

**Brandon Select Board Meeting
April 28, 2014**

NOTE: These are unapproved minutes, subject to amendment and/or approval at the subsequent board meeting.

In Attendance: Devon Fuller, Blaine Cliver, Ethan Swift, Dave Atherton, Maria Ammatuna

Also in Attendance: Robin Bennett, Richard Baker, Sue Gage, Janet Coolidge, Cindy Bell, Joe Ammatuna, Thelma Miner, Jeff Stewart, Dick Kirby, Bernie Carr, Phyllis Reed, Lee Kahrs, Chris Brickell, Richard Baker, Arlyn Bloodworth, Richard Howland, Bruce Edwards, Mary Bagley, Doug Sawyer, Nancy Fisher

1. Call to order

The meeting was called to order by Maria Ammatuna at 7:18PM.

a) Agenda Adoption – Motion by Devon Fuller/Dave Atherton to adopt the agenda, as amended. **The motion passed unanimously – 4 to zero.**

Two executive sessions were added; one for contractual reasons and a second session for personnel and a potential litigation.

2. Consent Agenda

a) Select Board Meeting Minutes – April 14, 2014

Motion by Blaine Cliver/Dave Atherton to approve the minutes of the April 14, 2014 Select Board meeting, as amended. **The motion passed unanimously – 4 to zero.**

Under budget recommendations: a change in the Administrative Town Report line to be \$1,000.00 and in the first sentence of the first paragraph the word “repairs” to be removed.

Page 3, the first motion to approve the proposed fiscal budget, the motion passed with one “No” vote by Maria Ammatuna.

3. Public Comment

Maria Ammatuna stated there will be discussion of where the Public Comment section falls in the agenda. It was suggested to keep the comments to one question and a follow-on question. If further discussion is needed, the public is encouraged to contact the Town Manager to add as a separate agenda item for a subsequent meeting.

Richard Howland stated has been a constable for 20 years. He was surprised when going to the town office to be sworn in that he was informed by the town clerk he could not be sworn in, as the Select Board had not appointed him according to Article 20, though he was elected on meeting day. He has been a taxpayer for over 45 years and has been a constable for over 20 years, and a special prior to that. The Town Manager indicated the Select Board has not appointed anyone and indicated they do not need constables. Mr. Howland noted there had been a petition in the past regarding constables and it had been voted that the majority of the voters wanted to have a constable. He reported during Irene, he worked many nights for straight time to assure that people and the businesses were safe. He stated it is a slap in the face for the Select Board to say that constables are not needed. He requested clarification as to why it was voted on, but no constables have been appointed. Mr. Howland noted last year the constables were paid \$444.00 in total for the year and 90% of that was training at the police academy. Mr. Howland advised he is trained in CPR and is qualified on the pistol range. He noted the Select Board is not going to save money by getting rid of the constables when they will have to pay the police department overtime when there is additional help needed. Maria Ammatuna thanked Mr. Howland for his past performance. She stated it was not the Select Board's thought that they would save money in the decision to put the article out to voters to allow the Select Board to appoint the constables, as opposed to electing them. This board was advised of the new rules relating to constables. They reviewed with the law enforcement officials what the role of the constable is under the new training, With regard to the article concerning appointments, it included both the listers and the constables and the Board was advised by the attorneys that one could not be done without the other. Ms. Ammatuna apologized for the confusion. Mr. Howland advised that the VLCT had made the decision that constables could serve papers and direct traffic. Most of the constables that serve papers and direct traffic are paid by the parties that have enlisted their services and it is not a cost to the town. Ms. Ammatuna stated the Select Board will review the information that Mr. Howland has provided and as with appointment vacancies; advertisements would be posted requesting letters of interest.

Richard Baker stated one of the town hall windows has been removed to be restored. Mr. Baker provided a hand-out from the Transportation Council regarding an event to be held May 12th through the 16th relating to reducing carbon pollution. Additional information can be found at waytogovt.org. Neshobe School will be participating in the event. Mr. Baker stated the concept is to sign up for the event and find alternate ways to travel to work, i.e. by bus or carpool, etc. Awards will be given and Brandon has an opportunity to win this year. Middlebury College students have been working with the Regional Planning Commission. It was suggested to add this information to the announcements on the town web site.

The contract was awarded from the Historic Preservation grant for the town hall. It was a competitive grant that had 37 awards and this was one of the larger awards and will match 50% up to \$14,500.00. Maria Ammatuna noted the current project was started after obtaining the grant.

Doug Sawyer stated there is a sense that the drivers are moving faster, particularly north, with the change in the Route 7 design and suggested this could be an opportunity to do a test on the speed for the future. The Select Board will work with Ms. Bennett and the Police Chief.

Dick Kirby stated his next door neighbor has 8 cars in his driveway and 3 cars in their swimming pool area and would like the town to look into this issue. He also noted the Veteran's Honor Roll by Cafe Provence should be cleaned so that the inscriptions can be read. Devon Fuller asked Mr. Kirby if he has reported the car situation to the Zoning Administrator and suggested he speak to Ms. Wiles about this issue. Mr. Kirby stated no action has been taken in the past. Maria Ammatuna requested the situation be looked into as there is potentially a form of business being run at this residence.

Nancy Fisher asked if there will be any potholes filled on Champlain Street, as it is getting worse by the day. Ms. Bennett will look into this issue.

4. Special Town Meeting – May 5, 2014 and May 6, 2014

Robin Bennett requested recommendations from the Select Board with regard to the budget presentation. There is currently a brochure that has been developed and information can be placed on the website. If another PowerPoint presentation is to be developed for the informational meeting, it was suggested the Select Board do a dry run that could be aired on PEG-TV to get the information out to as many people as possible. It was questioned whether there would be a moderator in attendance and Mr. Carr noted he had been the moderator for the additional information meeting last year. Ms. Ammatuna suggested contacting the moderator to have him in attendance for the mock run. The dry run of the presentation was scheduled for Wednesday at 5:30PM at the town hall. Sue Gage will be in contact the moderator. The Boy Scouts will be invited to attend the meeting. Ms. Ammatuna noted if there are many people in attendance, the Select Board will wait until all are in the room prior to convening the meeting.

5. FY 14/15 Budget

There was a suggestion to mail the budget brochure prior to the voting. It was also suggested the brochures be distributed to the local businesses. Ms. Ammatuna stated there was discussion of the Select Board going door to door to get the word out. The cost would be approximately \$400.00 to do a saturation mailing. It was also recommended to have the brochures available at the information meeting. Board members will be available at the Transfer Station on Thursday afternoon and Saturday morning to talk with the public regarding the budget.

Motion by Blaine Cliver/Devon Fuller to do a saturation mailing of the budget brochure.
The motion passed unanimously – 4 to zero.

6. Board Communications

Maria Ammatuna stated there was discussion of moving Public Forum to later in the meetings. Dave Atherton stated many of the topics that come up in the public comment section are on the agenda. It may make sense to put this section near the end of the meeting to avoid discussing topics twice. If it is kept at the beginning of the meeting, the discussion should be limited to items not on the agenda. It was the consensus of the Board to keep the Public Comment at the beginning of the meeting.

Ms. Ammatuna suggested moving the Town Manager's Report up in the agenda, with the Town Office and Bridge 114/Segment 6/Waterline Projects immediately following.

Motion by Devon Fuller/Blaine Cliver to move the Town Manager Report from Item 10 to Item 8, with the Town Office and Bridge/Segment 6/Waterline projects immediately following. **The motion passed unanimously – 4 to zero.**

Ms. Bennett distributed a chart for use in the PowerPoint presentation for the budget.

7. Board and Committee Vacancies

Ms. Bennett provided information regarding the Board and Committee vacancies to the Select Board. Maria Ammatuna suggested the Board's liaisons to the various groups should be reviewed in a systematic manner.

Motion by Dave Atherton/Devon Fuller for the Select Board to re-evaluate the Select Board goals and confirm the liaisons of the Select Board members on an annual basis. **The motion passed unanimously – 4 to zero.**

Ethan Swift stated it would be prudent to have a goal-setting meeting at the beginning of each new term, as board members may change and the representation on the committees could change. Devon Fuller stated there has been discussion of setting and monitoring departmental goals and the select board should also be doing this. It was suggested the meeting would be a dedicated goal-setting session, rather than an agenda item at a regular Select Board meeting. All statutory obligations are set at the organizational meeting and the select board could set another time to do their liaison commitments. It was noted there are many activities around the voting time and the dynamic nature of that timeframe is not the best time to have all terms begin and end. It was suggested the time could be set on a fiscal year basis, once a goal-setting session has been done. Robin Bennett stated with the volunteer appointments; some had to be appointed immediately and next year that will not be a problem. Maria Ammatuna suggested having a Town Fair relating to the town volunteer jobs to get the information out to the public. Ms. Ammatuna requested Ms. Bennett provide a listing of all the appointments for the Select Board's review at the next meeting. Sue Gage suggested information about the appointments be available at the informational meeting next week.

8. Town Office Project

Robin Bennett reported efforts continue on separating the town hall and town office properties at the state level, due to the environmental review for the grant. Maria Ammatuna suggested another straw poll during the upcoming voting of the budget with regard to moving the town offices back to the original building that would include the cost of the renovations. It was the consensus of the Select Board to focus the voting on the town budget, as it was thought that adding a straw vote could cause confusion. Sue Gage suggested that a straw vote could be done at the town office.

9. Waterline/Segment 6/Bridge 114 Projects

Robin Bennett reported the waterline project continues to go well. There was more ledge than anticipated and there is conversation between the resident engineers and the design engineers as to how to address this and it is hoped to have a solution by the end of the week. They were slightly ahead of schedule and this will put them back on schedule.

Aldrich and Elliott have requested to put two inspectors on site for two weeks until May 9th. This would add about \$6,000.00 to the project cost. The reason is because the project is on both sides of the river and they are trying to calculate quantities and the PR is taking a lot of time and there needs to be two sets of eyes. The ledge situation has come to light and VHB has recommended this request be accepted. This would be a change order and there would need to be an approval from the state, which has not been received yet. If the state approves, the majority of the cost would be with the state and the town would be responsible for 5% of the cost.

Ms. Bennett reported she is still trying to schedule a meeting with VTrans regarding Segment 6. She will be coordinating with Rich Tetreault to meet with the Select Board and other members of VTrans. By the next Select Board meeting, it is hoped to have a time set. Maria Ammatuna questioned if there is chronological information available for the meeting. Robin Bennett advised the key communications relating to the changes are available. Mr. Cliver stated he also has much of the information on this subject.

Cindy Bell questioned if the letters to the homeowners are ready to go out after the changes are agreed upon. Robin Bennett stated the draft is ready and they are coordinating the database. Once the final permission is received from VTrans, the town will be able to do a certain amount of letters, but the agreement with the appraisers has to be completed. Maria Ammatuna asked if all of the title searches have been done. Robin Bennett stated some work has been done, but it would need to be updated and they will be working with VTrans as to how to proceed. Ms. Ammatuna stated for transparency purposes since the town did not hire an outside firm at the time; when this is put back out for review, will the town be out of the liable situation. Ms. Bennett stated however the town proceeds; it will only go back as far as it was done.

Regarding Bridge 114, Ms. Bennett has had communications with VHB on the new scope of services and it is moving forward with that regard. Maria Ammatuna requested the overflow project be added to the agenda to obtain the technical updates.

10. Town Manager's Report

Robin Bennett reported the web site is now on-line. The Recreation Director reports they have raised more than \$800.00 for the betterment of Estabrook Park. The Police Department has received a Homeland Security Grant and is a 100% funding and will be used for the purchase of seven new mobile radios and a repeater for the Police Department. The Select Board thanked Chief Brickell for his efforts in obtaining this grant. With regard to goals, Ms. Bennett reported the web site was completed and another goal will be to upload the Select Board packets to the web site for public access.

11. Other Business

Dave Atherton asked about the Newton Road rock pile. He noted it has been sold twice. Ms. Bennett has made no contact in the last two weeks and it was suggested to write a friendly letter to the party who purchased it. Mr. Swift reported he has spoken with the Nops and they are agreeable to continuing to work with the purchaser on this situation.

Devon Fuller asked about a response to Mr. Leavitt's letter and to another party that had also written about the same subject. Ms. Bennett will follow-up on this item.

Ethan Swift reported there will be a Municipal Dog Control workshop held on May 29th and noted this would be helpful to the person hired for this position.

Devon Fuller advised there will be a showing of "The Hungary Heart" at OV on Wednesday at 7:00PM. The movie documents prescription drug addiction and has been funded by the Governor for high schools. Through donations, the movie will also be available to the general public Wednesday evening.

Green-Up Day and the Bike Rodeo at Neshobe School will be held this Saturday.

There was a question on the status of Union negotiations and it was noted negotiations have not started yet.

Maria Ammatuna read the following report received from Dolores Furnari:

"I plan to be in the office from 8-10AM tomorrow and James will be in Wednesday to finalize getting ready for the abstract grand list. Two of the Assessing Team members were in for the past 2 weeks, 2 and 3 days, to do 98 inspections, of which 70 were completed. The rest will need to be reviewed next year. The HS122's are done, the current use is done and the Veterans' exemptions are done. Also, they started putting in

the state's request that all tax exempted properties have a value and most are the insured value. The change of appraisal notices are printed and I will mail on May 6th and grievance hearings are scheduled for May 21st. Anna will print the grand list on May 5th, NEMRC should have the transfer done to her computer by then. The past 2 weeks have been hectic but everything is done and on time."

12. Fiscal

a) General Fund Warrant – April 28, 2014 - \$178,619.57

Motion by Devon Fuller/ Blaine Cliver to approve the warrant of April 28, 2014 in the amount of \$178,619.57. **The motion passed unanimously – 4 to zero.**

Ethan Swift asked if there is a list of deliverables and payouts with respect to the invoices for CLD and VHB. Robin Bennett stated this billing is for hours and advised that she recently met with VHB and CLD. The state has advised the money that has been allocated is all that will be received and everyone is on the same page and working towards the goal of getting to construction.

b) Wastewater Fund Warrant – April 28, 2014 - \$24,751.27

Motion by Dave Atherton/Devon Fuller to approve the warrant of April 28, 2014 in the amount of \$24,751.27. **The motion passed unanimously – 4 to zero.**

b) Warrant – US Bank – Bond Payment – May 15, 2014 - \$39,615.25

Motion by Devon Fuller/Dave Atherton to approve the May 15, 2014 bond payment to US Bank in the amount of \$39,615.25. **The motion passed unanimously – 4 to zero.**

C) P. O. #23264 – Wells Communications – Mobile Radios & Repeater - \$48,860.00

Maria Ammatuna reported a letter was received from the Vermont Tobacco Evaluation and Review Board that she will be answering on behalf of the Select Board.

Motion by Devon Fuller/Ethan Swift to approve P.O. #23264 to Wells Communication in the amount of \$48,860.00 for mobile radios and a repeater. **The motion passed unanimously – 4 to zero.**

The funds for this payment are from the grant the Police Chief acquired and there will be no cost to the town.

Maria Ammatuna reported the Select Board received a letter from Sarah Jarvis about Select Board votes and budget votes. There are some statutes to research and information will be reported at a subsequent meeting.

Motion by Devon Fuller/Dave Atherton to enter into executive session at 9:13PM for contract discussion. **The motion passed unanimously – 4 to zero.**

13. Executive Session 1 V.S.A.313 (a) (1)

Motion by Ethan Swift/Blaine Cliver to come out of executive session at 9:28PM. **The motion passed unanimously – 4 to zero.**

There was no action required.

Motion by Dave Atherton/Ethan Swift to enter into executive session at 9:29PM for personnel and potential litigation discussion. **The motion passed unanimously – 4 to zero.**

14. Executive Session 1 V.S.A.313 (a) (1)

Motion by Ethan Swift/Blaine Cliver to come out of executive session at 10:03PM. **The motion passed unanimously – 4 to zero.**

There was no action required.

15. Adjournment

Motion by Dave Atherton/Ethan Swift to adjourn the Select Board meeting at 10:04PM. **The motion passed unanimously - 4 to zero.**

Respectfully submitted,

Charlene Bryant
Recording Secretary