

**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, and Maria Ammatuna

**Also in Attendance:** Lee Kahrs, Art Doty, Donna Doty, Bruce Edwards, Kathy Rausenberger, Wayne Rausenberger, Phyllis Aitchison, Janet Coolidge, Kathy Mathis, Priscilla McKeighan, Larry Rogers, Lesa Pratt, Brent Bruehler, Dick Kirby, Dennis Reisenweiver, Frank James III, Mike Harrison, Peter Smith, Patty Smith, Tekar Shuman, Jack Filioe, Tracy Wyman, Wayne Giard, Carol Bertrand, Mike Christopher, Lou Faivre, Richard Baker, Nancy Jakiela, Charles Jakiela, Bill Moore, Helyn Anderson, Sue Gage, Lisa Kenyon, Chris Brickell, and Robin Bennett.

The meeting was called to order by Maria Ammatuna at 7:04 PM.

**1. Agenda Adoption** – Motion by E. Swift and seconded by B. Cliver to adopt the agenda as stated. B. Cliver made the following amendments: add 5) Contracts for the reason of an audit. With this change noted, the following changes occur: 6) Other Business; 7) Executive Session – 1 V.S.A. § 313 (a)(1) – Contracts; 8) Executive Session -1 V.S.A. § 313 (a)(1) – Personnel; 9) Adjournment . **Motion passed unanimously 5 – 0.**

**2. Citizen Discussion – Phyllis Reed**

Ms. Reed was not in attendance.

**3. Local Health Officer Appointment**

R. Bennett reported that Lt. Pulsifer has experience in both Rental Code Enforcement and Health Officer duties. The State of Vermont requires that the Select Board appoint an individual to such positions. Motion by B. Cliver and seconded by E. Swift to appoint Lt. Pulsifer to both positions. Motion passed unanimously 5 – 0.

**4. FY 14 – 15 Budget**

M. Ammatuna advised that this would be the last “working session” for the upcoming budget vote as time is running out.

R. Bennett reported that the proposed cuts to the capital budget are as follows:

- Police Cruiser - \$38,000
- 1.5 Public Works Employee - \$40,000
- Mowing - \$5,000
- Buildings and Grounds - \$5,000
- Zoning - \$7,750
- Listers - \$2,000

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- Trees - \$2,000
- Culverts - \$3,000
- Paving - \$2,000

There was discussion that the State will bring in an assistant assessor, if necessary. M. Ammatuna stated that she has spoken with the incumbent in the Listers Assistant position, who will leave at the end of July as the Grand List has not been submitted as yet.

Sue Gage stated that the General Fund Year to Date expense reports were included in the Select Board packet for review.

D. Atherton inquired the status of the Union Contract. R. Bennett stated that there would be no salary increase until the contract is negotiated and accepted. D. Atherton inquired why there was no contract negotiation last year. M. Ammatuna stated that there has been research and there was no Select Board vote on this topic at the time. Legal Council has been contacted and the Council stated that the negotiations were "close" and advised to not "go back" as it would be an illegal change. The Council recommended that the changes occur with the next negotiations. There were no comments from Richard Baker, who was serving as Interim Town Manager.

B. Cliver inquired the difference in the proposed increase vs. insurance deductions paid by employees. R. Bennett stated that the health insurance was more than the 1.7% proposed increase.

B. Cliver asked Sue Gage about the Budget to Actual reports. Ms. Gage explained that the revenues and adjustments are still necessary and, for 60 days, the adjustments would still be considered the current fiscal year. Ms. Gage stated that there is currently a \$48,170 deficit, which would be added to the next tax cycle as there is no reserve to cover this deficit. B. Cliver stated that he appreciates receiving the data on a regular basis so the Select Board can better monitor these items. Ms. Gage stated that abatements or changes in assessments affect the deficit.

D. Atherton stated that the report shows there are \$278,379.17 in delinquent property taxes. D. Atherton stated that he was at the Town Office and the postage machine is running out of postage money, there is a need for thermo paper for the credit card machine so that residents can pay their tax bills on their credit cards, a recorder is necessary for tax appeals, staples are running low and there is a need for paper for the printing of the re-vote ballots.

E. Swift recommended that some duties within the office staff may be combined to assist with the saving of money; lay-offs of non-union staff, Department Heads combine positions, hiring freeze, and cut the DPW Director position to part time. B. Cliver recommended to convert the DPW Director position to a contract administration position. E. Swift stated that grading, for example, is more expensive to contract at \$175 - \$200 per hour.

D. Atherton inquired if there was still a bond outstanding for construction projects. Richard Baker stated that the bond was to “catch-up” on projects and the funds are still being repaid.

M. Ammatuna stated that the town is required to plow Class 3 roads, however, not Class 4 roads. B. Cliver stated that the sidewalks should only be plowed downtown and require the homeowner to shovel the sidewalk at their property. D. Fuller inquired if the highway staff could adjust their plowing schedules in the winter. Brian Sanderson stated that plowing on a modified schedule would be based on the various scenario. D. Fuller stated that last year, there had been 3 highway crew staff members and the voters allowed for a 4<sup>th</sup> member to increase efficiency, however, the budget may not be allowing for this additional position. E. Swift understands the safety in having 2 crew members together, however, not all times is it required to have 2 working together. Mr. Sanderson agreed.

M. Ammatuna asked Mr. Sanderson to prioritize the remaining projects for the DPW. Mr. Sanderson stated there are 8 – 10 roads remaining to be graded; 6 culverts to be replaced (which are in stock and have been inspected for use); bridge work on 3 structures, which VTRANS deemed 1 as being a necessity and stockpiling winter sand. Mr. Sanderson stated that the loader operator can mix the winter sand as the contracted haulers arrive. M. Ammatuna inquired if the town could be part of the state purchase, since the state highway garage was so close in town. Mr. Sanderson stated that he would check. M. Ammatuna inquired if there were any grants for salt shed construction. Mr. Sanderson stated he is not aware of any. M. Ammatuna inquired if there was a possibility of surviving the remaining part of the summer with 2 staff members. Mr. Sanderson stated that the grading was the priority. M. Ammatuna inquired if it was possible for the DPW Director could be a part-time position. Mr. Sanderson stated that he also manages the Wastewater Treatment Facility and public grounds. M. Ammatuna inquired if Mr. Sanderson was working on grants or day to day operations. Mr. Sanderson stated that when he is not working in the office, he is out working with the various departments. Mr. Sanderson explained that Mr. Colburn communicates issues that need attention when necessary.

E. Swift inquired if the culvert money was available in the form of grants. Mr. Sanderson stated that the 15” – 18” culverts are being upgraded to 24” culverts. M. Ammatuna inquired if this was to be in compliance with state regulations. Mr. Sanderson stated that there can be a loss of grant matching funds or FEMA funds, should the situation arise as did with Irene.

E. Swift inquired of Mr. Sanderson if machine could be shared with other towns. Mr. Sanderson explained that some towns share, however, there are legal issues involved, as well as scheduling issues.

M. Ammatuna stated that the budget could be level funded to send a message to the voters.

Ms. Gage stated that the delinquencies are an issue. M. Ammatuna stated that she has contacted VLCT and the town is authorized to publish a list of aggregate dollar amounts, landowner name, parcel number as it is public record information and not against state statute. Currently, there are 274 parcels delinquent for sewer in the amount of \$374,754.92 and \$694,486.80 delinquent in property taxes.

D. Fuller stated that winter is an issue for the DPW, however, there would be a possible return of the positions, if necessary.

M. Ammatuna stated that the Wheeler Road appropriation is for engineering, as is Union Street. Mr. Sanderson stated that the project would be contracted to outside contractors.

M. Ammatuna stated that the entire crew out would require a contract, however, if a partial crew is out, there would be no contract.

D. Atherton inquired the cost of a plowing employee. R. Bennett stated that there is no easy way to calculate as there would need to be payment for accrued vacation time and not much of a savings, as the lay-off would be for approximately 3 months.

M. Ammatuna inquired if Mr. Sanderson had any plans for the DPW cuts. Mr. Sanderson stated that the cuts would be dependent on the scenario,

M. Atherton stated that there has been no recommended cuts from Administration; the Police Department has made recommendations for cuts; the Highway Department has no recommended cuts; the Sewer Department is too small for cuts.

D. Atherton stated that the Union related cuts have caused a "great mess" and it is unfortunate to have to cut jobs.

D. Atherton inquired what positions are non-union positions. These positions are the DPW Director; Police Chief; Police Lieutenant; Town Manager; Zoning Administrator; and Economic Development Director. There are hiring freezes on the Zoning Administrator and Economic Development Director.

Priscilla McKeighan inquired if it is possible to sell the former Town Office building to generate cash flow. M. Ammatuna explained that to sell the parcel, there would have to be a taxpayer vote. Ms. McKeighan continued by recommending a tax abatement to attract businesses. Ms. McKeighan stated that the park across from the former town office needs to be fixed as she has heard folks say "it looks like a jail"

E. Swift stated that revenue options are being pursued. Some of these options include sewer connections, offer incentives, however, the issue is the budget short-fall. There were positives noted, such as recent business growth and there are plans to expand other businesses in the area.

Nancy Jakiela stated that “want vs. need” should be considered with regard to the Recreation Department. We “need” decent roads and infrastructure maintained.

Dennis Reisenweiver questioned why last year’s budget could not be used, plus the \$50,000 projected deficit and the 1.7% salary increase for the minimum budget.

Mr. Reisenweiver inquired if the DPW employees are required to have a CDL. Mr. Sanderson stated that the full-time employees have the CDL, however, the part-time employees do not have the CDL. Mr. Reisenweiver recommended terminating the non-CDL employees.

Mr. Reisenweiver inquired if there were any existing grants outstanding. M. Ammatuna stated that the Wheeler Road and Union Street grants are still outstanding. Mr. Sanderson stated that there are Better Back Roads grants available. E. Swift stated that there are 15 – 17 FEMA grants that are waiting answers.

M. Ammatuna updated the public that there had been concerns that the Town Office building and the Town Hall were located on the same parcel of land, which the Town Office land is considered toxic as there was a leak in the fuel tank. This issue has been resolved, therefore, answers should be received soon.

M. Ammatuna stated that there is a possibility of selling some town owned land at the upcoming tax sale. D. Atherton stated that this would require a public hearing, and this property would increase the grand list.

Mike Christopher stated that he agrees with Nancy Jakiela and that there is a “need vs. want” situation. Mr. Christopher stated that there should be an expedite on the collections of delinquent taxes.

Brent Bruehler inquired if it was possible to offer a tax “holiday” to see if some of the delinquent taxes could be collected. Ms. Gage stated that the State Statutes do not allow this to happen. Mr. Bruehler also stated that he shovels the snow in front of his business, however, the Department of Public Works plows the road in front of the business and back onto the sidewalk. Kathy Mathis stated that it used to be the business owners responsibility to remove any snow.

Ms. Mathis stated that she feels that the kids that benefit from the Recreation Department could also be some of the folks that owe delinquent taxes.

Ms. Mathis continued by inquiring why the Senior Center was not notified of the decision to remove their allocation from the General Budget and that she had to read it in the local papers. M. Ammatuna stated that the Senior Center is a non-profit organization and they would need to request funds from the voters on the ballot and not on the municipal budget.

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Brian Sanderson read page 111 of the Select Board Handbook with regard to the merchant snow removal practices.

Tracy Wyman inquired the use of 2000 yard of winter sand and inquired how much was left in the pile. B. Sanderson stated that the amount remaining is unknown. Mr. Wyman inquired if it was possible to not purchase as much sand for the upcoming season. Ms. Bennett stated that there were shortage concerns at the end of last winter season.

Cindy Bell inquired who would be responsible if the business owners remove snow in front of their businesses and someone were to become injured. M. Ammatuna stated that it would be the responsibility of the business owner.

Ms. Bell continued by saying that there is a drug issue in Brandon and without the Recreation Department, the issue would be worse.

M. Ammatuna inquired the possibility of having the delinquent taxes forwarded to a collection agency. Ms. Gage will check into this possibility, however, Ms. Bennett stated that the town has the "power" to hold a tax sale where a collection agency does not have this authority.

E. Swift inquired how long it would take to research the properties that are eligible for tax sale. Ms. Bennett stated that there are lots of parcels to research and anticipates 7 weeks to research.

M. Ammatuna inquired the possibility of holding the Public Hearing for the sale of town parcels in conjunction with the Budget Informational Meeting. E. Swift stated that this was not a good idea. Ms. Gage stated that letters went out last week to property owners who owe delinquent from the past year and the week before to property owners who owe from years past.

There was discussion to reduce the administrative position at the Police Department, which Chief Brickell stated that this position will also be assisting Lt. Pulsifer with his new duties and if the position was reduced, it may be more beneficial to remove the 8<sup>th</sup> officer.

Janet Coolidge stated that the budget process as a whole recommended cuts as a whole, however, the Select Board needs to explain the cuts and state the facts to the voters.

M. Ammatuna stated that there have been several voters in her store and in discussion, all voting decisions discussed have been emotional reasons. D. Fuller stated that the \$211,000 shortfall that occurred hurt.

Lou Faivre stated that the people thought with arrogance. D. Atherton stated that meetings have been held, however, people don't want to listen. Mr. Faivre stated that

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there needs to be a tax sale scheduled and the Town Manager's salary needs to be reviewed.

Mr. Rogers inquired the status of the negotiations with the Union. M. Ammatuna stated that there have been talks. E. Swift stated that there is a situation of the rumor mill vs. the truth about town. M. Ammatuna stated that there will be 2 Select Board members and 3 managers on the negotiating team.

Ms. Bell stated that she served on the Budget Committee and they were recommended 10 items to the Select Board and 8 were passed. The Budget Committee was advised that their discussions were not to be discussed with the General Public, which they were, and that they did not work together.

M. Ammatuna inquired of Peter & Patty Smith their opinion on the budget. Ms. Smith stated that it was disrespectful to the taxpayers to put the same number on the budget revote, which failed because it was too high.

Mr. Wyman stated that he would like to see the budget level funded with 1.7% increase, and only have the increase once there is a passing vote.

Ms. Jakiela inquired who the managers represented in the Union discussions. M. Ammatuna stated that they are guided by the Select Board recommendations and the Union represents the employees and the Union does not have the power.

Ms. Bennett recommended to leave the Inter-Governmental number and remove next year. B. Cliver expressed approval to this recommendation.

D. Fuller stated that this would be back to emotional voting.

Motion by D. Atherton and seconded by B, Cliver to calculate the Inter-Governmental number back into the budget. Motion passed unanimously 5 – 0.

Kathy Mathis invited the Select Board members to attend the weekly luncheons at the Senior Center to discuss the budget. Lesa Pratt stated that when they were at these luncheons to explain the cuts.

Motion by D. Fuller and seconded by B. Cliver to propose the budget at \$3,098,670 with \$2,493,995 to be raised by taxes. Motion passed unanimously 5 – 0.

M. Ammatuna directed the Town Manager to prepare a press release on Tuesday morning.

M. Ammatuna stated that she has had discussions with Charles Jakiela with regard to the timing of the Informational Meeting. Ms. Ammatuna stated that Brian from the Secretary of States office stated that the meeting does not need to be held the night before the vote. The Select Board members recommended hosting the Informational

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Meeting on Tuesday, July 15, 2014 at 6:00 PM at Neshobe School, and moving the regularly scheduled Select Board meeting from July 14 to July 15.

Kathy Rausenberger inquired if the Union negotiations were occurring in the presence of Council. M. Ammatuna stated that Council was being contacted if necessary.

**5. Other Business**

D. Atherton had a copy of the Burlington Free Press article with regard to the Open Meeting Law. The article stated that some towns are shutting down websites as a result.

B. Cliver inquired of Ms. Bennett the availability of the KAS report with regard to the removal of the oil tank at the Town Office. Ms. Bennett will forward the report to the Select Board members.

**6. Executive Session**

Motion by E. Swift and seconded by D. Atherton to enter into Executive Session at 9:27 PM to discuss contracts. Motion passed unanimously 5 – 0.

The Select Board exited Executive Session at 9:36 PM. Motion by E. Swift and seconded by D. Atherton to exit Executive Session with no action taken. Motion passed unanimously 5 – 0.

Motion by B. Cliver and seconded by D. Atherton to table Executive Session for Personnel. Motion passed unanimously 5 – 0.

Motion by D. Atherton and seconded by D. Fuller to adjourn at 9:38 PM. Motion passed unanimously 5 – 0.

Respectfully submitted

Kelly Giard  
Recording Secretary