

TOWN OF SPRINGFIELD
SELECTMEN'S HALL – 96 MAIN STREET – THIRD FLOOR
REGULAR BOARD OF SELECTMEN MEETING
MONDAY, MAY 11, 2015 @ 7:00 PM

MEETING MINUTES

A. **CALL TO ORDER AND ROLL CALL:**

Chairman, Kristi Morris, called the meeting to order at 7:00 PM. The Pledge of Allegiance was recited and Roll Call taken.

Board Members Present: Chairman, Kristi Morris, Walter Martone, Peter MacGillivray and Vice-Chairman, Stephanie Thompson. George McNaughton arrived later.

Also Present: Town Manager, Tom Yennerell, Comptroller, Jeff Mobus, Town Clerk, Barbara Courchesne, Fire Chief, Russell Thompson, Deputy Fire Chief, Scott Richardson, and Town Attorney, Stephen Ankuda.

B. **ANY REQUESTED ADDITIONS TO THE AGENDA:** None.

C. **MINUTES:**

a. Regular Board of Selectmen, Meeting Minutes, April 27, 2015

MOTION: Vice-Chairman, Stephanie Thompson, moved to adopt the Regular Board of Selectmen, Meeting Minutes of April 27, 2015.

Seconded by Walter Martone

Vote: 4 Yes (G. McNaughton Absent)

D. **ITEM 1: PUBLIC HEARING:**

Hearing of Demolition Appeal for 105 Clinton Street – On February 11, 2015, Town Attorney Ankuda, sent a letter to Melissa Ranaldo where the Selectboard agreed to a 90 day extension and scheduled an Appeal Hearing of the original Unsafe Building Order of May 11, 2013.

Christopher Demf and Melissa Ranaldo, son and daughter of Stella Demf, were present to appeal a Demolition Order issued against their mother's property located at 105 – 107 Clinton Street. Stella Demf and her sister, Lena Ostrowski jointly owned the properties at 105 – 107 Clinton Street.

They requested the Selectboard to consider postponing the Demolition Order on the noted properties because they were in the process of selling the properties. Mr. Demf presented the Selectboard with a Letter of Intent from a potential Buyer, Mr. Robert Ryan. Mr. Ryan was not present at the Appeal Hearing. Mr. Demf explained the postponement of the Demolition Order would be beneficial to all of those involved. Both parties are so close to having a sales agreement. Mr. Demf is concerned that it would be difficult for financial institutions to look at these properties seriously with a Demolition Order issued. Mr. Demf went on to comment he was not saying Mr. Ryan would be financing these properties, but he might be financing or refinancing some of his other properties.

Town Clerk, Barbara Courchesne swore in Christopher Demf. Mr. Demf also commented for the record that everything he had previous stated was the truth. Mr. Demf read for the record the Letter of Intent from the potential Buyer, Robert Ryan. (A copy of the Letter of Intent will remain with these minutes.)

Vice-Chairman Thompson asked how long Mr. Demf had been engaged with the potential Buyer and this process? Mr. Demf stated his sister was in contact with Mr. Ryan several times while the properties were listed; making that 2014. Ms. Ranaldo also commented there were conversations prior to the listing with the Real Estate Agent.

Town Clerk Courchesne also swore in Melissa Ranaldo. Melissa Ranaldo explained her involvement with the properties at 105 – 107 Clinton Street.

Ms. Ranaldo met with contractors regarding roof repairs on the small house, but did not hear back from the contractors. Ms. Ranaldo commented the potential Buyer has a strong investment to the location of these properties because he has adjacent properties.

Members of the Board of Selectmen were concerned if the Demolition Order was extended, there would be the potential of starting the whole demolition order process over with the Buyer. The Selectboard also noted there was not any attempt of repairs made on the garage and small house.

Mr. Demf asked if the Structural Engineer was present and he was not. An offer was made to Mr. Demf to speak with the other two members of the committee, Chief Russell Thompson and/or Deputy Scott Richardson. Mr. Demf did not wish to do so. He also indicated if the postponement was not granted he was going to want an opportunity to speak with the Structural Engineer and possibly have his own Structural Engineer review the properties. Mr. Demf also had questions regarding the Unsafe Building Order, including the Finding of Facts and Recommendations of Structural Engineer's report sections.

Mr. Demf and the Selectboard discussed the postponement of the Demolition Order and the fact there has not been any work on the properties. Chairman Morris commented there has not be anything done to the properties to warrant the Selectboard from postponing the Order of Demolition.

Walter Martone stated he thought two years was an awful long time for the neighbors to have to put up with the dilapidated conditions of these buildings. The properties have been in an unsafe condition for quite some time.

Town Manager Yennerell stated that Mr. Ryan, the perspective buyer, is well aware of the Demolition Order and it seems that he is still willing to purchase these properties; therefore, he feels the Board should deny the appeal and continue the Demolition Order. Hopefully, this decision won't complicate the sale of the properties, but everyone has been waiting a long time for an action to take place.

Town Attorney Ankuda pointed out two thirds of the committee was present to be cross-examined if Mr. Demf wished. Mr. Demf refused again, stating he needed the Structural Engineer. Town Attorney Ankuda stated Mr. Demf could have subpoenaed him. Mr. Demf said he still requested to examine the Structural Engineer and asked the Board if he still needed to do this? Chairman Morris stated the property owners and family have stalled for two years. He also pointed out that the potential Buyer's Letter of Intent does not include any work will be done on the properties.

George McNaughton arrived at 7:55 AM. Chairman Morris took time to update Mr. McNaughton on the discussion pertaining to the appeal of the Demolition Order. Mr. Demf again explained his request and reason for wanting to adjourn the meeting. Ms. Ranaldo also explained what she had tried to do in regards to roofing and selling the properties.

Town Attorney Ankuda gave a brief explanation of the procedures involved when the Board issues a Demolition Order. Chairman Morris inquired if the properties were properly identified. Town Attorney stated they were and the reasons why. Chairman Morris also inquired if the Town gave proper notice. The Town Attorney stated the Town had given proper notice and shared his reasoning.

Chairman Morris closed the Public Hearing at 8:25 PM and the Selectboard Members went into a Deliberative Session. The Selectboard Members returned at 8:55 PM. Selectboard Member, George McNaughton recused himself from the Deliberative Session.

MOTION: Vice-Chairman, Stephanie Thompson moved to adopt the Findings of the Unsafe Building Order as defined in Springfield Code Section 5-26 and shall be repaired so as to no longer be a public nuisance and safety hazard all on or before August 1, 2015; if such repairs are not made and certified to the Town of Springfield by the close of business on July 31, 2015, then the Town of Springfield without further notice, may demolish such portion, including all of said structures as may be necessary to abate the public health and property threats without regard to damage to other structures adjacent to said property as may be necessary to abate the public health and property threat.
Seconded by Peter MacGillivray
Vote: 4 Yes & 1 Abstain (George McNaughton)

E. **VISITORS TO ADDRESS THE BOARD:**

ITEM 2: State Park Update – Ethan Phelps, Vermont Parks Regional Manager for Southeast Vermont and Terry Carroll an AmeriCorps VISTA Representative serving with the Vermont Forests were present to provide an update of future plans for the State Park on the former Edgar May property. The State of Vermont is waiting for the estate to take care of the legal details before an acquisition can be made. Mr. Phelps commented the goal would be for the State to take ownership sometime between July 1, 2015 and October 1, 2015. The plans for the State Park still remains the same; to be used as a Day Park and an Educational Park for children.

Mr. Phelps indicated the States Park Department cannot make specific plans until the property is purchased. When the property is finally the States, the priority will be stabilizing the access road, the bridge, the damn and a small structure that will be used for a ranger's cottage.

There were residents present at the Board meeting with concerns about the access road. There were questions about the usage of the access road, hours of the park, if there would be security on site.

The All-For-One, Summer Daze Program, will run out of Phil Drinker's residence. Mr. Drinker's property abuts the former Edgar May property. There will still be a pilot program starting July 13, 2015 for a time period of four weeks. The children will be divided by grades and assigned a week.

Payment in Lieu of Taxes, (PILOT), was also discussed. The State of Vermont has not set the budget amount for next year, however; the Town of Springfield will still be receiving at least the same or slightly more in PILOT payments.

Chairman Morris stated once the State owns the property there should be a Public Hearing for the residents of the Town. Mr. Phelps and Mr. Carroll agreed.

ITEM 3: Springfield Regional Development Corporation Request - Robert Flint, Director of Springfield Regional Development Corporation, SRDC, came before the Board of Selectmen to update them on J&L, Plant 1. As Mr. Flint stated this is the knocking down and cleaning up of J&L, Plant #1. He presented a *Proposed Sequence of Events* report to the Board. (A copy of the proposal is attached.)

As part of Mr. Flint's presentation he explained SRDC is required to have an "Environment Review" of the site to submit with a Community Development Block Grant, CDBG, application. SRDC is a requesting a \$50,000.00 line of credit from the Town of Springfield. This will be a no interest loan from the Economic Development Revolving Loan Fund with payback on January 1, 2017 or earlier when SRDC secures funds to complete the demolition.

MOTION: Peter MacGillivray moved to authorize the Town Manager to enter into an agreement with the Springfield Regional Development Corporation for a \$50,000.00 Line of Credit from the Economic Development Revolving Loan Fund with no interest and a payback date of January 1, 2017 or sooner.
Seconded by Walter Martone.

George McNaughton stated he would recuse himself from the vote because he represents SRDC. Chairman Morris stated he is a liaison between the Board of Selectmen and SRDC, however he is not a voting member and does not receive any benefits from SRDC.

A short discussion followed inquiring if SRDC was current on all of their property taxes with the Town and they are. There was also an inquiry of the amount in the Economic Development Revolving Loan. Town Manager Yennerell stated there was approximately \$175,000.00.

Vote: 4 Yes & 1 Abstain (George McNaughton)

F. **OLD BUSINESS:**

ITEM 4: Consider Demolition Orders on New Buildings – Town Manager Yennerell suggested postponing this agenda item until the next Board of Selectmen Meeting for Tuesday, May 26, 2015, when the Town's Structural Engineer, Todd Hindinger, would be able to meet. The Board agreed.

G. **NEW BUSINESS:**

ITEM 5: Toonerville Trail Permits – Town Manager Yennerell read the requested Toonerville Trail Permits out loud.

MOTION: George McNaughton moved to approve a request from Judy Jarvis on behalf of the American Foundation of Suicide Prevention to sponsor a walk on September 26, 2015 from 9:30 AM to 1:00 PM entitled *Walk to Prevent Suicide – Out of the Darkness*. The second request is from Kelly Stettner on behalf of the Wrestling Club to sponsor a *Wrestling 5K Color Gauntlet* on August 29, 2015 from 8:00 AM to 2:00 PM.
Seconded by Vice-Chairman Stephanie Thompson
Vote: 5 Yes, passed unanimously

ITEM 6: Appointments to Boards, Commissions, and Committees – Town Manager Yennerell also read out loud the following appointment.

MOTION: Vice-Chairman, Stephanie Thompson, moved to approve the re-appointment of Kelly Stettner as a Town Representative to the Mount Ascutney Local River Subcommittee for a 3-Year Term.
Seconded by Peter MacGillivray

Ms. Stettner gave a brief explanation of what the Local River Subcommittee did and answered a few questions from George McNaughton regarding the Pedestrian and Bike Pathways and River Buffers. Ms. Stettner provided answers and reasons supporting her answers.

Vote: 4 Yes and 1 No (George McNaughton)

ITEM 7: Approve Paving Bids and Sidewalk Construction – Town Manager Yennerell presented the paving bids for this year's paving. The lowest bidder was Springfield Paving at \$335,696.00.

MOTION: Peter MacGillivray moved to award the paving bid to Springfield Paving for \$335,696.00 paving locations determined by the RSMS Study and paving 975 feet of new sidewalk along Valley Street from Main Street to the Town owned parking lot at the cost of \$89,475.00 for a total of \$425,171.00.
Seconded by George McNaughton
Vote: 5 Yes, passed unanimously

H. **MANAGER'S REPORT:** - Chairman Morris read the highlights of the Town Manager's Report out loud. Copies of the Town Manager's Report may be picked up in the Town Manager's Office or viewed on the Town's Website.

I. **OTHER MINUTES & CORRESPONDENCE:**

1. Airport Commission, Agenda, April 23, 2015
2. Airport Commission, Minutes, April 23, 2015
3. Fire Department – Monthly Report, April 2015
4. Library Board of Trustees, Meeting Minutes, April 13, 2015
5. Springfield Housing Authority, Annual Meeting Minutes, April 14, 2015
6. Springfield Housing Authority, Meeting Minutes, April 14, 2015
7. Springfield Housing Authority, Agenda, May 12, 2015
8. Springfield Regional Development Corporation, Meeting Minutes, March 24, 2015
9. Springfield Regional Development Corporation, Agenda, April 28, 2015

Chairman Morris also read the above list of "Other Minutes & Correspondence" out loud. Copies of the Town Manager's Report may be picked up in the Town Manager's Office or viewed on the Town's Website.

FUTURE AGENDA ITEM PROPOSALS: None requested.

K. **CITIZEN'S COMMENTS:** Comptroller, Jeff Mobus, shared Friday, May 15, 2015, is Tax Day. The Finance Office will be open until 6:00 PM. Please make sure payments are post-marked by May 15, 2015.

Comptroller Mobus also issued a BIG THANK YOU for the Town's Postal Carriers regarding the Stamp Out Hunger Campaign. Mr. Mobus also thanked the residents of Springfield who generously donated non-perishable food products.

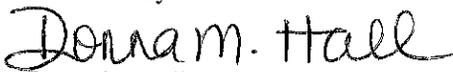
L. **ITEM 8: EXECUTIVE SESSION – SOLAR CONTRACTS:**

MOTION: Vice-Chairman, Stephanie Thompson, moved for the Board of Selectmen to go into Executive Session at 9:52 PM to discuss solar contracts.
Seconded by Walter Martone
Vote: 5 Yes, passed unanimously

M. **ADJOURNMENT:**

Meeting closed at 9:52 PM.

Submitted by:


Donna M. Hall,
Recording Secretary

Letter of Intent by Robert Ryan, May 7, 2015

From: "Elena Pugachenok" <epugachenok@tdlaws.com>
To: "R. Christopher Dempf" <rcdempf@tdlaws.com> robertryan956@yahoo.com
"Elena Pugachenok" <epugachenok@tdlaws.com>

LETTER OF INTENT

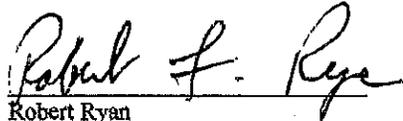
RE: Stella M. Dempf – Sale of 105 Clinton St. , Springfield , VT 05156

I, Robert Ryan, residing at 39 Clement Rd. , Springfield , VT 05156 have offered to purchase 105 Clinton St. , Springfield , VT from Stella M. Dempf, the owner of the subject real property.

The terms of the purchase agreement are being finalized and memorialized in a written agreement. Because of certain conflicts of interest, my regular attorney is unable to represent me and I am seeking to retain a new attorney to represent me.

I join in the request of the owner of the property, Stella M. Dempf, to adjourn, postpone or otherwise put off the hearing scheduled for May 11, 2015 with the Town Board of Springfield, Vermont for ninety (90) days.

I authorize this letter of intent to be presented to the Board in support of the owner's request to adjourn, postpone or otherwise put off the hearing scheduled for May 11, 2015.


Robert Ryan

Date: 5-9, 2015



I & L Plant 1 - Proposed Sequence of Events

Summer - 2015

- Complete EPA-funded remediation of "grinding swarf" area along riverbank
- Complete "Environmental Review", including updating of Corrective Action Plan, for CDBG application
- Continue work with ACCD, EPA and DEC on remediation and site plans (including BERA program)
- Complete revision of Memorandum of Understanding with Division of Historic Preservation
- Prepare/update bid documents for demolition/remediation project
- Continued work with Congressional delegation re: NMTC status

Fall - 2015

- Prepare CDBG application for submission by Town of Springfield
- Prepare and submit Act 250 application
- Release bid documents for demolition/remediation project
- Preparation of historic preservation project

Spring - 2016

- Selectboard requests activation of "Opportunity Zone" status of site from ACCD
- Funding for project organized
- Project begins!

Sec. 84. VERMONT OPPORTUNITY REDEVELOPMENT SITE IN SPRINGFIELD

(1) The town of Springfield may apply to the secretary of commerce and community development for certification of a redevelopment area known as the "J&L site," which shall include the J&L building and the portion of the underlying parcel allocable to the building site, and the secretary, upon certification, shall also certify the "redevelopment period", which shall be the seven years beginning with the year of certification of the site.

(2) The site certified under subsection (1) of this section shall be deemed approved by the Vermont Economic Progress Council (VEPC), and subject to such reporting as VEPC shall require, for education property tax stabilization; and the education property tax liability of the site shall remain at its 2009 level for the redevelopment period.

(3) During the redevelopment period, a qualified business or a qualified redeveloper who pays wages and salaries for services performed within the certified site shall be eligible for an income tax credit equal to three percent of the total wages and salaries paid during the taxable year for services performed within the certified site.

(4) Materials and trade fixtures purchased for incorporation into redevelopment of the certified site by the qualified redeveloper during the redevelopment period shall be exempt from sales and use tax, and a purchaser shall apply to the commissioner of taxes for a sales tax exemption certificate, which shall be presented to vendors in order to obtain the tax exemption.

(5) For purposes of this section,

(A) "Qualified business" means any business that intends to locate in or expand into the redevelopment area and will employ at least 10 new full-time employees in positions that are not retail sales within a year of approval; and will pay wages and benefits to all full-time employees that meet or exceed the prevailing compensation level for that particular employment.

(B) "Qualified redeveloper" means any taxpayer that purchases and redevelops the certified site for sale or lease to a qualified business.

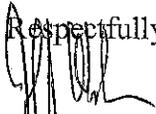
Executive Session
May 11, 2015

The Board returned to open session at 10:36pm.

Stephanie Thompson moved to adjourn. George McNaughton seconded the motion that then passed unanimously. The meeting adjourned at 10:36pm.

No further business was conducted.

Respectfully submitted,



Jeff Mobus
Acting Secretary