

**Brandon Select Board Meeting
January 26, 2015**

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

In Attendance: Ethan Swift, Dave Atherton, Devon Fuller, Doug Bailey, Seth Hopkins

Also in Attendance: Robin Bennett, Wayne Rausenberger, Kathy Rausenberger, Richard Baker, Arlen Bloodworth, Erin Mansfield, Lee Kahrs, Jeff Stewart, Tecari Shuman, Anna Scheck, Doug Sawyer, Janet Coolidge, Steve Cjika, Sam Glaser, Phyllis Reed, Luanne Merkert, Judi Bunde, Carol Bertrand, Dick Kirby

1. Call to order

The meeting was called to order by Dave Atherton at 7:00PM.

a) Agenda Adoption – Motion by Doug Bailey/Devon Fuller to adopt the agenda as presented. **The motion passed unanimously – 3 to zero.**

2. Consent Agenda

a) Select Board Meeting Minutes – January 12, 2015

Motion by Devon Fuller/Ethan Swift to approve the minutes of the January 12, 2015 Select Board meeting. **The motion passed unanimously - 3 to zero.**

3. Public Comments for Items not on the Agenda

Sam Glaser reported he followed up with the Agency of Transportation and was advised that they had received Robin Bennett's letter and have rejected any assistance to the town. Susan Schribner stated the Agency does not have Park Street listed as a project. Mr. Glaser stated there is no Park Street project as there has never been anything formally done to make it a real project and he would like to recommend the Select Board authorize a preliminary cost estimate. Mr. Glaser thinks there needs to be serious action taken on this item. He noted economic development is on every agenda and if economic development is going to be increased in the town; the town needs to look like it is not falling apart. Robin Bennett stated a response was received that Park Street is not a project and information was also provided for a contact to get the project on the list. Ms. Bennett stated the town can work towards getting preliminary numbers. Ethan Swift stated Mr. Baker did vet Park Street as a project through the Regional Planning Commission, which is the process for getting the project included in the state projects. Mr. Swift suggested the town could request the vendor who will be doing the Union Street project provide an estimate, as there are only four contractors that do whole road reclamation.

Kathy Rausenberger questioned the status of the tax sale. Dave Atherton reported a timeline has been provided and will be discussed in the Town Manager's report.

Jeff Stewart stated there has been talk of developing a tax stabilization plan and he urged the Select Board to bring this item to the forefront as it is an important long-term tool. Dave Atherton agreed that this item does need to be finalized.

Richard Baker questioned the status of the audit report. Robin Bennett reported work with Glenna Pound should be completed this week and it will then be turned over to the auditors. There were some health issues that have delayed the process.

4. Town Manager's Report

Robin Bennett reported \$304,871.79 or 42.2% of delinquent taxes and \$144,493.42 or 36.7% of delinquent sewer accounts have been collected. A schedule for the first 48 properties that will be researched for tax sale has been provided to the Select Board. Of the 64 payment arrangements the town had entered into, 22 accounts have not met their payment obligation and will be turned over to attorney for tax sale. Ms. Bennett has been working on the FY15/16 budget and has been working with the Public Works consultant until a permanent Public Works Director is hired. Ms. Bennett reported the pumps have been replaced at the Brookdale Pump station. The first union negotiation meeting was held on January 20th. Ms. Bennett provided a list of meeting dates. She noted that a meeting with VTrans to discuss Bridge 114 will be held on Wednesday, January 28th at noon at the town hall, weather permitting.

5. Select Board Appointment

Motion by Devon Fuller/Ethan Swift to appoint Seth Hopkins to fill the Select Board seat vacated by Maria Ammatuna until Town Meeting day. **The motion passed unanimously - 3 to zero.**

Ethan Swift stated the Board is unable to appoint someone to fill a remaining term; only to appoint until Town Meeting.

The Deputy Clerk was present to swear in Seth Hopkins as a member of the Brandon Select Board.

6. Select Board Chair Election

Motion by Ethan Swift/Devon Fuller to appoint Dave Atherton as the Select Board Chair until the next election. **The motion passed unanimously – 4 to zero.**

Motion by Devon Fuller/Doug Bailey to appoint Ethan Swift as Select Board Vice-Chair until the next election. **The motion passed unanimously – 4 to zero.**

7. VERI Summit (Vermont Economic Resiliency Initiative)

Robin Bennett received information concerning the VERI Summit that will be held March 19th through the 21st. Ms. Bennett stated if anyone is interested in attending, they should advise her as soon as possible. Ethan Swift stated part of this Summit will be to form working groups to develop projects that can be vetted for dedicated funding that will be based on the work of the different towns that have participated for actions on flood resiliency. Bernie Carr advised there are people who will work with the town to organize what they want their focus to be at the Summit. Ethan Swift and Jeff Stewart plan to attend. Ms. Bennett suggested it would be good for Bill Moore to attend. Mr. Carr stated business owners or residents of the area are also welcome to participate. Mr. Carr thinks it would be a good idea to have someone work with the participants from Brandon prior to the meeting.

8. FY 15-16 Budget

Robin Bennett provided a draft budget that included the revisions as a result of the workshop meetings.

Motion by Devon Fuller/Ethan Swift to approve the FY15/16 budget in the amount of \$2,435,370.00 to be raised by taxes.

Devon Fuller thanked the Budget Committee for assisting the Select Board with the budget process. This year the process was much smoother and it was suggested to find a way to critique how the process went to further improve the process for next year. Mr. Fuller noted it is a responsible budget and represents a 1.5 cent increase in the tax rate. He also liked the way it was broken down with the appropriations, as this is the basic budget that is needed to run the town. All others are extras and the voters have the opportunity to vote on those items. He feels those items will pass as they are things that people want to have such as the library, senior center, etc. Doug Bailey also thanked the Budget Committee and thought the process worked really well. He noted a lot of work and deliberation happened and it is a really solid budget to work from.

Judi Bunde asked when the taxpayers will get the town report prior to town meeting. Robin Bennett stated the proposed budget will be on the website tomorrow and the town report will come out about mid-February. Ms. Bunde suggested that a portion of the Select Board meetings prior to town meeting are spent going over and discussing why the figures are what they are, which may cut down on issues at the time of voting. Dave Atherton advised there is a newsletter that will be going out to the public that will answer many questions and provide a summary of how the budget was developed. Mr. Atherton stated the budget workshops were also open to the general public. Ms. Bunde stated this suggestion would be another vehicle to provide information about the budget. Mr. Atherton stated the Board will take this suggestion under consideration. Janet Coolidge thought overall a lot more was accomplished this year because the Committee worked directly with the Select Board and she is very satisfied with the budget, as every detail was reviewed during the process. Phyllis Reed asked how the budget will be presented in the town report and Ms. Bennett advised the columns will remain as noted,

which will include the actual column. Ms. Reed noted it will show the taxpayers the town is being fiscally responsible. Doug Bailey advised footnoting was done to provide more detail and he thinks that should help people understand the budget. Ms. Bennett advised the details will also be on the website. Carol Bertrand suggested putting as much detail as possible in the town report and suggested placing all of the footnotes on one page.

The motion passed unanimously – 4 to zero.

9. Sign Town Meeting Warning

Robin Bennett provided a copy of the warning for the Board's review and approval, which included all appropriations, elections and budget. Ms. Bennett requested a vote from the Select Board to accept the warning for March 2nd and 3rd. Doug Bailey asked if all prior appropriations were received and Ms. Bennett stated there were four organizations that chose not to participate this year. Ethan Swift suggested the Marble Street and Champlain Street projects need further clarification that these are road pavement repair projects. It was suggested the projects could be clarified in The Reporter and Ms. Bennett stated she could also highlight these items in the newsletter.

Motion by Devon Fuller/Ethan Swift to approve the town meeting warning as presented.
The motion passed unanimously – 4 to zero.

10. Economic Development Update

Robin Bennett reported the Board will be receiving a draft of the Economic Development Strategic Plan on February 13th. There will be information on all pending projects that Darren has been working on and a final strategic plan no later than March 6th. On February 13th there will also be a draft Tax Stabilization policy for the Board's consideration and Darren has expressed a desire to discuss a strategic plan when that is presented. Ms. Bennett stated a separate meeting could be scheduled to discuss these items.

11. Town Office Project

Robin Bennett reported there is a meeting scheduled at 10AM tomorrow at the town office to go through the paperwork. The Committee is working on the bid specs, which is the next biggest hurdle. The meeting tomorrow should provide more information on when the bid specs will be out. There will also be discussion of the checklist that needs to be completed. Dave Atherton suggested also having a timeline for this project. Ms. Bennett stated there is timeline in the budget for this project, which is a little behind schedule, but the process can go quickly once the bids are received.

12. Segment 6/Bridge 114 Projects

Robin Bennett advised there is a meeting scheduled for January 28th at noon at the town hall between the Select Board and VTrans regarding Bridge 114. There was an agenda provided to the Select Board and the intent of the meeting is to confirm that everyone is still on the same page. Ms. Bennett does not think there will be anything new and the meeting is at VTrans request. Ms. Bennett provided the Select Board a copy of the conference call minutes and noted everything is on track. The town is still looking for help with the right of ways for Segment 6. Judi Bunde asked if this meeting is a public input meeting and Robin Bennett advised it is more of a housekeeping meeting and not a public input meeting, but the public is welcome to attend. Robin Bennett stated there will be a decision made by tomorrow if the meeting will take place due to the weather.

Dave Atherton noted there had been discussion that cost estimates would be obtained for the Union Street and Champlain Street projects and he is concerned that there has been conversation with the engineering firm, but there are no firm figures provided. Ethan Swift stated these are separate projects that were recommended by the former Public Works Director. Robin Bennett stated the priority was to get the numbers for Marble Street and Champlain Street and she will be meeting with them to do the RFP for the other projects. Doug Bailey stated there was also discussion of developing a matrix to keep up with all of the projects and asked if one could be available at the next meeting. Ms. Bennett confirmed she would have one by that time. Mr. Atherton noted there was a lot of road repair discussion during the budget meetings and there is a need to start to fix some of these roads. Ethan Swift stated for those roads that the town is going to shim coat to expand the life expectancy can be done in the near term, however, Park Street is a complete reclamation project and the town will need to determine how AOT will support this project. Kathy Rausenberger asked when the RFP for Union Street will be complete and Ms. Bennett advised at the latest it will be completed by the end of February. Ethan Swift stated there is a funding deadline at stake and there is urgency with this project. The work needs to happen for Union Street to serve as a by-pass when Segment 6 is done. Ms. Bennett stated she had a higher priority for them to work on and she will be discussing this project with the vendor. Doug Sawyer stated since there is going to be a footnote page in the town report, he suggested it would be a good idea to put estimated project dates for voters to see when these projects will be completed. Phyllis Reed questioned the footnote for the patching of Union Street. Mr. Atherton advised that the interim public works director provided information for patching. Mr. Fuller noted if the Union Street appropriation is approved by the voters, there will not be a need for hot mix patches.

13. FEMA Projects

Robin Bennett stated in the report from A & E regarding the Kennedy Park problem there were 4 alternatives provided, along with their recommendation. Ms. Bennett stated the recommended alternative is Option 3 that would include the installation of a grinder pump. There is a concern that the problem area will eventually discharge into the river and Option 3 would alleviate this problem with the least amount of cost. If funds were not a consideration, Option 1 would be the recommended option. To fix the sewer and

retaining wall, the best case scenario is to fix the break in the park. If the retaining wall had to be removed, the cost would be \$133,000.00 or more. To minimize the cost, Option 3 would have a cost between \$60,000.00 and \$90,000.00 that would leave \$40,000.00 for use on other projects. Robin Bennett stated the repair would be a conflict with Segment 6 and would be temporary. It is her understanding there are no backup problems, but the town runs the risk of discharge into the river if nothing is done and the town would be responsible for the spill. Steve Cjika stated the pipe is too close to the river and when there is flooding it jars the pipe. The correct repair would be to put in a new pipe. Mr. Cjika stated during the summer, people downstream had said they thought there was some black swill in the river and the town should get a pump installed before there is an issue. The line has sags that also causes issues with grease from the restaurants. Ethan Swift stated the way it is routed now to Kennedy Park; it goes under the restaurants and the grinder pump would send it across to Green Park and into the main pipe. Dave Atherton noted the pump would get the town from the present until Segment 6 begins with the least amount of cost. Robin Bennett advised the town will not be receiving any more than \$133,000.00 for this project and any funds remaining from this project can be used for other municipal projects. Ms. Bennett stated the grinder will no longer be used after Segment 6 but something has to be done now. Mr. Swift stated the pipe was crushed, but he has not observed any issues in this area. He stated water quality testing could be done to verify that there have been no discharges. Mr. Fuller thought that Option 3 is the best alternative. If the town does not alleviate the potential spillage in the river, he sees the town getting into more trouble. Mr. Atherton suggested if there is not a need for the pump in this area after Segment 6, there could potentially be other places in town that it could be used. Steve Cjika stated depending on how large the grinder is; there could potentially be uses for it in other locations. Mr. Cjika suggested setting the pump and running a 4 inch line through the line rather than going under Route 7. Ms. Bennett stated Option 3 appears to be the way to go with a couple of clarifications concerning Segment 6. It was determined Options 1, 2 and 4 were not going to be considered. Mr. Atherton suggested further discussion of this item during the January 28th meeting.

Robin Bennett stated Briggs Lane will be going out to bid and it is anticipated information will be received on Green Park by the end of February. The scope of work is being developed for Cobb Hill for the construction work. Ms. Bennett advised extensions have been received for the projects that require them.

14. Fiscal

a) Postage Warrant – January 13, 2015 - \$1,000.00

Motion by Ethan Swift/Doug Bailey to approve the postage warrant in the amount of \$1,000.00. **The motion passed unanimously – 4 to zero.**

b) General Fund Warrant – January 26, 2015 - \$17,310.49

Motion by Ethan Swift/Devon Fuller to approve the General Fund warrant of January 26, 2015 in the amount of \$17,310.49. **The motion passed unanimously – 4 to zero.**

c) Wastewater Fund Warrant – January 26, 2015

Motion by Devon Fuller/Ethan Swift to approve the Wastewater Fund warrant of January 26, 2015 in the amount of \$13,974.20. **The motion passed unanimously – 4 to zero.**

Motion by Ethan Swift/Seth Hopkins that the premature public knowledge of the pending or probable civil litigation to which the public body is or may be a party to will clearly place the Town of Brandon at a substantial disadvantage by disclosing its legal strategy. **The motion passed unanimously – 4 to zero.**

Motion by Ethan Swift/Seth Hopkins to enter into executive session at 8:29PM to discuss a pending or probable civil litigation under the provision of Title 1 Section 313(a)(1) of the Vermont Statutes to include the Town Manager. **The motion passed unanimously – 4 to zero.**

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

Motion by Devon Fuller/Ethan Swift to come out of executive session at 8:50PM. **The motion passed unanimously – 4 to zero.** There was no action required.

Motion by Devon Fuller/Ethan Swift that the premature public knowledge of the pending or probable civil litigation to which the public body is or may be a party to will clearly place the Town of Brandon at a substantial disadvantage by disclosing its legal strategy. **The motion passed unanimously – 4 to zero.**

Motion by Devon Fuller/Ethan Swift to enter into executive session at 8:51PM to discuss a pending or probable civil litigation under the provision of Title 1 Section 313(a)(1) of the Vermont Statutes to include the Town Manager. **The motion passed unanimously – 4 to zero.**

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

Motion by Devon Fuller/Ethan Swift to come out of executive session at 8:57PM. **The motion passed unanimously – 4 to zero.** There was no action required.

Motion by Devon Fuller/Ethan Swift that the premature general public knowledge of the pending AFSCME Contract will clearly place the Town of Brandon at a substantial disadvantage by disclosing its negotiation strategy. **The motion passed unanimously – 4 to zero.**

Motion by Devon Fuller/Ethan Swift for the Select Board to enter into executive session at 8:59PM to discuss the Town of Brandon's Contract with AFSCME under the provision of Title 1, Section 313(a)(1) of the Vermont Statutes with the session to include the Town Manager. **The motion passed unanimously – 4 to zero.**

17. Executive Session – 1V.S.A. 313(a)(1) – Union Contract

Motion by Devon Fuller/Ethan Swift to come out of executive session at 9:15PM. **The motion passed unanimously – 4 to zero.** There was no action required.

18. Adjournment

Motion by Ethan Swift/Devon Fuller to adjourn the Select Board meeting at 9:16PM. **The motion passed unanimously - 4 to zero.**

Respectfully submitted,

Charlene Bryant
Recording Secretary