

**Brandon Select Board Meeting
June 30, 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, Tracy Wyman, Richard Baker, Chris Brickell, Kathy Rausenberger, Brian Sanderson, Debra Jennings, Kelly Giard, Michael Denis, Jeff Stewart, Tracy Wyman, Dennis Reisenweaver, Bruce Edwards, Allan Leavitt, Lee Kahrs, Brenda Fizur, Nancy Jakiela, Charles Jakiela, Sue Gage, Cindy Bell, Jan Coolidge, Paula Bizon, Carol Bertrand, Bill Moore, Wayne Rausenberger, Judy Bunde, Buzz Racine, Tom Whittaker, Steve Carr, Penny Conlin, Robert Kinchen, Vincent Campbell, Shelly Grine, Linwood Barry, Deb Boyce, Anna Scheck, Cheryl LeBlanc

1. Call to order

The meeting was called to order by Maria Ammatuna at 6:05PM.

a) Agenda Adoption – Motion by Blaine Cliver/Ethan Swift to adopt the agenda. **The motion passed unanimously – 3 to zero.**

Motion by Ethan Swift/Blaine Cliver to enter into executive session at 6:07PM for a contract discussion to include Buzz Racine, Tom Whittaker and Steve Carr. **The motion passed unanimously – 3 to zero.**

2. Executive Session 1 V.S.A.313 (a) (1) - Contracts

Motion by Ethan Swift/Devon Fuller to come out of executive session at 7:00PM. **The motion passed unanimously – 4 to zero. There was no action required.**

Motion by Devon Fuller/Dave Atherton to enter into executive session at 7:01PM for a personnel discussion. **The motion passed unanimously – 4 to zero.**

3. Executive Session 1 V.S.A.313 (a) (1) - Personnel

Motion by Ethan Swift/Devon Fuller to come out of executive session at 8:22PM. **The motion passed unanimously – 4 to zero. There was no action required.**

The Select Board reconvened at 8:27PM.

4. Consent Agenda

a) Select Board Meeting Minutes – June 23, 2014

Motion by Ethan Swift/Dave Atherton to approve the minutes of the June 23, 2014 Select Board meeting. **The motion passed with one abstention - Ethan Swift.**

An amendment to the agenda was made to include:

- Item 4b - Citizen's Public Forum for budget comments only
- Item 8 – Executive session for personnel discussion
- Item 9 – Executive session for contract discussion

b) Citizen's Public Forum

Paula Bizon suggested it would be beneficial to have a brief description of each departments overall responsibilities to help explain why the budget is where it is at and where it is going. Ms. Bizon also requested information on the cost implications from Irene, as it appears that the only repair has been the paving of the road, as none of the parks have been repaired and the town office is still not in use.

Cheryl Leblanc does not understand the budget and noted it is not transparent. She sees shortfall and revenues being a problem, but wages are going up. She does not know how the benefits work and realizes there is a contract, but she has heard that town employees' benefits are fully paid and she thinks this is beyond what can be expected and the town needs to be run as a business. She was a Budget Manager for 16 years and she understands what they are going through. She noted that she could not sell her property for what it is assessed at and she feels the town is going to start losing residents. Maria Ammatuna confirmed that the health benefit is paid in full and noted the salary increase is at 1.17%.

Jan Coolidge stated after the Police Chief provided information on that department, she would not want to see the department reduced and then have crime increase, noting people will not want to come to Brandon if this happens.

Carol Bertrand stated she has also been doing budgets for 16 years. She would like to see more information and not cut positions if the town does not have to. She asked if residents would have the opportunity to review and make recommendations regarding the budget. Maria Ammatuna stated there was a Budget Committee that worked with the Select Board on the initial budget. This time, the budget will be done in open sessions, including this evening, for the public to have an opportunity to hear what is being done. Ms. Bertrand noted she had requested via email a line-by-line budget from Ms. Ammatuna and Ms. Bennett but had not received it to date.

Nancy Jakiela asked what the decision was as far as the Police Department as of Friday. Maria Ammatuna met with the Police Chief and there are two interpretations of the motion. It was motioned to continue the force and hire the additional person, but there was a Select Board member who noted if the budget was affected, there would not be a guarantee and there was a motion to keep the force in tack with the 8th person. Dave Atherton noted the Police Department had brought a proposal forward to bring the Code Enforcement and Health Officer positions into the Police Department. The Select Board is also holding off on the purchase of a police cruiser for this year.

Judy Bunde stated when she spoke with the Police Chief regarding the hiring of an 8th man; he advised there is not another slot at the Academy until February, which would cause a further delay.

Fiscal

a) General Fund Warrant – June 30, 2014 - \$85,792.60

Motion by Ethan Swift/Devon Fuller to approve the warrant of June 30, 2014 in the amount of \$85,792.60. **The motion passed unanimously – 4 to zero.**

b) Wastewater Fund Warrant – June 30, 2014 - \$1,639.72

Motion by Devon Fuller/Dave Atherton to approve the wastewater warrant of June 30, 2014 in the amount of \$1,639.72. **The motion passed unanimously – 4 to zero.**

Maria Ammatuna questioned if this is a prepaid expense. Anna Scheck stated it could be one bill that is split between two months and Robin Bennett confirmed that is the case.

c) FY14/15 Warrant - \$27,373.54

Motion by Ethan Swift/Blaine Cliver to approve the FY14/15 warrant in the amount of \$27,373.54, with Ethan Swift's friendly amendment to authorize payment pending approval from the lender for the expense note. **The motion passed unanimously – 4 to zero.**

The payment is for Calfirst Bank for a payment due July 1st. Ms., Ammatuna suggested a friendly amendment based on approval of the expense note. Sue Gage reported the paperwork is ready for submission.

d) FY 14/15 Warrant - \$553.65

Motion by Devon Fuller/Ethan Swift to approve the FY14/15 warrant in the amount of \$553.65, subject to approval of the expense note. **The motion passed unanimously – 4 to zero.**

The warrant is for two cell phone accounts for the Town and the Wastewater Department.

6. Municipal Operations – July 1, 2014

Maria Ammatuna noted none of the budget discussions are personal or emotional, but are coverage for the town and numbers for the budget.

Dave Atherton went through the budget line-by-line and taking into consideration past discussions, he provided a list of items for discussion. In looking at some of the smaller items, he suggested not funding trainings and seminars this year, which would also take out travel and expense costs. There are some mandatory seminars that would still be required. Brian Sanderson stated because of the new codes and standards all Public Works staff is required to have 6 hours yearly on road related activities. The training could be taken down to \$205.00 and travel and expense could save \$600.00. Robin Bennett stated there are some contractual obligations for the town office for ongoing changes to laws and software training. Maria Ammatuna suggested taking advantage of webinars offered. There could be a reduction in the travel and expenses for the town office of \$1,000.00. For the Police Department, there is \$1,000.00 for travel and expenses that are for classes outside the area and the conference that the Chief attends. His attendance also brings in additional funding for training. Chief Brickell noted the mandated training could be covered with the Academy and in-house. Clerk travel could be reduced by \$350.00. Ms. Gage noted any conferences she may attend will be covered out of pocket. Dave Atherton stated because the Police Department has offered to do the Code Enforcement and Health Officer duties, funding for those items could be taken out. Devon Fuller stated reducing the entire amount would be unreasonable. Dave Atherton proposed taking the entire budget for these items and determining what to do with them. Robin Bennett stated the interim Zoning Administrator is only approving applications and is not doing anything above that, but indicated he is putting in more time than he thought he would. It was suggested to try to find efficiencies in this area. Mr. Atherton stated the Select Board needs to review the entire budget for the Zoning Administrator and find out what it will cost to have a Zoning Administrator for two days per week. Maria Ammatuna noted two days per week would equate to \$18,720.00 for the year @ \$20.90 per hour. Ms. Bennett stated contracted services would tend to cost a little more per hour. Mr. Atherton suggested that some independent contractors are paid by permit and suggested talking to people to figure out whether two days per week is sufficient. Ms. Ammatuna stated the Police Department will be whole and the Select Board needs to cover zoning to some degree. Ms. Bennett noted the interim Zoning Administrator had agreed to five hours per week at no charge, but is doing more like 8+ hours per week and would prefer that the Town find someone as soon as possible. Dave Atherton will put some feelers out to some zoning administrators that cover multiple towns to obtain information and determine who may potentially be interested in doing the position. The Select Board will not replace the Health Service Officer and Rental Code person.

Motion by Blaine Cliver/Ethan Swift to implement a freeze on filling vacant positions for the Zoning Administrator, the Economic Development person and the animal control vacancy until a budget is approved, excluding the police position that was approved Friday night. **The motion passed unanimously – 4 to zero.**

The Rental Code and Health Service Officer duties will be transferred to the Police Department effective July 1st. It was noted there is a list of items that will need attention. Robin Bennett reported there has been interest expressed in the Animal Control position that would have a budgeted cost of \$4,000.00.

Dave Atherton stated the listers need to have a presence in the town office, as no one can access a lister card except Tuesday and Thursday. If there is only one person, they can be relocated to the town office, which would eliminate the costs associated with the town hall office. This would also eliminate the need for administrative support for that department. It was noted the \$16,000.00 covers the cost for the year, but it does stipulate someone entering the data. Ms. Bennett stated the IT people will have to set them up. Mr. Atherton stated with regard to Public Works, there are seven employees, including the Wastewater Department, and if there are no funds to do the projects, there could be reduction in staffing. Ms. Ammatuna noted that until there is a budget after July 1st, if there is a model for emergency items only for highway projects, there would be a reduction of \$10,200.00 for a three-week period, with the total reduction being \$205,400.00 for a year. This would be for two public works positions for the Highway Department. Blaine Cliver stated there will still be work that needs to be done, such as snow plowing and road grading. Maria Ammatuna questioned with the reduction of two positions, what would be the savings in supporting expenses. Brian Sanderson stated in reducing two people there would need to be additional help in the winter for snowplowing and he is unsure what the cost would be associated with the additional help. Winter sand and salt line items would not change. Gravel costs could change if an RFP is put out for grading. Dave Atherton stated if positions are

eliminated, the roads would be maintained as passable and grading would not be required. Mr. Sanderson stated the Town does not do road repairs as far as asphalt and without this work the roads will crumble. Maria Ammatuna stated the actual spent on an icy winter this year with a full staff totaled \$736,000.00 and the budget is \$810,500.00, which is a 10% increase, without fixing what is needed. Mr. Sanderson stated cutting staff will save money, but it will cut services. Maria Ammatuna stated a capital improvement plan was cost-prohibitive and there will be consideration to lay off two of the four people on the road crew because the town cannot carry people when the work cannot be done. The Wastewater staff is a separate budget. The Public Works Manager's salary is \$63,300.00 with benefits in the proposed budget. Dave Atherton questioned whether it would be cost effective for the Public Works to take over the mowing under Buildings and Grounds. Mr. Sanderson stated mowing equipment would need to be purchased, as the department does not have this equipment. It was noted that Corrections mows all fields that are not in close proximity to schools. Bill Moore stated there is one field at the school that is mowed by the Town as previously agreed. He approached the School Board requesting the property be moved to the town's ownership and the school is working on this item. There is a sponsor who does the mowing in return for a sponsorship of a team.

Maria Ammatuna questioned whether the Select Board would determine whether to sell the town office building and there could be the option to put this out to the voters. It was noted there would need to be a hearing prior to the vote. Blaine Cliver recommended trying to obtain the grant to renovate the building prior to discussing a sale of the building. It was noted that the \$30,000.00 for town office maintenance should be kept in the budget, as there could potentially be further issues with the roof and it is the intent to keep the building at least at the current condition. Ethan Swift noted the grant, pending resolution of the tank issues, is still in process.

Jan Coolidge stated utilities will be going down 2.6% and there will be an additional reduction later in the year that will total a 4% reduction. To date this year, \$79,330.00 has been spent for streetlights and there was corresponding revenue of \$23,602.00. There was a question of the Rec Department Travel and Expense line. Bill Moore stated this line covers membership for the Vermont Recreation and Parks of \$150.00, which provides support and written information that Mr. Moore feels is valuable. If the Town did not pay for it, he would subscribe for it himself. This budget line also covers his conference fee. There was a recommendation to place a freeze on office supply expenditures for the next 90 days. Sue Gage stated there will be additional costs for printing ballots and Ms. Scheck noted ink cartridges are funded through office supplies. Dave Atherton suggested researching other companies that would provide savings in this area. It was noted that there had been discussion of separating the Library, Senior Center, Mosquito District and other inter-governmental items for separate votes.

Motion by Ethan Swift/Dave Atherton to separate the inter-governmental items that include the Senior Center, Mosquito District, the Brandon Free Library, the Regional Planning Commission, Green-up Day, The Bus, the Rutland Economic Development Corporation and include only the county tax bill and VLCT. A friendly amendment was made to maintain the Mosquito District. **The motion passed with one no vote – Devon Fuller.**

The VLCT dues and other items are discretionary. Anna Scheck stated the Mosquito District is a multi-town contract. Maria Ammatuna noted it is not in the operational budget and is a separate entity. There is no jurisdiction for the Senior Center, the Library or the Bus Program subsidy and the tax payers should have the ability to vote on these items. Devon Fuller stated the Mosquito District could create a health risk and is a contract that has been in place. Blaine Cliver agreed that this item should not be removed. Mr. Fuller had suggested doing a 5% reduction for these areas, instead of choosing one over the other. Dave Atherton agreed the Town should be funding mosquito control. Blaine Cliver noted there is a difference between the Mosquito District and the Library or Senior Center, as they run themselves. Richard Baker suggested requesting the Trustees of Public Funds provide more funding for the Mosquito District since the Shirley Farr Estate had been set for mosquito eradication and \$9,250.00 has been the amount that has always been sent. Wayne Rausenberger stated the cost of operating the Mosquito District is increasing and he informed that Board that Brandon is considering cutting funding and it is unknown what type of services can be provided to other towns if this happens. They are working with a grant from the state, but there are issues with this process. Maria Ammatuna asked Mr. Rausenberger to determine whether Brandon's share is equitable. Mr. Rausenberger reported the criterion is based on items such as population and wetlands.

Richard Baker noted the \$125,000.00 for the Wheeler Road and Union Street projects are not all going to be spent in the next fiscal year. It was noted that those funds are earmarked for those projects and should remain as noted in the budget.

Ms. Ammatuna summarized that to this point, there has been a freeze of hiring, the discussion of a layoff of two Public Works people and the elimination of the Lister Administrative position.

Blaine Cliver agrees with what Mr. Atherton has proposed. If there is money to carry to the budget vote, there should be a focus on the entire year's budget. In addition to Mr. Atherton's recommendations, Mr. Cliver recommended that Town employees pay 10% of their health care. Mr. Cliver suggested Ms. Scheck, Ms. Bennett and Ms. Gage work together to come up with a better accounting system.

Ethan Swift questioned the specifics for the Building Maintenance line for \$5,000.00 for the Police Department. Chief Brickell stated there is some rot on the building that was not addressed and the west side of the building was not completely sided. Funds were spent to rehab this building and he does not want to see the building deteriorate and it was felt that \$5,000.00 was a reasonable marker for the maintenance. Mr. Swift also requested clarification of the same line item for Public Works for \$10,000.00, which is \$2,500.00 over last year. Brian Sanderson stated there are issues with the garage complex. The second building is not sound and has many items stored for the department. There is a 1000-gallon tank that does not meet requirements and there are four other fuel tanks that need to be replaced that do not meet requirements. There is also a floor drain that is unknown where it is draining to. Mr. Swift also asked if there has been an analysis of having more of a mix of road materials for cost savings. Mr. Sanderson has inquired about chloride tanks on site, but there would need to be a retrofit. He believes that roads have been properly maintained, noting there was a lot of winter sand used this past winter. With regard to roadside mowing, the department rents a machine and does it in-house. There could be a cost-savings in doing it only once per year. All roads in town are done by at least one pass. With regard to vehicle and equipment maintenance, if the town goes with more contractual work, Mr. Sanderson does not see that this would change with the reduction in force. Mr. Sanderson noted in speaking with road managers across the state, if the town is considering contracted services, it is a time-involved process to develop the details.

Devon Fuller had suggested a 4-day work week for staff, however, it was noted this is not an option. Dave Atherton stated he looked at what is needed for the entire year and not for just a 3-week period. In getting to a figure for the budget, it needs to be for a full year. Devon Fuller noted it was decided the police cruiser totaling \$30,000.00 would be eliminated from the budget, inter-governmental items will be voted on separately, there is a \$5,000.00 reduction in the town office and roadside mowing will be reduced to once per year that will save an additional \$5,000.00. There has been discussion of reducing two Public Works employees. There was also discussion of cutting training, travel expenses and the Lister Administrative position which totals around \$15,000.00. The reduction of the two positions would include the annual cost for overtime as well. Mr. Atherton stated if the Town is going to eliminate the positions, there needs to be the elimination of the services that correspond to the positions. It was noted with a \$219,000.00 reduction in the budget with \$2,420,470.00 to be raised by taxes would be a 3.8% increase over the current year's budget. Ms. Bizon stated if the funds are not available to provide the work, it is time to cut the positions. Mr. Reisenweaver stated with a 3.8% increase, there should be transparency that includes discussion of the appropriations. He asked if there has been consideration of giving back the state roads to the state. It was noted that the state would not be agreeable to taking back the roads. He also noted some towns have village taxes for things like plowing sidewalks and salting the roads that are not benefits to outlying areas. Mr. Reisenweaver noted it appears the biggest thing is the reduction in the revenue. Ms. Ammatuna advised there has been a correction in the past accounting procedures regarding how revenues are reported.

Nancy Jakiela asked if there is going to be a deficit this year and if so, has it been figured into the budget. Maria Ammatuna stated it appears the Town may end the year with about \$2,000.00. Charles Jakiela stated if the Town was to end with a deficit, what are the implications, as it is his understanding there is a state statute indicating the tax rate will need to be increased in the case of a deficit. Blaine Cliver stated there is the \$175,000.00 that was not assigned for this year and any deficit in that range would come out of that money.

Tracy Wyman believes the reduction of employees could be done, while still maintaining the same quality services the Town has had in looking at contracting out. Mr. Wyman will provide information to the Select Board that he has obtained by mid-week. The numbers he has come up with do have some pros and cons.

Maria Ammatuna received information that Brandon has 1939 taxable parcels and 1024 carry homesteads, with 76% receiving some form of prebate/rebate from the state. Sue Gage stated the figures are based on what was received in state funding to offset taxes last year. Ms. Gage encouraged people to apply for these prebates. Ms. Ammatuna read information on HI-144 regarding homestead declarations. Ms. Ammatuna stated the Select Board can review the land cost tables, which

were changed last in 2008 and this may provide taxpayer relieve. The coefficient of dispersion is approaching numbers that could be inequitable and there should be discussion of this item.

7. Other Business

Ethan Swift questioned if the town has received information from the consulting engineer regarding the FEMA applications. Robin Bennett reported there is a meeting scheduled for Thursday at 10AM to discuss these items. Ms. Bennett stated with regard to engineering services, there has been some positive feedback on four of the eight requests. Brian Sanderson stated one of the biggest issues with Green Park is not knowing where the town's boundaries are. He has contacted a firm that did the survey for the Power House property and they have submitted a proposal to determine the boundaries. This is the major item that is hindering proceeding with the repairs.

Dave Atherton asked about the utility poles on North Street. Brian Sanderson has put out a request to Fairpoint and Green Mt. Power. Green Mt. Power advised that it is a good idea as they like all utilities on one pole. He will touch base with them again. Mr. Atherton questioned the status of the Newton Road rock pile. Mr. Sanderson reported he has talked with Mr. Markowski and they have every intention of starting removal after July 4th. Mr. Sanderson requested a letter from Mr. Markowski indicating the rock pile will be removed by the end of July. Ethan Swift noted part of the deal was to fix the drainage problem on Maple Street.

Allan Leavitt submitted the following letter to the Select Board dated June 30, 2014:

"Subject: Road Vibration/House Destruction

This follows previous correspondence describing damage to my home at 27 Conant Square caused by continuous and worsening road vibration on the roadway fronting my home (Route 7).

In addition to the damage being done, I note the vibration is a 24 hour/day irritant. It never stops!!! Further, this condition has rendered by house unsalable.

I have described a problem I can no longer tolerate or fix. It is not of my making and demands immediate attention. If you have thoughts, plans or a solution, please relate it to me prior to July 15, 2014. Thank you."

Devon Fuller noted though there is a 90-day expense note; he questioned what the Select Board is going to request Ms. Bennett to do as of July 1st. To get to a 1% increase, the amount raised by taxes would need to be \$2,350,000.00. It was recommended that Ms. Bennett make the changes discussed this evening and apply them to the proposed budget. Ms. Bennett noted if the Public Works positions are reduced, there would need to be an amount included for contracting services.

Richard Baker stated he has not heard discussion of encumbrances, except for the town hall. There are items that need to be encumbered before the end of the fiscal year.

Carol Bertrand questioned whether changes would be made to the employees' health benefits and it was noted that at this time, negotiations will be opening up, but nothing can be done until negotiations begin and recommendations are made by the Select Board. The Select Board does not have the control over the benefits.

Nancy Jakiela asked why the Rec Director position was not discussed. Maria Ammatuna noted the budget discussions will be continued.

Judy Bunde stated there was discussion of sending out tax bills for the education portion. Anna Scheck stated it would be costly for NEMRC and could be confusing with sending out a revised billing. If the budget does not pass, there is the ability to bill for the education portion, but the cost for multiple tax bills would be between \$2,000.00 and \$4,000.00.

Motion Devon Fuller/Ethan Swift to restrict, reserve, encumber and defer the following:

1. The following are restricted by Statute – records preservation and lister's education
2. Police Explorers Reserve- funded by donations and fund raisers
3. PD Forfeiture Funds – funded by criminal seizures

4. Brandon Ski Club
5. Lister Reappraisal – received from the State per parcel - designated for future reappraisal
6. Town Hall funds – FOTH requested the Board encumber \$7,907.13 for Historic Preservation Grant Match and \$750.00 for open P.O. #11805
7. Economic Development Reserve – the Select Board voted to encumber \$10,000.00 for an Economic Development contract
8. Highway – P.O. #51422 – encumber \$9,240.00 for flake chloride
9. Highway – P.O. #51416 – encumber \$5,600.00 for roadside mowing
10. Bridge #114 funds budgeted in the General Fund to be used as the 5% Town match - there was \$1,430.00 used in the current year and an entry was completed to show funds in Fund 46
11. Donations received from an estate to be used for recreation and wastewater projects
12. Capital Project Funds – reserved by the Select Board for capital equipment and infrastructure reserve
13. Additional invoices for Route 7 and Bridge #114, as well as the waterline project that will need to be booked as payables and receivables

The motion passed unanimously – 4 to zero.

Dave Atherton noted there are Rec Department items that are purely donated; additionally the Rec Department brings in revenue.

Motion by Ethan Swift/Dave Atherton to enter into executive session at 11:02PM for a personnel discussion. **The motion passed unanimously – 4 to zero.**

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

Motion by Devon Fuller/Dave Atherton to come out of executive session at 11:12PM. **The motion passed unanimously – 4 to zero. There was no action required.**

Motion by Blaine Cliver/Ethan Swift to enter into executive session at 11:13PM for a contract discussion. **The motion passed unanimously – 4 to zero.**

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

Motion by Ethan Swift/Devon Fuller to come out of executive session at 11:23PM. **The motion passed unanimously – 4 to zero. There was no action required.**

10. Adjournment

Motion by Devon Fuller/Dave Atherton to adjourn the Select Board meeting at 11:24PM. **The motion passed unanimously - 4 to zero.**

Respectfully submitted,

Charlene Bryant
Recording Secretary