

Town of Brandon Select Board Meeting Minutes
June 9, 2014
DRAFT

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

In Attendance: Devon Fuller, Blaine Cliver, Ethan Swift (7:47 PM), Dave Atherton, and Maria Ammatuna

Also in Attendance: Phyllis Reed, Bernie Carr, Steve Bissette, Dick Kirby, Cindy Bell, Wayne Rausenberger, Kathy Rausenberger, Richard Baker, Debbie Boyce, Lee Kahrs, Nora Swan, Sam Stone, Lizbeth Aranado, Allan Leavitt, Arlyn Bloodworth, Chris Brickell (7:05 PM), Bill Moore, Judy Bunde, Tracy Wyman, Joe Ammatuna, Janet Coolidge and Robin Bennett.

1. Call to order

The meeting was called to order by Maria Ammatuna at 7:00 PM.

Agenda Adoption – Motion by D. Fuller and seconded by B. Cliver to adopt the agenda as stated. D. Atherton made the following amendments: 4 A) Sign Approval for business at 6 Park Street; 17) Executive Session for Contracts; 18) Executive Session for Personnel; 19) Executive Session for Personnel; 20) Adjournment. **Motion passed unanimously 4 – 0.**

2. Constant Agenda

a) Select Board Minutes – May 19, 2014 – **Motion to approve by B. Cliver and seconded by D. Atherton. Motion passed unanimously 4 – 0.**

b) Select Board Minutes – May 27, 2014 – **Motion to approve by D. Fuller and seconded by D. Atherton. Motion passed unanimously 4 – 0.**

3. Public Comments for Items not on the Agenda

K. Rausenberger inquired the status of the delinquent tax collections. R. Bennett stated that the initial steps have begun and further steps will proceed if necessary.

Steinberg Road residents inquired the status of the speed issue on that road. This item will be included in the Town Manager's Report.

B. Carr inquired the status of the Town Office Project. This item is included on the agenda.

A. Leavitt stated that vibration continues on Conant Square and he is concerned because his home is listed on the National Registry.

B. Carr inquired what the status of the town would be if the upcoming budget vote fails.
M. Ammatuna explained that the town will operate on the past year's budget.

4. Town Manager's Report

Town Manager Bennett reported on the following items:

- The Police Land Rover has sold for \$3,400. The funds will be used for the Speed Trailer and other necessary Police related equipment items that were not included in the budget
- The Highway Staff has recently attended the Vermont Highway Forum
- The river debris that was in the Neshobe River has been removed.
- The pump station on Champlain Street has had a pump rebuilt and replaced
- North Birch, Basin and VanCourtland Roads will be graded in the next few days.
- Roadside mowing will occur during the weeks of June 16 and June 23.
- Delinquent tax notices have been sent to affected residents. Some payments have been prompted. A more aggressive approach will be taken to resolve the delinquent taxes. D. Atherton inquired if this collection was for property or sewer payments. R. Bennett stated property only. The water and sewer delinquencies were discussed and further discussion will occur in the future with Fire District #1 with regard to collecting the delinquent water accounts. D. Atherton stated that he has spoken with representatives from the Fire District and a meeting will be happening soon.
- A letter has been received from residents on Steinberg Road regarding the speed and posting signs. R. Bennett stated that the signs that are posted are not standard signs and this is a Class 4 road with a posted 35 mph. R. Bennett stated that speed bumps were not an option as they would impede with snow removal and in order to lower the speed limit, an engineering study would need to be conducted. D. Fuller directed the Town Manager to investigate the cost of an engineering study. D. Atherton inquired if signs were available to be placed. There was discussion and it was determined that signs are not necessarily effective.
Chief Brickell stated that the road is a paved road that turns to dirt and the law states that the dirt portion must be posted at 35 mph and the paved portion must be posted at a minimum of 25 mph. Chief Brickell stated that the Police officers have been patrolling the area, however, have not found anyone to be in violation of the posted speed limit.
- There have been 6 engineering proposals received regarding the 6 FEMA projects. R. Bennett stated that 3 of these proposals were in "good position" and 3 have had previous experience working with the current Town Manager in another community. R. Bennett stated that Aldridge and Elliott "stands out". They have been resident engineers on the water project and assisted with the engineering work following Tropical Storm Irene. B. Cliver inquired who was on

the Panel that reviewed the proposals. R. Bennett stated that the Director of Public Works and she reviewed the proposals. B. Cliver stated that he thought it was the Select Board choice, or at least involved in the choice. There was much discussion concerning the proposals and R. Bennett stated that this was a Request for Qualifications. R. Bennett stated that she has had lengthy meetings recently with FEMA representatives and the scope of the projects could change due to these meetings. The FEMA deadline extension is necessary. There was also discussion concerning the costs for the engineers. R. Bennett stated that Aldridge and Elliott proposed \$95/hour and the other engineers proposed \$125/hour. B. Cliver stated that it would be a good idea to review more data from other firms. M. Ammatuna stated that there is no agreement.

Motion by D. Fuller and seconded by D. Atherton to engage the services of Aldridge and Elliot for services for FEMA projects as a result of Tropical Storm Irene and not to exceed the FEMA engineering fees. Motion passed 3 – 1 (Cliver). B. Cliver would like more information. M. Ammatuna inquired if the FEMA extension was applicable now that there is an engineer. R. Bennett stated that this is true.

- Mr. Bissette stated that his road has been repaired.
- M. Ammatuna inquired the status of the hole in the water fountain. R. Bennett stated that she forgot about this item and will follow-up.
- M. Ammatuna inquired if Anna Scheck has been working on the Non-Active Funds. R. Bennett stated she hopes that this is completed prior to the next meeting.
- There has been no response from the utility companies with regard to “ownership of the poles on North Street.
- The Economic Development Proposal was deferred to Executive Session.
- D. Atherton stated that the rock pile is still there.
- A letter has been written to Montpelier with regard to Route 73.

4 A) Sign Request

M. Ammatuna turned the meeting over to D. Atherton stating that she has a conflict of interest in this topic.

D. Atherton stated that an application has been received to install 1 wall sign and 4 window signs at a business located at 6 Park Street. There would also be a portable sign and a flag that would be brought inside at the close of business daily. The size of the signage would not exceed the 36 square footage that is allowed in the ordinances.

Motion by D. Fuller and seconded by B. Cliver to approve the permit to not exceed the square footage as allowed in the Town Ordinance. Motion passed unanimously 3 – 0 – 1 (Ammatuna).

5. Brandon Independence Day Celebration

Debbie Boyce, representing the Brandon Independence Day Celebration was present. Ms. Boyce stated that she has met with Chief Brickell regarding Police coverage for the festivities; however, she is looking for confirmation of resources, in the event that the budget fails.

M. Ammatuna inquired the appropriation to the event, to which R. Bennett responded \$6,000. D. Boyce stated that if the Parade Committee were aware of the issues earlier in the year, they would have been doing fundraising to help with the expenses. Chief Brickell stated that the Friday events would require 1 additional person and the day of the parade would require all police officers, with the assistance of Hunter North employees. D. Fuller inquired the cost of Hunter North, which Chief Brickell stated \$250, which has not increased. There was discussion as to other ways to assist with the Police coverage, which Chief Brickell stated that it is not feasible to have other volunteers do the duties as there, is not proper training.

This topic was deferred to the next Select Board meeting.

D. Boyce inquired if the street could still be closed between the Congregational Church and Central Park on July 4 from 4:00 PM – 10:30 PM for the Annual Street Dance, which the DJ has donated services. **Motion by B. Cliver and seconded by D. Atherton to allow this road to be closed at these times.** There was discussion as to the enforcement for this event. D. Boyce stated that the fire trucks are the block for the road and other volunteers will assist, therefore, lessening the need for more than 1 Police Officer. Following discussion, **B. Cliver amended the motion to include “vote dependent”**. **D. Atherton seconded the amendment. Motion passed unanimously 5 – 0.**

6. Revolving Loan Fund Application – Swan & Stone Millinery

Nora Swan and Sam Stone were present to discuss their application to the Revolving Loan Fund. The Swan & Stone Millinery has been an LLC for 2 years and has been in operation for over 4 years. Ms. Stone gave background information on the company and stated that the purpose of the loan was to purchase a felt loom. Currently, they are paying \$18,000 in rental fees per year for a loom and, at the current pay off rate, the proposed purchase would be paid off in approximately 2 years. The remaining funds, if approved, would be utilized to purchase a 500 pound bail of wool. Ms. Stone stated that with the increase in production, there would be the possibility of expanding to the Grainery on Union Street, and the addition of a shop assistant, as well as retaining the 2 part-time stitchers that are currently utilized.

There was much discussion concerning the utilization of outside funding sources.

M. Ammatuna stated that she would not be voting on this topic as she felt it a conflict.

E. Swift inquired who would pay the closing costs. Ms. Stone stated that she was not aware of any closing costs. R. Bennett stated that attorney fees are necessary to close this loan. Ms. Stone stated that the company could pay the closing costs.

D. Fuller inquired available assets. Ms. Stone stated that this information was included in the loan application packet.

M. Ammatuna inquired if there was a funding organization that is affiliated with the felt loom company. Ms. Stone stated that there is no funding organization available.

Ms. Stone stated that most of the hats are sold at Farmer's Markets and galleries. The hope would be to increase to a wholesale and on-line section as well.

Cindy Bell inquired a history of the fund. D. Fuller explained that the fund was originally set up as a CDBG Grant that was loaned to Nexus for start-up funding and when the original loan was paid off, the funds remained in Brandon and are being loaned to businesses as needed.

Motion by E. Swift and seconded by B. Cliver to accept the recommendation as presented and to grant the loan in the amount of \$40,000 to Swan & Stone Millinery with a committed 10 year re-payment to be paid off in 5 year installments with a balloon payment payable at month 61. Motion passed unanimously 4 – 0 – 1 (Ammatuna).

D. Atherton inquired if this application had been reviewed by the Economic Development Committee. R. Bennett stated that the board did not have a quorum at the meeting that the application was reviewed.

7. Recreation – Background Check Policy

Recreation Director Bill Moore was present to discuss the proposed Background Check Policy for Recreation Volunteers.

M. Ammatuna inquired if the Chief of Police would be consulted for the checks. Mr. Moore indicated that VCIC checks are available at no cost.

M. Ammatuna inquired if this proposed document was modelled after a VLCT (Vermont League of Cities and Towns) document. Mr. Moore stated that he had found some documents and combined pieces to come up with the proposed policy.

Motion by D. Atherton and seconded by E. Swift to approve the document with minor amendments. Motion passed unanimously 5- 0.

8. FY 14 – 15 Budget

R. Bennett reported that there were no updates on this topic.

9. Town Meeting June 23rd and 24th

M. Ammatuna stated that there would be an informational meeting on June 23, 2014 and would follow the same format as previously conducted. E. Swift stated that the various articles needed to be clarified at the meeting.

There will be a meeting on June 16 at 5:30 PM at the Town Hall to review the information to be discussed at the meeting.

M. Ammatuna inquired if there were sample ballots. R. Bennett will check with Town Clerk Sue Gage. M. Ammatuna inquired if the ballots would be machine count. R. Bennett stated that the count would be by hand.

11. Town Office Project

R. Bennett stated that there is no update at this time and that the environmental folks are working "behind the scenes" and is on to Phase II.

12. Waterline/Segment 6/Bridge 114 Project

R. Bennett stated that the waterline project is progressing with a proposed completion date of June 20; however, ledge has been an issue. There will be water shut-down for connections, which will occur on West Seminary Street, North Seminary Street, East Seminary Street and River Street. Residents will be notified. There will be another shut-down for residents residing on Park Street and continuing north to McDonalds.

R. Bennett stated that a letter has been sent out regarding the Segment 6 Jurisdiction.

Bridge 114 was discussed and the historical aspect was discussed. There will be future updates on this project.

13. Other Business

E. Swift stated that the Forest Service has researched the Churchill Road Bailey Bridge and determined that the Bailey Bridge works great at a fraction of the cost to replace. M. Ammatuna inquired if there would be grant funds available to replace the bridge. E. Swift stated that it is highly unlikely that any grant funds are available.

14. Fiscal

A) General Fund Warrant – June 9, 2014 - \$214,796.48

Motion to approve the warrant by D. Fuller and seconded by E. Swift. D. Atherton inquired the expense to Bright Visual Product. R. Bennett stated that

this was a replacement board at Dave's Grocery, where the Public Notices are posted. **Motion passed unanimously 5 – 0.**

B) Wastewater Fund Warrant – June 9, 2014 - \$5,621.59

Motion to approve the warrant by D. Atherton and seconded by B. Cliver.

M. Ammatuna inquired the expense for a tie rod. R. Bennett stated that this was a “wear and tear” item. **Motion passed unanimously 5 – 0.**

Motion by D. Fuller and seconded by E. Swift to recess the Select Board and convene as the Sewer Commission at 9:16 PM. Motion passed unanimously 5 – 0.

The Select Board reconvened at 9:18 PM.

Motion by D. Fuller and seconded by D. Atherton to enter into Executive Session, to include R. Bennett. Motion passed unanimously 5 – 0.

15. Executive Session – 1 V.S.A § 313 (a)(1) – Personnel

Motion by D. Fuller and seconded by E. Swift to enter into Executive Session. Motion passed unanimously 5 – 0.

Motion by D. Atherton and seconded by E. Swift to come out of Executive Session at 10:04 PM. The Select Board exited Executive Session with no action taken. Motion passed unanimously 5 – 0.

16. Executive Session – 1 V.S.A § 313 (a)(1) – Personnel

Motion by D. Atherton and seconded by D. Fuller to enter into Executive Session at 10:04 PM. Motion passed unanimously 5 – 0.

Motion by D. Fuller and seconded by D. Atherton to come out of Executive Session at 10:10 PM. The Select Board exited Executive Session with no action taken. Motion passed unanimously 5 – 0.

17. Executive Session – 1 V.S.A § 313 (a)(1) – Personnel

Motion by D. Atherton and seconded by E. Swift to enter into Executive Session at 10:11 PM. Motion passed unanimously 5 – 0.

Motion by E. Swift and seconded by D. Atherton to exit Executive Session at 10:19 PM. The Select Board exited Executive Session with no action taken. Motion passed unanimously 5 – 0.

18. Executive Session – 1 V.S.A § 313 (a)(1) – Personnel

Motion by D. Atherton and seconded by E. Swift to enter into Executive Session at 10:20 PM. Motion passed unanimously 5 – 0.

Motion by D. Fuller and seconded by E. Swift to exit Executive Session at 10:22 PM. The Select Board exited Executive Session with no action taken. Motion passed unanimously 5 – 0.

19. Executive Session – 1 V.S.A § 313 (a)(1) – Personnel .

Motion by D. Atherton and seconded by D. Fuller to enter into Executive Session at 10:23 PM. Motion passed unanimously 5 – 0.

Motion by D. Fuller and seconded by E. Swift to exit Executive Session at 10:25 PM. The Select Board exited Executive Session with no action taken. Motion passed unanimously 5 – 0.

20. Adjournment

Motion by E. Swift and seconded by D. Fuller to adjourn at 10:26 PM. Motion passed unanimously 5 – 0.

Respectfully submitted

Kelly Giard
Recording Secretary