

**Brandon Select Board Meeting
September 22, 2014**

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

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

Also in Attendance: Robin Bennett, Kathy Rausenberger, Wayne Rausenberger, Bernie Carr, Delores Furnari, Lee Kahrs, Richard Baker, Linda Stewart, Joe Ammatuna, John Wilson, Lynn Wilson, Dick Kirby, Arlen Bloodworth, Janet Coolidge, Gary Meffe, Jessie Burkan, Erin Mansfield, Priscilla McKeighan

1. Call to order

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

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

Item 11- Other Business – split into A. Mosquito Control District – Wayne Rausenberger letter and B. Mosquito Control District – Vermont Law School letter

Item 12(c). Fiscal – split the \$85,953.03 General Fund warrant into three separate warrants relating to the appropriate accounts: (c1) \$80,425.69 for Account 10, (c2) \$33,282.47 for Fund 46 for the AOT Grant Fund and (c3) \$2,244.87 for the Town Office Project

2. Consent Agenda

a) Select Board Meeting Minutes – September 8, 2014 (AM)

Motion by Dave Atherton/Blaine Cliver to approve the minutes of the September 8, 2014 morning Select Board meeting. **The motion passed unanimously – 3 to zero.**

b) Select Board Meeting Minutes – September 8, 2014 (PM)

Motion by Blaine Cliver/Ethan Swift to approve the minutes of the September 8, 2014 evening Select Board meeting. **The motion passed unanimously – 3 to zero.**

3. Public Comments for Items not on the Agenda

Wayne Rausenberger asked about the Union Street project. Robin Bennett has not had a chance to look into this as she was out last week. Ms. Bennett will review this project and will provide a scope of work and timeline to the Select Board.

Linda Stewart wished to thank whoever painted the bus stop as it looks terrific and she also wished to thank those who did the patching of the bridge. It was noted that Devon Fuller is responsible for the painting the bus stop the Public Work's road crew did the patching.

Priscilla McKeighan asked about patching the spot by the town office. Robin Bennett advised the interim Public Works Director is looking into that area and is on the list of items to be addressed.

Janet Coolidge reported the "Brandon Has Talent" was a great event and she thanked those who attended the event that raised over \$1,500.00 for the roof project.

Bernie Carr thanked Devon Fuller for painting the bus stop. Mr. Carr wished to remind the Board that it was discussed to add Park Street engineering into the Segment 6 project. Mr. Carr questioned who would be the contact person to request a rumble strip between Brandon and Pittsford, as it is a very dangerous section of road. Robin Bennett will ask her contact at VTrans and will advise Mr. Carr. It was noted that Segment 4 will at least two years away and Mr. Carr thinks it would be a safe way to get attention to that dangerous section of road.

4. Town Manager's Report

Robin Bennett stated there has been no further draw down on the expense note. There has been \$208,246.59 or 28.9% of the delinquent taxes and \$72,135.57 or 18.5% of the delinquent sewer taxes collected. Payment arrangement letters will be sent to 45 property owners. There are 145 tax accounts and 155 sewer accounts with a balance that include the 45 payment arrangements. October 3rd is still the timeline to forward the accounts to the attorney. The town has worked with people the best that they could. Dave Atherton asked if the expense note will be paid off now that the town is collecting taxes. Ms. Bennett reported it will be paid off by the end of this month and will be converted to a tax anticipation note and this account will have a zero balance. The Phase 2 environmental study for the town office project has begun and it is hoped to have the grant application done this week. A timeline of five weeks was estimated for the study, but it is thought that this could be shortened up. Mt. Pleasant, Town Farm Road and Pleasant Street have been graded. The salt bids came in \$22.00/ton more than last year and the town was only able to purchase 668 tons with the current bid price compared to 836 tons last year. Blaine Cliver requested sand be used for the sidewalks rather than salt. Ethan Swift stated past practice was to mix more salt with the sand, and perhaps there could be a more conservative use of salt. Public Works is looking into this item. With regard to the Public Assistance grant, there has been an agreement as to what will be completed under the PA project versus Segment 6. It is anticipated to have a recommendation to the town by October 15th. Ethan Swift questioned if this would apply to other PA grants. Robin Bennett advised these are separate and there was an extension on all 6 remaining projects. It is hoped to get them all done. Ms. Bennett reported concerns have been addressed at the wastewater treatment plant and most of the big items have been addressed and it is a cleanliness issue at this point. The town office will be closed on October 13th for Columbus Day.

Ms. Bennett reported she attended the ICMA conference. There were some very good keynote speakers and it was the 100th anniversary of the program. Dave Atherton asked if there is grading on the schedule for this week. Ms. Bennett will look into this and get back to the Board. Priscilla McKeighan stated some of the roads are in poor shape. Robin Bennett noted there are a lot of roads that need attention, but it is a budget issue.

Linda Stewart stated during budget time she suggested checking with the state whether the town could take advantage of the price that the state gets for salt and sand and perhaps buy it at a lesser price from them. Robin Bennett stated the town obtains the state bulk pricing that is offered to municipalities.

Maria Ammatuna stated the town is up for certified local government review. Robin Bennett responded indicating she would be getting back to them. She is not sure what is needed for the review and will be attending a meeting regarding the process. Ms. Ammatuna recommended Blaine Cliver attend the meeting with the Town Manager. Ms. Ammatuna questioned the staffing in Public Works and Ms. Bennett reported there are three people back, with one being a temp because of the person out on medical leave. The person on leave is out until at least the end of the month.

5. CDBG-DR Resolution

Maria Ammatuna stated there is a resolution presented to the Board for consideration for the Disaster Recovery Grant application process. The Board needs to adopt the resolution in order to apply for the grant for the town office.

Motion Ethan Swift/Blaine Cliver to approve the CDBG-DR resolution. **The motion passed unanimously – 3 to zero.**

The Town Manager will keep the Board updated on this process.

6. Errors and Omissions

Maria Ammatuna reported there are four parcels for consideration.

Motion by Blaine Cliver/Dave Atherton to approve the errors and omissions as presented. **The motion passed unanimously – 3 to zero.**

7. Halloween Parade

Maria Ammatuna advised there is a request from Neshobe School's Principal requesting the closure of Route 7 for the Halloween Parade on October 31st.

Motion by Ethan Swift/Dave Atherton to approve the closing of Route 7 on October 31, 2014 for the Halloween Parade.

The motion passed unanimously – 3 to zero.

It was recommended that Chief Brickell be advised of this request and it was noted that he is already aware of the parade.

8. Citizen Petition

Maria Ammatuna reported the Select Board received a document titled, Petition of Legal Voters of Brandon to the Select Board that reads: “The undersigned registered voters of the Town of Brandon hereby petition the Select Board to add the following advisory article to the warning for the November 4, 2014 General Election. Shall the Town of Brandon vote on the town budget from the floor.” Ms. Ammatuna advised the petition made it in with the appropriate number of signatures. Ms. Ammatuna proposed a special meeting on September 29th at 8:00AM to review the petition and approve the warning for the November ballot. This will be an open meeting at the town hall and the public is invited.

Ethan Swift stated knowing the article has to be placed on the warning for a special meeting; this has to be very specific in accordance with VLCT. There was mention that the town vote to adopt the budget from the floor is pursuant to 17 V.S.A. % 2680(c). Should the town vote to adopt its town budget from the floor it raises the question if there needs to be a vote for other articles on the ballot. There may also be a misunderstanding created in that it has been reported the petition is for both the town budget and the school budget. It was noted there are two petitions being circulated, one for the town budget and one for the school budget.

Linda Stewart expressed concern that voting the budget from the floor disenfranchises the servicemen, the young people who are away, the older people who cannot get out and those who have winter homes but are Brandon residents. Ms. Stewart questioned the legality of the process. It was noted there are no absentee ballots and the process is legal. Dave Atherton advised that Bristol votes their budget in this manner.

9. Town Office Project

Robin Bennett reported the town is proceeding with the grant application and it will be completed this week in time to make the deadline. Blaine Cliver stated there is a committee that is working on different items and suggested the committee be authorized as a Select Board committee to be officially recognized. Maria Ammatuna stated a committee was sanctioned that included members of the Design Committee and it was noted that Robert Black was named the liaison between the Select Board and the Committee. Ms. Ammatuna stated the Committee is sanctioned to keep working on the project. Robin Bennett stated in the near future, there will be a public hearing regarding the grant.

10. Segment 6/Bridge 114 Projects

Robin Bennett provided a VHB report to the Select Board. Dave Atherton questioned if VTrans could be requested to extend the resurfacing of Route 7 from Jiffy Mart towards town to alleviate the problem with that section of road. Robin Bennett reported the town had taken over that section of the road where the problem lies. Mr. Atherton noted it may be worth posing the question to VTrans whether this could be done.

Robin Bennett will confirm the design changes discussed during the September 11th conference call and noted the right of way plans are in progress. Ms. Bennett spoke with VSE today and it is hoped to have a contract in place soon. The contract runs through CLD and she gave the go-ahead on this item. Mr. Swift asked if an updated timeframe was provided. Ms. Bennett stated it is known the town wants this done by the end of month. Maria Ammatuna requested the Town Manager contact Scott Robertson to discuss the rights of way. Blaine Cliver expressed concern with the services provided by VHB in not moving things ahead and suggested the possibility of no longer using their services. Ethan Swift stated these concerns do raise questions. He is aware there is a contract with VHB and questioned if a cross-referencing of services provided to what the town is supposed to be getting and assuring the invoices are tied to work is being done. Robin Bennett advised the invoices are reviewed and are sent to the state for review. She does not think it is entirely their fault as there have been some slow responses provided to them. Mr. Cliver asked how effective they are in dealing with the other engineering firms and moving the project ahead; as he does not think they are acting in the town's best interest. Ms. Bennett noted the cost of any of the changes outside the original plan would be the town's responsibility. Mr. Cliver stated CLD came up with an estimate to cover the changes that were recommended and accepted. The actual construction costs will be the town's responsibility, but the design changes were covered. Mr. Cliver noted the design changes for the park will not affect the construction costs. Mr. Cliver would like to receive a more detailed account of what is being done. Ms. Bennett stated the timeline has been given out multiple times. Maria Ammatuna stated Scott Robinson was questioning where the town is with the rights of way and indicated the town has not met the first due date and the process needs to be moved along to allow for construction in 2016. It was suggested that VHB, CLD and VSE be put to task to adhere to the critical timeframe to not risk delaying the 2016 start time of the project. Ms. Bennett reported VSE will be in town on Wednesday. Ethan Swift stated it is VHB's responsibility to coordinate this effort. Ms. Ammatuna requested VHB's invoices be included in the General Fund warrants. Ms. Bennett is working on an update for the design easement and she needs to get conversations going with some property owners. She has asked VHB to provide the waivers and the easy ones will be sent out. Ms. Ammatuna asked that a generic letter be sent upfront to all parties involved to provide information on what the process will be. Ms. Bennett reported the Pattis easements are being verified and they are confirming some other parcels.

11. Other Business

a. Mosquito Control District – Wayne Rausenberger Letter

Wayne Rausenberger submitted and read the following letter:

“Attn: Members of the Select Board

Enclosed please find a check for \$6,953.75. Upon looking at a summary of our bank account I have determined that the BLSG account was paid \$6,953.75 on August 15, 2014. This was the old assessment, and on September 8, 2014 we were paid \$7,375.00 the new assessment.

After speaking with Louann and Anna it has been determined that no warrant was signed for an August payment, but one was signed for the September (the new assessment). This is definitely a bank error.

After talking to your bank it was also determined by the bank that our quarterly payments will now be September, December, March and June.

I would appreciate it if you could change the payments back to August, November, February and May.

Thank you for your attention to this matter.

Respectfully,
Wayne Rausenberger
Treasurer, BLSG Insect Control District”

Robin Bennett has a reimbursement check for \$6,953.75. Mr. Rausenberger reported two years ago there was a problem with not getting paid, but this had been straightened out. He would like to change the months for the quarterly payments. Richard Baker stated initially the bank transfers were set up because the former Head of the Mosquito Control District spent his winters in Florida. Maria Ammatuna stated going forward the town will receive invoices and checks will be issued. Robin Bennett stated this is the only automatic transfer that is done for a vendor and she prefers to go with invoicing and issuing of checks. Ms. Bennett will provide a letter to the Mosquito District outlining the agreement.

b. Mosquito Control District – Vermont Law School Letter

Wayne Rausenberger provided the Board a copy of the letter the BLSG District received from the Vermont Law School requesting public records. There is an individual in the district that is not happy with the use of pesticides and intends to do everything in their power to shut the District down. They are requesting information back to the point the District was established and the District is in the process of obtaining clarification on the request. The district has consulted with an attorney. The Leicester Select Board has been advised and Salisbury and Goshen will be made aware of this request. Mr. Rausenberger noted the state will likely be notified for a similar request.

c. Other

Blaine Cliver recommend the Board re-establish the Finance Committee to make it part of the budget process, as it was a process that worked in the past. Dave Atherton suggested posting for letters of interest to participate on this Committee. There were 10 individuals on the last committee that included one alternate. Janet Coolidge thought the process worked well, with exception of the time constraints they had and she felt that there may be more people interested in participating on the committee now that the process has been established. Mr. Atherton expressed concern the committee needs to come together as a board and it needs to be stressed that it is a joint effort. It was suggested that rules should be developed prior to the start of the process. Robin Bennett thought the committee was too large. Ms. Coolidge thought it would be better for both the Committee and the Select Board to start at the same time, to avoid redundancy. It was recommended to advertise for letters of interest to participate on the committee that will be posted on the website and in The Reporter. Ms. Bennett will begin the budget process in meeting with department heads in October. Ethan Swift stated it is difficult to meet during the holiday time and he suggested the process begin soon after the first of the year. Dave Atherton suggested getting the notice in the paper and getting the committee together and ready to go. Robin Bennett recommended advertising for a longer period of time. Ms. Ammatuna requested Ms. Coolidge obtain feedback from the prior committee members on the process.

Blaine Cliver requested the town empty the dog receptacle in Kennedy Park when emptying the trash containers. Wayne Rausenberger talked with Lynn Barrel regarding the receptacle and she noted the key had been given to Brian Sanderson. Robin Bennett will look into this request.

Ethan Swift reported the VLCT will be hosting municipal budget workshops and encouraged board members attend. He did not have information on the dates of workshops.

Dave Atherton requested status on the union negotiations. Robin Bennett has not been contacted by Mr. Blair and she will contact him again this week. Mr. Atherton questioned the status of the job posting for the Zoning Administrator position. Robin Bennett will be working on this item this week.

Maria Ammatuna requested an audit update. Robin Bennett reported there has been an email sent to Glenna Pound, but she has not received a response. Ms. Bennett noted Ms. Pound is not the issue as the town is not totally prepared due to the amount of time spent working on tax and sewer billings over the last few weeks. Ms. Ammatuna requested a detailed billing of Ms. Pound's daily activities.

12. Fiscal

a) Postage Warrant – September 12, 2014

Motion by Ethan Swift/Dave Atherton to approve the Postage warrant on September 12, 2014 in the amount of \$1,000.00. **The motion passed unanimously – 3 to zero.**

b) FY13/14 Warrant – September 22, 2014 - \$51,011.82

Motion by Ethan Swift/Dave Atherton to approve the FY13/14 warrant of September 22, 2014 in the amount of \$51,011.82. **The motion passed unanimously – 3 to zero.**

c) General Fund Warrant – September 22, 2014 - \$85,953.03

- 1) Motion** by Ethan Swift/Dave Atherton to approve the General Fund warrant of September 22, 2014 in the amount of \$80,425.69. **The motion passed unanimously – 3 to zero.**
- 2) Motion** by Ethan Swift/Dave Atherton to approve Fund 46, the AOT Grant Fund warrant of September 22, 2014 in the amount of \$33,282.47. **The motion passed unanimously – 3 to zero.**
- 3) Motion** by Ethan Swift/Dave Atherton to approve the Town Office Project warrant of September 22, 2014 in the amount of \$2,244.87. **The motion passed unanimously – 3 to zero.**

Maria Ammatuna stated this warrant includes the rent for October and the September vault rental.

Dave Atherton questioned if this is the end of the waterline project. Robin Bennett stated there are still outstanding invoices and there will be more to be paid. The last payment request is with A & E and will then be sent to VHB. The town will then sign off and then it is sent to the state. At the completion, the Select Board will receive a full accounting of the overage. Ethan Swift stated VHB has submitted revised invoices and asked if they are in keeping with the projected budget expenses and whether they are following what their contract specifies. Robin Bennett stated the project did not go over, except for the ledge issue.

d) Wastewater Fund Warrant – September 22, 2014 - \$19,034.43

Motion by Ethan Swift/Dave Atherton to approve the Wastewater Fund warrant of September 22, 2014 in the amount of \$19,034.43. **The motion passed unanimously – 3 to zero.**

16. Adjournment

Motion by Blaine Cliver/Ethan Swift to adjourn the Select Board meeting at 8:22PM. **The motion passed unanimously - 3 to zero.**

Respectfully submitted,

Charlene Bryant

Recording Secretary