilas Bridge – No further action
- Web Site – operational by July 1
- Bartonsville Bridge – inventory done by VLCT – Tim Andrews from Barns & Bridges has submitted a list – a Memorandum of Understanding is being drafted
- Bartonsville Bridge Kiosk – will resume plans when Hammond returns
- FEMA Buyouts – discussed under Manager's report
- Waypoint Center – discussed under Manager's report

Review Agenda Items for Next Meetings: May 20, 2014

- Roots on the River Request
- Tire Issue on Corey Hill Road

Review Agenda Items for Joint Board Meeting: July 29, 2014: Nothing at this time.

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

Other Business:

- MacPhee asked for an update on the tire issue on the property on Corey Hill Road. Stearns stated that Ellen Howard had met with Dennis Fecker from the State of Vermont and it was noted that the work performed under the State executed permit was not acceptable. The State is now looking into enforcement of or extension of the permit. Howard noted to Fecker that this now may be a health issue with the standing water in the tires. MacPhee asked that

Rockingham Selectboard Meeting
May 6, 2014 – Page 6

Stearns and Howard stay on top of this and make phone calls every week until this is resolved and if no action is taken that we go to the Governor.

- MacPhee asked the Board for a motion to go to 1 meeting per month (the first Tuesday) for June, July & August. *Peter Golec made the motion that the Selectboard go to a revised schedule for the months of June, July & August 2014 with the meeting being held the 1st Tuesday of each month for those months. Motion was seconded by Joshua Hearne. Motion passed with MacPhee, Golec and Hearne voting in favor of the motion. DiBernardo opposed.*
- Hearne stated that he would like to make an open statement of his full support of the Municipal Manager.

Executive Session – Union Negotiations: *Peter Golec made the motion that the Board enter into executive session at 7:10 p.m. to discuss labor relations agreements with employees where premature general public knowledge would clearly place the municipality at a substantial disadvantage, and that the Municipal Manager and the Human Resource Coordinator be invited to attend. Motion was seconded by Joshua Hearne. Motion passed unanimously.*

The Board came out of executive session at 7:35 p.m. No announcements were made.

Adjourn: *Peter Golec made the motion to adjourn the meeting at 7:35 p.m. Motion was seconded by Joshua Hearne. Motion passed unanimously.*

Attest: _____

Kerry Bennett
Kerry Bennett, Recording Clerk

TOWN CLERK'S OFFICE

Rockingham, VT 05101

Received May 12, 2014

at 8:00 a.m.

Recorded in Books Select Page 5 475-480

Attest: Soren Adirach, Town Clerk

ROCKINGHAM SELECTBOARD REGULAR MEETING
Tuesday, July 1, 2014

Present: Thomas MacPhee, Susan Hammond, Peter Golec, Ann DiBernardo, Joshua Hearne

Also Present: Willis D. Stearns, II, Municipal Manager; Kerry Bennett, Recording Clerk; Ellen Howard, Zoning Administrator/Health Officer; Michael Harty, Lister; David Gould, Library Board Chair; Karin Fischer; Patricia & Alan Fowler; Tim Knight; Sandy Martin; Charles Hunter; Brent Brewer, Green Mt. Railroad; Attorney Eric Benson

Press: Joey Powers, FACT8; Chris Garofolo, Eagle Times; Domenic Poli, Brattleboro Reformer

Call to Order: Meeting was called to order at 6:03 p.m. by Chairman Thomas MacPhee.

Approve Minutes of June 3, 2014: *Ann DiBernardo made the motion to approve the minutes of June 3, 2014 as printed. Motion was seconded by Joshua Hearne. Motion passed unanimously.*

Public Comment on Items Not on the Agenda: None

Manager's Report: None

Agenda:

1. Appointment/Re-Appointment

- a) Rockingham Free Public Library Trustees: David Gould, Library Board Chair, was present along with Karin Fischer, who the Board is recommending for appointment. *Peter Golec made the motion that the Rockingham Selectboard appoints Karin Fischer to the Rockingham Free Public Library Board of Trustees until the March 2016 annual meeting. Motion was seconded by Joshua Hearne. Motion passed unanimously.* MacPhee thanked Fischer for her willingness to serve and wished her well in her new position.
- b) Rockingham Planning Commission/Zoning Board of Adjustment: Ellen Howard, Zoning Administrator, noted that Patrick Moyna's appointment is up on July 28th and he is interested in being reappointed to a 4 year term. *Joshua Hearne made the motion that the Selectboard re-appoint Patrick Moyna for a 4 year term beginning July 28, 2014. Motion was seconded by Peter Golec. Motion passed unanimously.*

2. Continuation of Road Hearing – Bezanson Road: Ellen Howard, Zoning Administrator, was present along with Brent Brewer from Green Mountain Railroad and Eric Benson, Attorney for the Railroad. Howard reminded the Board that this was a continuance of the road hearing held May 6, 2014. Howard displayed a survey map of the Class III and Class IV portions of the road and pointed out the section to be discontinued. Howard also noted that an easement deed has been prepared for the Bellows Falls Village Corporation to a water main. Howard's recommendation is that the Board move forward and discontinue the road upon acceptance of the easement by the Bellows Falls Village Corporation. Howard also noted that the culvert which serves the private driveway from Route 5 at the south end on the road would no longer

Rockingham Selectboard Meeting
July 1, 2014 – Page 2

be the Town's responsibility. *Peter Golec made the motion that the Selectboard accept the proposed discontinuance of Bezanson Road per decision and order for discontinuance of the Selectboard upon the Bellows Falls Village Corporations acceptance of the easement deed. Motion was seconded by Susan Hammond. Motion passed unanimously.*

Peter Golec made the motion to close the road hearing at 6:15 p.m. Motion was seconded by Ann DiBernardo. Motion passed unanimously.

3. Health Office – Ellen Howard

a) 14 Tuttle Street: Howard stated that she had been contacted today by Service Link Field Services and has sent them the health order and photos. However, the property has not yet been conveyed from Mary Smith to the bank. Two quotes were received for interior clean-up for \$2,500 and \$3,500. Howard recommends that the Board give the Manager permission to move forward. Howard also noted that once the inside is clean traps will need to be set as there is a definite rodent problem. *Peter Golec made the motion to authorize the Municipal Manager to proceed with appropriate action as necessary. Motion was seconded by Ann DiBernardo. Motion passed unanimously.*

b) 42 Green Street: Howard noted that the property has reverted to Fanny Mae and is for sale for \$25,500. This item will be dealt with in executive session at the end of the meeting.

4. Local Emergency Operations Plan (LEOP): Howard distributed updated pages to be included in the document. Howard noted that the Emergency Operations Centers would be the Rec Center, the Town Hall and possibly the Bellows Falls Union High School. Howard stated that it is important that the Board adopt this document and amendments and changes can be made at a later date if necessary. Howard also informed the Board that if we were to have another incident like Tropical Storm Irene we would be in trouble and not able to receive funds without this plan. *Ann DiBernardo made the motion that the Rockingham Selectboard adopt the Local Emergency Operations Plan dated July 2014 as presented. Motion was seconded by Peter Golec. Motion passed unanimously.*

Howard also noted that the Multi-Jurisdictional Hazard Mitigation Plan has been rejected yet again by FEMA. They are requesting more expansion on the plan and she will be working with Windham Regional Commission to get this done.

5. Listers' Office:

a) Errors & Omissions: Lister Michael Harty was present to answer any questions from the Board. *Peter Golec made the motion to accept the Errors, Omissions and Additions – Grand List 2014-2015 dated July 1, 2014 as presented. Motion was seconded by Joshua Hearne. Motion passed unanimously.*

Rockingham Selectboard Meeting
July 1, 2014 – Page 3

6. Wednesday Night Classic Movies Update: Charles Hunter was present to report on the fundraising efforts that the Board authorized him to proceed with at the last meeting. Hunter stated that the goal was to raise \$3,500 to keep the classic film series going and raised that in approximately 2 days. He continued with a stretch goal for another \$1,500 to the \$5,000 mark and has reached that goal also. Hunter stated that he will be deducting the cost of some t-shirts that were given as premiums. Hunter noted that the business community understands what an economic driver the Opera House is and the efficacy of having as much going on there as possible. Popolo's and Flat Iron Exchange donated certificates and Village Square Booksellers, Green Mountain Traffic Control, Windham Antique Center, Flat Iron Exchange, Sojourns and Flying Under Radar were significant donors.

Hunter stated that he is working with Rick Angers, Opera House Manager to make sure that rental documents are the last ones approved by the Theater Committee. Hunter stated that it has been a pleasure working with Rick, Kerry and Chip and it has been a good effort. The Board thanked Charlie for his efforts and dedication to this program. Stearns stated that Hunter really stepped up and raised these funds on very short notice and did an excellent job. Hunter did offer his help to anyone interested in doing a "kickstarter" program in the future.

7. Golden Hill Tire Update: Howard stated that she has been informed by the State that sawdust in the tires is OK. Howard also noted that the property owner stated that she has removed about 250 tires from the property so far and is continuing to bring in material to fill them in. Howard has a meeting with the property owner tomorrow afternoon and asked that the Board refrain from taking any further action until she has this meeting. This will be put on the next agenda for further updates.
8. Finance Office – Chip Stearns
 - a) FY2014 Budget Status Report: Stearns stated that the books have been closed for FY2014 and it appears that the General Fund will have a \$150,000 to \$200,000 surplus. Stearns stated that this in part is due to revenue from highway structures grants that we did not anticipate. Stearns also stated that it does not appear that we will have the FEMA money within the next 60 days on the Bartonsville Bridge as a result of Tropical Storm Irene.
 - b) Set FY2015 Tax Rate: Stearns updated the Board on the tax rate figures following receipt of the educational tax rates earlier today. *Peter Golec made the motion to set the Town of Rockingham tax rate at .8983 and accept the educational tax rates of \$1.5600 for Homestead and \$1.4560 for non-residential as provided by the Vermont Department of Taxes for Fiscal Year 2015. Motion was seconded by Joshua Hearne. Motion passed unanimously.*
 - c) Highway Equipment Financing: Stearns stated that the Board had received a memo in their packets with quotes from 3 banks for financing of two highway vehicles. Stearns stated that this financing would be for \$350,000 with \$15,000 coming out of the budget.

Rockingham Selectboard Meeting
July 1, 2014 – Page 4

Peter Golec made the motion to award the financing for highway equipment in the amount of \$350,000.00 to People's United Bank at 1.95% fixed for 4 years. Motion was seconded by Joshua Hearne. Motion passed unanimously.

9. Selectboard Items

- a) Vermont Open Meeting Law – Designation of official publication locations for agendas & on web site rockbf.org. Information on the new law was included in the Board packets. Stearns and Bennett both stressed the importance of posting all Board and Board Committee or Commissions agendas and minutes as required. These must also be posted on the municipal web site. *Peter Golec made the motion that the Rockingham Selectboard designate the following sites for posting of agendas and notices – Municipal Manager's Office, Rockingham Town Clerk's Office, Rockingham Town Hall Main Lobby, Rockingham Free Public Library and the Bellows Falls Police Department Lobby. Motion was seconded by Susan Hammond. Motion passed unanimously.*

Review Overtime & Comp Time Report: No issues

Review & Update Task List:

- Park & Ride – no new information
- TransCanada Negotiations – proposal provided, waiting on legal
- Vilas Bridge – Brian Searles is communicating directly with NH Reps.
- Main Street Bridge, SR – still on for spring 2015
- Web Site – new site launched yesterday, can remove from list
- Bartonsville Bridge – more info requested from FEMA
- Bartonsville Bridge Kiosk – site measured, issues of placement. Community meeting to be held - \$16,000 not yet sent to VLCT and will hold off.
- FEMA Buyouts – Hodgkins to begin clean-up mid July – deadline is August 8
- Waypoint Center – Manager to approach former tenant

Review Agenda Items for Next Meeting: August 5:

- Golden Hill Tire Update
- 14 Tuttle Street Update
- FY2014 & FY2015 YTD Status Reports

Review Agenda Items for Joint Board Meeting: July 29: No items, meeting may be cancelled.

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

Rockingham Selectboard Meeting
July 1, 2014 – Page 5

Other Business:

- Hammond informed Stearns that Alva was building a transfer station at Exit 7.
- Hammond also noted that the Peck Bridge is now open.
- DiBernardo asked if the bridges were being swept. Stearns stated that these are not swept but a compressor is used and there has been no time to do so.
- Golec asked about the situation on Route 121. Stearns reported that there is a ravine just west of Steve Wood's property where there is an undersized culvert. Apparently there has been a land slide recently. Highway will be doing some temporary fix to this tomorrow.

Executive Session – Real Estate Options: Peter Golec made the motion that the Board enter into executive session at 7:35 p.m. to discuss the negotiating or securing of real estate purchase options where premature general public knowledge would clearly place the municipality at a substantial disadvantage, and that the Municipal Manager, the Health Officer, and Patricia and Alan Fowler be invited to attend. Motion was seconded by Susan Hammond. Motion passed unanimously.

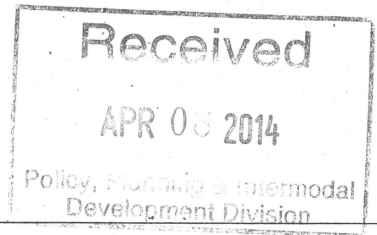
The Board came out of executive session at 8:12 p.m. No announcements were made.

Adjourn: Peter Golec made the motion to adjourn the meeting at 8:12 p.m. Motion was seconded by Joshua Hearne. Motion passed unanimously.

Attest: Kerry Bennett
Kerry Bennett, Recording Clerk

TOWN CLERK'S OFFICE

Rockingham, VT 05101
Received July 7, 2014
at 8:00 AM
Recorded in Book Select Page 5 490-494
Attest: Kathleen Asst. Town Clerk
neathawk



802.272.4156
ANR Lands Division

April 4, 2014

Town of Rockingham Selectboard
c/o Doreen Aldrich, Town Clerk
7 Square
P O Box 370
Bellows Falls, VT 05101

Dear Board Members:

We are in receipt of the notice pursuant to the requirements of Title 19 V.S.A. that you propose to discontinue Bezanson Road in the Town of Rockingham. The Department of Forests, Parks & Recreation has reviewed the proposal and finds that this will not affect any existing trail corridors and therefore, has no objection to the proposed discontinuation. For your information, it has been the policy of this Department to encourage towns to continue ownership of highway rights-of-way where they are of sufficient length or location to be of value to recreational users. Such existing rights-of-way can be valuable recreation resources for our growing population.

With the passage of H. 83 in the 1991 Legislature, the laws regarding Class 4 roads and trails give much more strength to towns in their ability to preserve these rights-of-way. Title 19 V.S.A. 711 states in part:

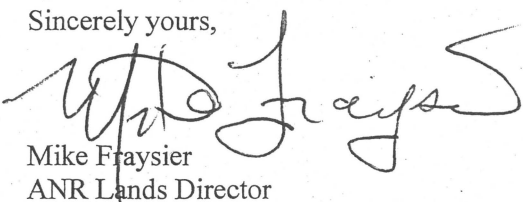
"...the selectmen may order that the petitioner bear the cost of upgrading a class 4 town highway to the class 3 town highway standards established in 19 V.S.A. § 302(a)(3)(B). Nothing in this section shall be construed to require a town to maintain a class 4 highway or to upgrade a highway from class 4 to class 3."

Enclosed is a copy of the "Town Policy on Class 4 Roads and Trails," issued by the Vermont Trails and Greenways Council. In addition, you will find a copy of the Department's policy on road discontinuance. You may want to consider a similar policy in Rockingham. Having such a policy will help to ensure that you will not be required to maintain Class 4 roads or trails or upgrade them to Class 3.

This Department will not be represented at your meeting on May 6th, 2014 but we ask that this letter and attachments be entered into the proceedings. We also request that local trail organizations such as snowmobile clubs be notified of the proposed discontinuance.

Thank you for contacting us on this matter. We always appreciate the opportunity to comment on these important recreation resources.

Sincerely yours,


Mike Fraysier
ANR Lands Director

Enclosures

Cc: Trails Coordinator, VAST; FPR - Springfield Stewardship Forester, Nate McKeen; Planning Office, AOT



From: [Mckeen, Nate](#)
To: [Fraysier, Mike](#)
Cc: [Horvath, Ryan](#)
Subject: FW: Road DiscontinuationNotice from the Town of Rockingham
Date: Monday, March 31, 2014 11:27:37 AM

Mike, FYI.
Nate



Nathan McKeen, *Forestry District Manager*
[phone] 802-777-0814 [fax] 802-885-8890
[email] nate.mckeen@state.vt.us
[website] www.vtfpr.org

Department of Forests, Parks & Recreation
100 Mineral Street, Suite 304
Springfield, VT 05156-3168

From: White, Rick
Sent: Friday, March 28, 2014 9:43 AM
To: Mckeen, Nate
Subject: RE: Road DiscontinuationNotice from the Town of Rockingham

I do not have any concerns regarding this proposed town road discontinuance or reclassification.

FYI – I spoke with Ellen Howard, the Planning/Zoning Administrator in Rockingham to learn more about this road. After talking with her I agree with the town's conclusion that this road does not have any potential for future recreational use.

Rick White, Forester
VT Department of Forests, Parks & Recreation
100 Mineral Street, Suite 304
Springfield, VT 05156-3168
Tel. (802) 885-8824
Fax (802) 885-8890
rick.white@state.vt.us
www.vtfpr.org

From: Horvath, Ryan
Sent: Monday, March 24, 2014 11:18 AM
To: Mckeen, Nate
Subject: Road DiscontinuationNotice from the Town of Rockingham

Hi Nate,

Attached is a Road Discontinuation Notice from the Town of Rockingham.

Please send any comments you have on the enclosed notice by **Friday April 11th, 2014** to Mike Fraysier's attention. If you should have any questions, please let Mike or me know.

Thanks,

Ryan Horvath

Lands Administrative and Records Coordinator
FPR Records Officer
VT Dept. of Forests, Parks, and Recreation
802.272.4156

VT Agency of Natural Resources
VT Dept. of Forests, Parks and Recreation
1 National Life Drive
Montpelier, VT 05620-3801

ROCKINGHAM SELECTBOARD REGULAR MEETING
Tuesday, December 3, 2013

Present: Thomas MacPhee, Peter Golec, Ann DiBernardo, Susan Hammond, Joshua Hearne

Also Present: Willis Stearns, II, Municipal Manager; Kerry Bennett, Recording Clerk; Ellen Howard, Zoning Administrator/Health Officer; Ryan Ostebo, Saxtons River Trustee; Fletcher Proctor, Attorney; Sandy Martin; Tim Knight; Mary Smith

Press: Joey Powers, FACT8; Chris Garofolo, Eagle Times; Domenic Poli, Brattleboro Reformer; Lisa Connell, WCU News

Call to Order: Meeting was called to order at 6:00 p.m. by Chairman Thomas MacPhee.

Approve Minutes of November 19, 2013: *Peter Golec made the motion to approve the minutes of November 19, 2013 as printed. Motion was seconded by Ann DiBernardo. Motion passed unanimously.*

Public Comment on Items Not on the Agenda:

- Tim Knight, was present to inform the Board of a situation that has arisen on Golden Hill Road. Knight presented to the Board photos and a document from the State allowing a property owner on Golden Hill Road to bury up to 1200 tires for the purpose of a retaining wall. Knight noted that this was to be completed by November 30, 2013 and no action has been taken by the property owner. Knight stated that he has spoken with the State and with the Zoning Administrator and realizes that the Town has no control over this situation. Howard stated that she has been in contact with the State and photos have been submitted to the State requesting that action be taken. The Board requested that a letter be drafted to the State expressing the Town's concerns. Howard suggested that a copy also be sent to the Rockingham State Police Barracks. *Peter Golec made the motion that a letter be drafted expressing the Town's concerns and authorize the Municipal Manager to sign this letter on behalf of the Board. Motion was seconded by Ann DiBernardo. Motion passed unanimously.*

Manager's Report: Stearns reported on the following:

- The Highway Superintendent, after a discussion with NH DOT, has informed the Manager that the State of New Hampshire is no longer lighting bridges. This will have a direct impact on the "Arch Bridge" and wanted the Board to be aware of this.
- Wednesday Classic Movies are back starting tomorrow with Miracle on 34th Street; It's a Wonderful Life on December 11, and White Christmas on December 18. All seats are now \$5.00
- Santa will be arriving in downtown Bellows Falls this Saturday, December 7, at 3:00 pm via the Bellows Falls Fire Department ladder truck. Santa will proceed to the Lower Theater to greet the children. Immediately preceding Santa's arrival, the movie "Despicable Me 2" will be shown at 2:00 p.m. and is free to all, courtesy of the Bellows Falls Rotary Club.
- The new shelving for the Rockingham Library will be installed this Thursday and Friday and the Library will be closed at that time.

Rockingham Selectboard Meeting
December 3, 2013 – Page 2

- The Human Rights Commission will be make a site visit on Friday, December 6 and Monday, December 16 to inspect the Town Hall, the Library and the Fire/Police Facility. This is a result of another complaint filed by Jim Mitchell.
- The SeVEDS Annual Public Meeting will be held this Thursday, December 5, 2013 at 4:30 p.m. at Marlboro College. Development Director Francis Walsh will be one of the speakers. At present the Manager and Selectboard Member Susan Hammond are planning to attend.

Agenda:

1. Zoning/Health Office – Ellen Howard

- a) Road Hearing – River Street Extension, Saxtons River: Howard noted that this is a continuation of a road hearing that was held on November 5, 2013 regarding River Street Extension in Saxtons River. Howard distributed 2 letters that were received – one from the Saxtons River Trustees and one from Attorney Fletcher Proctor, counsel for Chris Morrill. Proctor stated that his client was against this action and would like the plans made available for review. MacPhee suggested that an easement might be a possible solution and asked if that would be acceptable to Proctor. Proctor will discuss this with his client. MacPhee stated that the Board had 3 options – to do nothing; to make the Class 4 road a trail; or to get an easement and throw up the road to the Saxtons River Trustees. Ryan Ostebo, Saxtons River Trustee, was present and stated that the Board is applying for funding for the project and one of the requirements is that the Village of Saxtons River must own or have control of this road. Ostebo stated that it is not the intention to block Morrill from his property and does not see a problem with an easement. Howard noted that the survey shows a 10' right of way over the land and the road was originally laid out with no width. The default width would be 3 rods, or 49 ½ feet and suggested that a portion of the road on the West Street end be thrown up and the remainder be made a trail, which can be vehicular, or an easement which would make it private. Proctor will discuss these options with Morrill. *Ann DiBernardo made the motion to continue the hearing to the January 7, 2014 Rockingham Selectboard Meeting. Motion was seconded by Peter Golec. Motion passed unanimously.*

- b) **Bezanson Road – request to discontinue Town Highway #48:** Howard noted that a memo was included in the Board packets and stated that Green Mountain Railroad now owns all abutting property to this road. Howard did state that more research needs to be done on the property prior to any action being taken. *Peter Golec made the motion that the Selectboard initiate proceedings to re-classify or discontinue town highway #48, Bezanson Road, including any class 4 sections continuing off the class 3 portion of the highway. Motion was seconded by Joshua Hearne. Motion passed unanimously.*

Stearns informed the Board that Green Mountain Railroad would like to take over maintenance of the road until this process is complete. It is their intention to operate the facility 24/7 and it would be more convenient for them to maintain it. Stearns noted that this could be done by a Work Within the Highway Right of Way permit or with a Memorandum of Understanding to assume winter maintenance.

Rockingham Selectboard Meeting
December 3, 2013 – Page 3

Peter Golec made the motion to authorize the Municipal Manager to draft an agreement with Green Mountain Railroad to assume winter maintenance of Bezanson Road and authorize the Municipal Manager to sign this on behalf of the Board. Motion was seconded by Susan Hammond. Motion passed unanimously.

- c) Health Order – 14 Tuttle Street – Affirm, Modify or Terminate: Howard noted that an emergency health order was issued on November 6, 2013, the building was vacated and secured by the Health Officer, the Municipal Manager, the Rockingham Highway Department, the Bellows Falls Fire Department and the Bellows Falls Police Department on November 21, 2013. A slide show of photos taken at the site was shown to those present. Howard stated that it is a requirement of State statute that the Selectboard issue a health order affirming, modifying, or terminating the emergency health order. Howard also noted that the first health order was issued on December 18, 2012 and the situation was not taken care of and the order not complied with resulting in the evacuation and securing of the property in November. Howard reviewed the proposed permanent health order with modifications. Mary Smith, property owner, was present and requested that she be allowed access to the property to clean it and outlined her proposed timeline for bringing this property back to occupancy. Howard asked that the Board discuss this in deliberative session and the Board agreed to do this at the end of tonight's meeting.
 - d) Windham Regional Plan Update: Howard noted that the Planning Commission's information that they will be submitting was included in the Board packets and if the Board is in agreement these can be submitted as is. It was decided that the Board members would review this and submit any comments to Howard prior to the next meeting. This will be put on the December 17 Selectboard Agenda.
 - e) Public Hearing – Zoning Bylaw Amendments – Conditional Use Review: Public Hearing was opened at 7:25 p.m. Howard reviewed the amendment made by the Planning Commission. Hearing was closed at 7:28 p.m. *Peter Golec made the motion that the Rockingham Selectboard adopts the proposed amendments to the Town of Rockingham Zoning Bylaw dated as Hearing Copy, November 7, 2013. Motion was seconded by Joshua Hearne. Motion passed unanimously.*
2. FY2015 Budget Update: Stearns stated that he had reviewed the revenue and an additional \$38,000 was included in the budget. This brings the amount to be raised by taxes to \$3,922,495 and a 0.8328 estimated tax rate. Stearns reviewed the other assumptions including the Local Agreement, Deficit Reduction, Library and Social Service Appropriations which brings this to 0.9314, an increase of 0.0384. DiBernardo asked about the Library budget. Stearns stated that he assumes that the Library will present a level funded budget and that this is a separate article to be voted at Town Meeting. Stearns did note that the cost overruns are growing. However, the Library Board has cash assets on its balance sheet that would cover these overruns but does not know if it is the intent to use this or not. DiBernardo stated that this could be made a condition of its budget at Town Meeting.

Rockingham Selectboard Meeting
December 3, 2013 – Page 4

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

Review & Update Task List:

- Park & Ride – MOU not completed yet – info is being sent to CRT & VTrans.
- TransCanada Negotiations – no date yet for court
- Vilas Bridge – no further information or communication
- Main Street Bridge, Saxtons River – still on schedule for Spring 2014
- Web Site – in progress
- Bartonsville Bridge – no response from VLCT on offer
- Bartonsville Bridge Kiosk – revisit in 3-6 months – may not use bridge debris

Review Agenda Items for Next Meetings: December 17:

- Windham Regional Plan Update
- YTD Budget Status Report
- Listers Office – Errors, Omissions & Deletions

Review Agenda Items for Joint Board Meeting: April 29, 2014: MacPhee noted that there will be a Special Joint Board Meeting next Tuesday, December 10, to discuss the Merger Plan.

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

Other Business:

- MacPhee stated that there will be a Board of Civil Authority Meeting on Monday, December 9 at 5:00 to act on moving the polling place from the Masonic Temple to the Bellows Falls Middle School for the proposed merger vote on January 21.
- Hammond asked if FEMA has responded to the Hazardous plan yet. Howard stated that the Hazardous Mitigation Plan was submitted in January 2013 and is still at the FEMA level.
- DiBernardo announced that State Representative Carolyn Partridge has been named Legislator of the Year. The Board will send a congratulatory letter.
- Hammond asked about the status of the new health insurance. Bennett stated that the current plans have been extended through January 2014 due to some financial billing issues with the new program.
- Golec asked if the Conservation Commission has been contacted to discuss the lack of savings on street lights. Stearns did note that the LED lights, while being installed for nothing, are higher rates. The Board requested that Michael Burke from GMP be asked to attend a meeting.

Executive Session: No executive session was necessary.

Rockingham Selectboard Meeting
December 3, 2013 – Page 5

Peter Golec made the motion that the Board enter into deliberative session at 7:55 p.m. and include the Municipal Manager and the Health Officer for discussion of proposed health order, 14 Tuttle Street. Motion was seconded by Joshua Hearne.

The Board returned from deliberative session at 8:32 p.m. No announcements were made.

Adjourn: *Joshua Hearne made the motion to adjourn the meeting at 8:33 p.m. Motion was seconded by Peter Golec. Motion passed unanimously.*

Attest: *Kerry Bennett*
Kerry Bennett, Recording Clerk

TOWN CLERK'S OFFICE

Rockingham, VT 05101

Received *December 9, 2013*

at *8:50 a.m.*

Recorded in Book *Select* Page *427-432*

Attest: *Karen Albrecht* Town Clerk