

## **Brandon Select Board Meeting February 23, 2015**

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

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

**Also in Attendance:** Robin Bennett, Wayne Rausenberger, Kathy Rausenberger, Richard Baker, Arlen Bloodworth, Lee Kahrs, Steve Cjika, Bernie Carr, Dennis Reisenweaver, Gene Pagano, Doug Sawyer, Carol Bertrand, Blaine Cliver, Bill Moore, Chris Brickell, Roman Wdowiak, Ray Counter, Janet Coolidge, Anthony Paduto

### **1. Call to order**

The meeting was called to order by Dave Atherton at 7:07PM.

**a) Agenda Adoption – Motion** by Doug Bailey/Seth Hopkins to adopt the agenda with the addition of an executive session to discuss the evaluation of the Town Manager. **The motion passed unanimously – 3 to zero.**

### **2. Consent Agenda**

**a) Select Board Meeting Minutes – February 9, 2015**

**Motion** by Ethan Swift/Seth Hopkins to approve the minutes of the February 9, 2015 Select Board meeting. **The motion passed unanimously - 3 to zero.**

### **3. Public Comments for Items not on the Agenda**

Anthony Paduto requested clarification of the Wheeler Road bridge grant that was rescinded since it was voted on and approved. Robin Bennett stated the grant was originally received in 2009 and no work had been done on it. The funding was received last fall; however, there was not enough town personnel to be able to get the RFPs complete. The Town was lead to believe it would be granted the extension; however, Ms. Bennett received notification that the extension was not granted and the Town has to reapply for the grant. Dave Atherton spoke with the Regional Transportation Council and the bridge is back in the mix and it is known the importance of this project. Ms. Bennett stated the Town will reapply for the grant and it is thought there will not be an issue.

Richard Baker stated the voters had also approved funds for the Union Street project and questioned the status of that RFP. Robin Bennett advised the RFP is complete with exception of a couple of tweaks and it will be ready to go out.

Ray Counter reported the Water Department has had a tremendous problem with freezing and the Fire District is being impacted. They have asked people to run their water to prevent their

service lines from freezing. Many lines are freezing in the roadways and it has become an issue. For anyone with a septic system, it could be over burdened by running water continuously and people are asked to run the water at about the size of a pencil lead. The Prudential Committee will want to speak with the Select Board as to how to bill the next billing cycle, as people's bills will be increasing. As of this evening, there are 13 homes without water and there have been 24 freeze ups and 6 homes were running temporary water from house to house. The freezing issues are not in any particular area in town and the Brandon Fire District #1 is asking people to run their water so that they continue to have water. Today the water was lost at the Ayrshire building and the Water Department was fortunate to be able to tap into the sprinkler system in the building. Right now, the issue is being handled on a case by case basis and the Department is doing its best. Mr. Counter noted the cost of services have gone up and people are more aware of running their water, however, it is much less expensive to pay a higher water and sewer bill than it is to require a plumber to work on frozen pipes. It was noted this problem is state-wide. Bernie Carr will be posting a request from the Fire District on the Chamber website. Mr. Counter has also placed an announcement with the Rutland Herald and the TV station. Mr. Counter advised people should run their water until further notice, as the frost is still in the ground during warmer days. Ethan Swift asked if the Wastewater Department has experienced any freezing. Steve Cjika stated there was an issue with one lateral on North Street. He suggested in the future that anyone putting a line under the road should to insulate the piping, as it is unknown how long this type of weather cycle could last.

#### **4. Town Manager's Report**

Robin Bennett reported as of February 20<sup>th</sup>, \$315,445.53 or 43.66% of the delinquent taxes and \$169,629.82 or 43.05% of the delinquent sewer accounts have been collected. The next step in the process is for the Attorney to lodge a levy on the 43 accounts, which is anticipated to be done by March 5<sup>th</sup>. There were two accounts reviewed today and one came off the list. Ms. Bennett advised that the Select Board may want to start showing a different way of reporting the sewer accounts, as they are starting to overlap. Ms. Bennett will provide a different method at the next Select Board meeting. The tentative date for the tax sale is April 20<sup>th</sup>. The auditors did their field work for the annual audit last week and will be returning on March 4th after doing some work in their office this week. Ms. Bennett has been in contact with a business that has a steel building for possible use as the town garage. With regards to the Wastewater Treatment plant, the new 1000 gallon sodium aluminate tank was delivered and is set up. Upcoming meetings include the annual town meeting, town voting and a meeting tomorrow evening between the various working groups in town. Doug Bailey asked about the tracking sheet previously discussed as he thought it would be provided on an ongoing basis. Ms. Bennett advised she is still in the process of completing this document and asked if the Select Board would like it provided at every meeting. Mr. Bailey thought it would be good to see it as a revolving document due to the numerous projects outstanding. Ethan Swift stated there was discussion of having something in advance of town meeting to assure that the projects are being consistently tracked. Ms. Bennett will complete the document and email it to all Board members. Mr. Atherton suggested adding this as an agenda item at every couple of meetings. He noted it could also be used as a working document and perhaps have it posted on the website to allow the public to review the status for each project. Mr. Swift stated there are several projects that need to be worked on ASAP to assure that nothing falls through the cracks. Mr. Bailey stated there was also discussion of

providing the Select Board with a copy of Brandon's limited charter to continue discussion concerning a local options tax. Ms. Bennett has asked the Town Clerk to research the records, however, an exact date is not known and continued research will be needed and the staff will continue to work on this item. Mr. Swift expressed concern that the potential building for the town garage is considerably larger and questioned if there is space for it. Ms. Bennett stated there are other buildings on the property and it may be better to consolidate into one building. It is not known whether it can be reconfigured and the Town is having conversations with Naylor and Breen about this item, but is something that is being researched at this point.

## **5. PSAP Resolution (Rutland Public Safety Answering Point)**

Seth Hopkins has received a request from several residents that going forward the Select Board's documents do not include acronyms that are not generally known. Roman Wdowiak, Brandon Fire Chief, advised the PSAP is the public safety answering point and when one calls 911, it goes to the Rutland State Police barracks. There is a dispatch operator who fields the calls and determines what agency to send the call to, i.e. the police, fire, and rescue. The Governor proposes in his budget for the upcoming year to consolidate the Rutland PSAP with the one that is currently in Rockingham. There is another consolidation proposed with Derby and Willison. Mr. Wdowiak asked the Select Board to approve and sign a resolution that would express that the people of Brandon do not think this is the way to go. The Rutland dispatchers are very familiar with the area and can determine what agencies need to be dispatched when obtaining landmarks for those people calling 911 who are not familiar with the area. For everyone's safety, it is thought the Governor needs to get the message that this is not an acceptable concept. Mr. Wdowiak also encouraged the public call Montpelier to express their opposition to this change as it will put people's lives at risk. Wayne Rausenberger requested clarification concerning ambulance services as he had an incident last year where he had called the Brandon Rescue Squad for transportation to Fletcher Allen and was advised that he had to call the Rutland Regional Ambulance Service. It was noted that the ambulance services in the state have to go to the closest hospital in the state and in this area it would be either Rutland Hospital or Porter Hospital. Doug Bailey stated this is clearly another case of losing local function and having only two dispatches in the state is questionable. Pittsford and Chittenden have already done resolutions and Mr. Bailey is in favor of a Brandon resolution. Police Chief Brickell stated it is important to know that there are actually 8 dispatch places of which 4 are state dispatches and the Governor is proposing to go from 4 to 2 state dispatches, which would then spread out the calls. In calling 911, once the call rings twice and it is not picked up, it is sent to the next location and although they have GeoBases, there is the loss of the critical local knowledge. Mr. Brickell is concerned there is going to be a compromise in public safety as there will be loss of local connection and the ability for the local dispatchers to know what agency to send the calls. He stated this is not just a flip of a switch connection and he supports a motion to sign the resolution.

**Motion** by Doug Bailey/Seth Hopkins to sign the Town of Brandon Resolution regarding the PSAP (Rutland Public Safety Answering Point). **The motion passed unanimously - 3 to zero.**

## **6. Planning Commission Appointment**

**Motion** by Ethan Swift/Doug Bailey to reappoint Marty Feldman to the Brandon Planning Commission with a term ending June 30, 2017. **The motion passed unanimously – 3 to zero.**

## **7. Town Service Officer Appointment**

Robin Bennett advised that each year the town has to advise the state who will be serving as the Town Service Officer and Anna Scheck has agreed to serve in this capacity.

**Motion** by Seth Hopkins /Doug Bailey to appoint Anna Scheck as the Town Service Officer with a term ending April 14, 2016. **The motion passed unanimously – 3 to zero.**

## **8. Town Meeting 2015**

Dave Atherton suggested Seth Hopkins provide the presentation at Town Meeting that he had drafted. Mr. Hopkins agreed to do the presentation. It was suggested that two screens at opposite ends of the room be used and the Board was in agreement with this setup. Additional equipment was offered by Mr. Bloodworth and Bill Moore. Mr. Hopkins asked if the Select Board has a preference with the question and answer period. Dave Atherton suggested going through the proposed questions that were developed by the Select Board and Budget Committee as they might answer the majority of the questions that might be asked and then offer a question and answer session for the public. Doug Bailey and Seth Hopkins will attend the Senior Center lunch on Friday. It was asked if all the links on the Town website are working with regard to the budget information. Robin Bennett thought that they are working properly. Carol Bertrand stated there was an issue with accessing additional information on the FY14/15 budget. Seth Hopkins stated the proposed FY15/16 budget is on the Town's home page and the town reports have been delivered to the Brandon addresses. Robin Bennett will review the site to be sure that all links are working. Doug Bailey encouraged people to review the town report and contact any member of the Select Board to obtain proper information if they cannot make the meeting.

## **9. Town Office Project**

Robin Bennett stated this is an ongoing project. The architect and volunteers are working on the plan and design and the Town is continuing with the grant requirements. There will be a meeting this Wednesday and going forward a meeting will be scheduled every week to keep everything on track. Ethan Swift asked if there are issues with the completeness of the application. Ms. Bennett was not aware of any issues. She was not able to attend the meeting last Friday and in reviewing the minutes there is something with the environmental review and noted this information was completed. Blaine Cliver stated in talking to the people regarding the historic preservation clearance, it was mentioned there was something to be completed on the environmental side and the person to contact is Mr. Fournier. Nothing can be put out until the environmental side is cleared. Ms. Bennett will follow up on this item at the state level this week.

## **10. Segment 6/Bridge 114 Projects**

Robin Bennett stated the first batch of right of way connects and disconnects will go to VTrans tomorrow. A conference call is scheduled for later this week and the Bridge 114 status was done

earlier this evening. Regarding the overflow culvert, Ms. Bennett had a conversation about an RFP for engineering and the Town will have the right to choose the one that is the most responsive to its needs for this project. Ethan Swift stated the connects and disconnects are straightforward. Ms. Bennett advised the Town will do as much as possible in-house. Mr. Swift asked if a contract is needed as it is critical to set this process in motion. Ms. Bennett stated Delores Furnari will do most of the work and it appears the first step is getting the forms together. Dave Atherton asked if Ms. Furnari has spoken to Ed Clodfelter about this process and Ms. Bennett is not aware if she has talked with him. Mr. Swift stated it is critical that this part is moved forward. Ms. Bennett is hoping to not use NEMRC, but based on the conversation with VHB, that would be the possible. She will get the information on what is needed and will also talk to Mr. Clodfelter. Dave Atherton recommended Ms. Bennett contact Mr. Clodfelter to be sure that this can be done in-house in time. Doug Sawyer asked when the first date of construction for Segment 6 will be. Mr. Atherton stated it will be going out to bid in 2016 and the construction will begin in 2017. Mr. Atherton noted there have been more meetings with VTrans in the last 6 months and it is important to continue to provide status reports. It is now known from the earlier meeting tonight the bridge options available. At the Bridge 114 meeting, it was advised if the Town does not have to go through the 4F process, the construction date would be March 2017 and if it does need to go through the process it would be June 2017. With the overflow, the Town needs to get the engineers on board to design it and get it caught up as much as possible with Segment 6. There is one option that would be more in line with Segment 6. Bernie Carr expressed concern that the project is caught up to avoid having to dig up the road again. He suggested scheduling Segment 6 for the middle of town and the bridge during 2018. Robin Bennett noted this is being kept in mind. Dave Atherton also requested a status of the Union Street project. Robin Bennett reported Ethan Swift had offered some comments and she will verify and insert the dates when the Town requires the RFP's back. She noted the proposals will include three different project scenarios. Seth Hopkins asked if there has been input from staff included in the invitation to bid and Ms. Bennett confirmed there was input. Dave Atherton questioned if there are potentially some changes that will be made prior to sending it out and Ms. Bennett noted there are just a couple of items to clarify and it is then ready to go.

## **11. FEMA Projects**

Robin Bennett stated there are no changes to the remaining projects. There was a discussion of a different recommendation with Kennedy Park, but since then Mary Andes has contacted the engineer and there will be a follow-on discussion prior to coming back to the Board with a revised recommendation for Kennedy Park. All other projects are the same status as the Town is waiting for responses from FEMA for Cobb Hill, Briggs Lane and Green Park. Briggs Lane is ready to go out to bid. There is still no word on the Newton Road Hazard Mitigation grant application and Ms. Bennett will follow-up on this item. Ray Counter stated there are several projects that he would like to have a better line of communication on, as they impact the Water Department. He stated with Green Park, there is a water line that needs to be addressed and in his budget there are no funds that would address this item. The Water Department has applied for a Rural Development Road grant for Union Street and Champlain Street and it is important that efforts are not duplicated to get the most for the Town's dollars. Dave Atherton stated Briggs Lane was discussed last fall, but agreed that the lines of communication should be better. Mr. Counter noted he was at a meeting over a year ago regarding Phase 1 of Segment 6 and since that

time the project has been completed and he has had no further communication. He has only received information from CLD. Mr. Atherton stated the Town needs to work more closely with the Fire District on projects and perhaps the Fire District needs to be included on the Select Board agenda once per month as it would be good to obtain input from them. Ms. Bennett noted she has reached out to the Water Department and as far as Green Park and Briggs Lane, she stated it is hard to understand that the Water Department is not aware of the work to be done. Ethan Swift stated the lack of a Public Works Director has been difficult, but with a person in that position full time it will help with this effort. Mr. Counter stated as far as the Water Department bond, he noted that information was shared with the Town Manager. Mr. Atherton stated there is a need and a more concerted effort will be made to have better communication in working together between the town's departments and groups. Doug Sawyer asked if it is possible to reach out to the delegation to assist the Town in moving the FEMA projects forward. Ms. Bennett noted the Town is in the timeframe for approval and everything has been submitted and the only thing that is taking a long time is the Newton Road grant. There is one person that is reviewing those projects for FEMA and the Town was told that it would take up to 6 months to get the approval on Green Park. Ms. Bennett has talked to the head of the state agency and the Town does follow-ups frequently. Mr. Swift noted the coordination of the rehabilitation is contingent on water issues and it does not make sense to dig it up more than once. Bernie Carr stated if we keep waiting to make the Town look good, it could be pushed out for several more years. Wayne Rausenberger noted there is discussion of using Green Park as the staging area for the bridge reconstruction. Richard Baker stated it is time to reach out to the delegation on the Newton Road Hazard Mitigation grant as there has been a lot of snow and there could potentially be another flood in that area.

## **12. Fiscal**

Seth Hopkins asked if the Town has received the economic development draft. Robin Bennett had expected to receive it by now and stated it will likely be received by the end of this week or beginning on next week. Dennis Reisenweaver would like the Town to get an exact date of when it will be received. Dave Atherton stated the invoice has not been paid for this item and the Town is waiting for the vendor to provide the goods.

### ***a) General Fund Warrant – February 23, 2015 - \$1,040,243.25***

**Motion** by Ethan Swift/Doug Bailey to approve the General Fund warrant of February 23, 2015 in the amount of \$1,040,243.25. **The motion passed unanimously – 3 to zero.**

Ethan Swift questioned the addition of Fund 57 in the warrant. Robin Bennett advised it is the town office project and was for engineering work. Mr. Swift stated there are several large appropriations in the warrant for the school district, which is the reason for the large dollar amount.

### ***b) Wastewater Fund Warrant – February 23, 2015- \$31,987.89***

**Motion** by Ethan Swift/Seth Hopkins to approve the Wastewater Fund warrant of February 23, 2015 in the amount of \$31,987.89. **The motion passed unanimously – 3 to zero.**

**Motion** by Seth Hopkins/Doug Bailey to recess as the Select Board to convene as the Board of Liquor Commissioners at 8:35PM. **The motion passed unanimously – 3 to zero.**

The Select Board reconvened at 8:41PM

**Motion** by Ethan Swift/ Doug Bailey to enter into executive session at 8:42PM to discuss the negotiating or securing real estate purchase or lease options under the provision of Title 1 Section 213(a)(2) of the Vermont Statutes to include the Town Manager. **The motion passed unanimously – 3 to zero.**

### **13. Executive Session – 1V.S.A. 213(a)(2) – Negotiating or Securing real Estate Purchase or Lease Options**

**Motion** by Ethan Swift/Doug Bailey to come out of executive session at 9:18PM. **The motion passed unanimously – 3 to zero.** There was no action required.

**Motion** by Doug Bailey/Ethan Swift to enter into executive session at 9:19PM to discuss the evaluation of the Town Manager under the provision of Title 1 Section 313 (3)(a)(e) of the Vermont Statutes. **The motion passed unanimously – 3 to zero.**

### **14. Executive Session – 1V.S.A. 313(a)(1) – Personnel**

**Motion** by Ethan Swift/Doug Bailey to come out of executive session at 10:35PM. **The motion passed unanimously – 3 to zero.** There was no action required.

### **14. Adjournment**

**Motion** by Seth Hopkins/Ethan Swift to adjourn the Select Board meeting at 10:36PM. **The motion passed unanimously - 3 to zero.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary