

Brandon Select Board Meeting
November 13, 2013

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

In Attendance: Devon Fuller, Maria Ammatuna, Ethan Swift, Blaine Cliver

Also in Attendance: Robin Bennett, Wayne Rausenberger, Kathy Rausenberger, Richard Baker, George Wetmore, Jack Fillioe, Cindy Bell, Lyn DuMoulin Orth, Norm Milot, Bernie Carr, Peter Bowry, Eric Mallory, Steve Bissette, Jeff Stewart, Linda Stewart, Steve Beck, Gary Meffe, Nancy Meffe, Phyllis Reed, Tecari Shuman, Maurice Racine, Melissa Thompson, Bill Thompson, Lee Kahrs, Susan LaRock, Tracy Wyman, Priscilla McKeighan, Dick Kirby, Lisa Kenyon, Bob Clark, Robert Black, Tom Whittaker, Seth Hopkins, Lorraine Kimble, Jacob Alexander, Shelby McDonough, Chris Brickell, Jim Leary, Arlyn Bloodworth, Allan Leavitt

1. Call to order

The meeting was called to order by Ethan Swift, Vice-Chair, at 7:00PM.

The Pledge of Allegiance was recited by all in attendance. There was a moment of silence for Gigi Corsones and Ramona Atherton, Dave Atherton's mother.

a) Agenda Adoption – Motion by Blaine Cliver/Maria Ammatuna to adopt the agenda with the addition of Items 14(d) – Approval of the Wheeler Road demolition contract and Item 10(a) – HMPG town office grant. **The motion passed unanimously - 3 to zero.**

2. Consent Agenda

a) Approval of Minutes – October 28, 2013 – Select Board

Motion by Maria Ammatuna/Ethan Swift to approve the minutes of the October 28, 2013 Select Board meeting, as corrected. **The motion passed unanimously – 3 to zero.**

Item 14(c) - A correction to the motion to read ...for an amount not to exceed \$22,000.00, as long as it does not include a single audit.

Item 10 – A correction to the motion to authorize the town manager to research a temporary alternative town office space....

b. Errors and Omissions

Motion by Maria Ammatuna/Ethan Swift to approve the E & O 2014 report for parcel 0137-0010, Neshobe Real Estate, as presented. **The motion passed unanimously – 3 to zero.**

3. Public Comments for Items not on the Agenda

Alan Leavitt suggested the establishment of a Citizens Budget Committee and consideration be given to the development of tax abatement to encourage residential growth.

Phyllis Reed questioned what would trigger a single audit. Robin Bennett stated when an entity receives more than \$5,000.00 in federal funds in a given year; it would require a single audit.

Brian Fillioe submitted a letter with several questions that he requested answers be provided. It was noted that since Mr. Fillioe does not live in Brandon, he would have to be approved to speak at a Select Board meeting.

Motion by Maria Ammatuna to read and answer the questions submitted by Brian Fillioe of Proctor. Blaine Cliver suggested an amendment to the motion to respond to the questions via email. **Maria Ammatuna withdrew her motion.**

Motion by Blaine Cliver/Maria Ammatuna to provide answers to Brian Fillioe of Proctor via email. **The motion passed unanimously – 3 to zero.**

Ethan Swift stated if Mr. Fillioe would like to come before the Select Board to discuss these items, they would welcome him to attend a meeting.

4. Shelby McDonough

Shelby McDonough, a current student at Community College of Vermont, has created a mural about drunk driving for one of her class projects that will be on display outside the Fire Station for two weeks. The project relates to social issues and how to make the world a better place. Ms. McDonough provided photos of the mural, which is over five feet tall and has been constructed to withstand the weather.

5. Mt. Pleasant Acres Request

Devon Fuller stated there is a request for the Town of Brandon to taken over Mt. Pleasant Road. Tom Whittaker stated the town owns all of the roads in Mt. Pleasant, except this last loop, which is a final phase that services 21 lots and is .38 miles long. In 2009, Mr. Whittaker had requested the Select Board take it over however; at that point there were no houses. There is now one house under construction and the school buses travel around the loop. The road has been built to standard and the takeover would include the sewer line and the drainage system that includes a catch basin. There are 64 homes in Mt. Pleasant and the development contributes major tax funds to the town. There is the capacity to building another 23 homes. The takeover would be no additional burden to the town in terms of work. Ethan Swift question whether the road meets A76 standards, as it was his understanding it does not meet the minimum standards. Tom Whittaker stated there was a segment of road turned over in 2003 or 2004 that did not meet the standard; however, this section of the road is built to standard. Mr. Whittaker noted all the drawings are on file. Ethan Swift is concerned with flooding and if the road is not up to A76 standards there may need to be corrections to the drainage system. Mr. Swift requested a site visit to go over the specifications prior to approval of a takeover of the road.

Motion Maria Ammatuna/Blaine Cliver to table the takeover of Mt. Pleasant Road until a site visit is done and a policy is developed for takeover of roads.

Ethan Swift noted the town did adopt the A76 standards and the town is required to build roads and bridges to this standard. If the road did not meet A76 standards and there was a future catastrophe, it could jeopardize FEMA assistance. Ms. Bennett will be in contact with Mr. Whittaker to arrange a site visit.

The motion passed unanimously – 3 to zero.

6. Newton Road Rock Pile

Robin Bennett stated there had been a timeline for this event. Brian Sanderson has worked on this issue over a period of time. The recommendation is to authorize Markowski to remove the rock pile and repair the Maple Street issue.

Motion by Maria Ammatuna/Blaine Cliver to authorize the removal of the Newton Road rock pile by Markowski in exchange for having the Maple Street issue repaired. **The motion passed unanimously – 3 to zero.**

7. Annual Town Report

Robin Bennett stated it has been past practice to print and mail the town reports. Ms. Bennett would like the board to consider reducing the number of reports printed and provide the report on line. Mr. Baker stated this would have to be approved at a town meeting. Ms. Bennett stated it would be a cost-saving measure and would likely save at least \$2,000.00 of the \$5,000.00 budget. Blaine Cliver asked if there could be reports accessible in the library and Ms. Bennett stated there would be 700 to 800 copies printed and available at the town office, library and another location to be determined. Mr. Cliver stated it makes sense to try something like this and utilize new technology, while also providing the report to those who do not have access to a computer. Devon Fuller suggested tabling this item for further discussion. Maria Ammatuna advised that OV had started the practice of posting the annual report on line and mailing to those who request a copy. Last year they received 39 requests for a printed copy.

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8. FY 14/15 Budget

The Select Board requested the town manager provide a snapshot of how she will build the budget. Ms. Bennett stated there is a tight timeline and right now she has met with each department to start the budget process. She is proposing to take to the end of the calendar year to develop the budget and the capital improvement plan, with the budget presented to the Select Board in early January. The staff will complete the budget the week of January 6th and turn it over to a Budget Committee. During the week of January 20th, the Budget Committee will meet. The intent is to have the Select Board vote on the budget during the January 27th meeting. In forming a Budget Committee, there should be a diverse cross section of the community. The committee members would have to make the commitment to meet and serve as an advisory committee to the Select Board. Ethan Swift stated the solicitation of the letters of interest should be placed on the town website. Robin Bennett stated the committee should be an odd number such as 5 or 7. Tom Whittaker stated there was a Taxpayer Committee that might be an avenue for reference. Linda Stewart questioned whether all budget meetings are public and it was confirmed that they are. Mr. Fuller expressed concern that the Select Board will receive the budget recommendations on January 25th and will have to accept the budget on the 27th. Ms. Bennett stated the board would have already gone through the budget and the recommendations would be provided before the meeting. Ethan Swift suggested providing actuals from the last fiscal year to the committee members to provide information on past trends. A copy of the town's matrix of priorities will also be provided to the committee members. Linda Stewart stated the committee members should have some sort of financial expertise. Mr. Fuller stated an announcement will be developed to outline what is expected of the committee. It was the consensus of the Select Board to set the number of committee members to 9 individuals.

Motion by Blaine Cliver/Maria Ammatuna to approve the development of a Budget Committee of no more than 9 people and request the Town Manager to solicit letters of interest to be presented to the Select Board at the next meeting. **The motion passed unanimously – 3 to zero.**

9. Animal Control Officer

Robin Bennett has been working to resolve the animal control issue. In developing the budget, she has been looking at bringing this service in-house, which would be an opportunity to save money. She has explored the possibility of partnering with neighboring communities for this service, but she has not found that interest is there. The service will be more of an on-call basis. Ms. Bennett has not received the information she requested from the Sheriff's Department. The individual would need to have proper training and Ms. Bennett will reach out to VLCT to find the proper training available in the state. Ethan Swift stated the constable position is vacant and asked if this position could be authorized to do this sort of duty. Chris Brickell stated a constable could be authorized to do the animal control and if these were part of the duties, the person does not need to be a certified law enforcement individual. Ms. Bennett stated this could be a viable solution to the issue.

10. Town Office Project

a. HMPG

Motion by Maria Ammatuna/Blaine Cliver to withdraw the HMPG town office grant.

Ethan Swift stated the town would have to retract the request for FEMA funding, if it withdrew the HMPG grant. Blaine Cliver asked if the town could submit an alternative for the culvert. Mr. Swift replied that another application was submitted for Kennedy Park and he is concerned if the town withdraws the other alternative; it would be saying the town does not want the overflow culvert. Ms. Ammatuna stated if this alternative was withdrawn, it would allow for the building to be repaired. If the board then decides to take down the building, the town could apply for a grant. Mr. Swift stated there was a significant amount of time spent submitting these grant applications and even if it is approved for funding, it does not obligate the town to remove the town office building, but it would allow the option of determining whether to move forward with the overflow culvert. Blaine Cliver felt that it is unethical, as a number of volunteers have put in a tremendous amount of work in the building; at the same time telling the state that the town wants to tear the building down. Mr. Cliver noted there are other ADA grants, but in order to apply for them the town needs to withdraw this grant. Mr. Swift stated if funding is not received for the overflow culvert, the town is back to square on with a town office that may cause further flooding and no resolution to the flooding problem. Mr. Swift does not approve of putting staff back into the town office building and he does not see the significance of withdrawing the grant application for the overflow structure. Maria Ammatuna stated Tina

Wiles had a difficult time coming up with the proper cost benefit ratio for the culvert grant. The town has a building in terrible condition, with the need to get an oil tank installed before winter and she does not believe the overflow culvert is the saving grace for the town. Mr. Swift stated the town will receive notification of the grants in a couple of months and a lot of time has been spent doing the hydrology study and working with AOT; and the town would be selling itself short in not attacking the flooding problem. Devon Fuller stated there has not been a decision whether to move the town offices back into the building and the last recommendation was to use the funds to renovate as best as possible and come up with a temporary plan to move the town offices somewhere in the interim.

Maria Ammatuna withdrew her motion from the table.

b. Town Office Discussion

Devon Fuller thanked the McKernon Group for the work they have done on the bidding process.

Robin Bennett reported she has researched potential solutions for a temporary town office and recommends the Markowski building, formerly the Vermont Furniture Store. This space has sufficient wiring for equipment and with minor modifications would have space for storing the records. Some transitioning funds for telephones and computers will be covered under the insurance. This is the most ADA accessible site found and Ms. Bennett requested discussing a contract during executive session. Ethan Swift asked what the time commitment would be. Ms. Bennett advised details would have to be discussed during executive session; however, all options had requested a commitment. She stated there were no options that financially had a significant benefit. The insurance company will pay for some of the lease and they may pay for part of the retrofitting of the building. In the decision making process, she will have to research details with VLCT, as they are looking for a reasonable amount of time to reconstruct the first floor town office space. Devon Fuller stated the town has approximately \$160,000.00 to renovate the town office, but the insurance may be willing to pay for a lease until the first floor is renovated. Ms. Bennett stated if the town does something other than renovate the town office, it will not receive 25% of the holdback. Ms. Bennett stated all possibilities for the town office need to be kept on the table and she recommended doing a feasibility study on the town office in identifying all deficiencies and to evaluate the building as a whole from foundation to roof. This could be done at a relatively reasonable rate and there is some insurance money available. The study would have a seven week turn around. The study should include demolition and renovation options. Ms. Bennett stated it is difficult to find a solution in pieces and it may be such that it is decided that as a community it may not be the right thing to renovate the building. Blaine Cliver stated this building has been studied extensively for two years and the problem has been that the funding has been cut back and he does not think a feasibility study is going to do any more. Devon Fuller asked if all the information could be provided to the board in the form of a total project report. He has seen bits and pieces of the renovation, but there is not a total project cost report to review. The board needs to review this project in a systematic manner. Mr. Fuller stated in his opinion the building is worth saving, but the Select Board needs to see a comprehensive report and come up with the funding.

Robert Black agreed this project needs to include a whole system solution for the river and the building and agreed with a feasibility study. He is the chair of the Design Committee and he has worked on many feasibility studies across the country.

Mr. Black read the following:

"The below comments are offered for consideration of the Brandon Select Board November 13, 2013 and are in addition to the supporting information provided separately: Matrix of Options for Brandon Town Offices with Cost-Benefit Analysis, dated 11/11/13, and proposed Phase 1 Work Plan, dated 11/13/13.

- 1. The existing town office building at 49 Center Street is owned outright by the town and is an enormous asset to the town. It makes financial sense to keep it.*
- 2. The building is structurally sound and can be easily, cost-effectively and attractively refitted to serve the town's needs.*
- 3. We can get the town staff back into the building quickly and within the available insurance funds.*

More information is available on the specific logistics and critical path work plan to achieve occupancy of the town office building at 49 Center Street by early March 2014. It is our intention to present this information at the next meeting of the Select Board."

Max Ferro stated two years ago the DBA started working on this project. He has worked on 100 feasibility studies and 30 town office buildings. A feasibility study will determine what problems have to be investigated and what the building needs, after which an architect is needed to write a spec and then a cost estimator is needed to determine the costs. The three architects on the DBA have many years of experience with renovating and building new town buildings and have agreed to assist the town with this project. They started with studies and reviewed the building and produced sketches. They also wrote contract documents for the project to be sent to bid. Since the town was not ready to bid, the town hired an estimator who then estimated the project down to every item in the office. The project was then bid out. Mr. Ferro suggests getting local people to come in and assist with the project. There have already been volunteers working in the building. The estimate received to complete the building was \$400,000.00, but if it were done with volunteer work, it would become a \$150,000.00 job. The DBA thinks the town office can be fully refurbished for the money available, if the volunteers are able to be used.

Devon Fuller stated volunteerism is great and he knows it is possible and it is not off the table. The Select Board and the current town manager are charged with rebuilding the town office and the work the DBA has been doing is appreciated, as well as the hours that Tina Wiles has put into the process. Robert Black stated for the critical services, contractors would be used. The DBA would like permission to present a proposal to the Select Board. The building is tight and will not fall down over the winter. Mr. Black agreed with waiting until notification of the grants is received. Devon Fuller stated the board needs to review the cost analysis for the total renovation and what energy efficiencies can be done. The town has built a beautiful fire department, police department and rescue squad and Mr. Fuller believes the townspeople would want a nice town office. Ethan Swift stated the board recognizes the need to consider all costs for the budget and questioned if the options should be put to a vote at town meeting as to whether the office should be moved back into the building. Blaine Cliver stated much of the work has already been done regarding a breakdown of the various costs and the longer the town waits, the more it will cost. Mr. Swift stated in waiting until the town meeting, the Select Board will be much more informed. Mr. Fuller stated the Select Board needs to know what the costs to renovate will be and what the costs for other alternatives are by the next Select Board meeting. Mr. Black has a proposal for the renovation and information can be provided on leasing a commercial space and Mr. Fuller noted a decision should be able to be made at the next meeting. Maurice Racine stated during the time he worked at the town office, there was a study done on four locations for the town office and the voters had made the decision to stay in the building. Mr. Fuller stated with the creation of a new space, it will have to be ADA compliant. Tracy Wyman agrees with keeping all options on the table, but if the Select Board decides the town office is going to move, that building will come off the tax roll. Tom Whittaker stated if the town does not take title to the Markowski building, it will not come off the tax roll. Devon Fuller asked Ms. Bennett to include a presentation by the architects on the next agenda. He also requested Ms. Bennett include in the Board packet the bid from McKernon, three or four leasing options and an average cost of getting into a new building so that the Select Board has all information to consider. Ethan Swift stated it would be good for the town manager to compile all of the information together and include any additional elements that she sees lacking. Ms. Bennett's concern is the scope has narrowed and some major aspects of the building are being overlooked, such as the structural damage that predates the flood that includes the roof and the foundation. Ethan Swift stated there is also the unaddressed issue of the space between the town office and the Leary building.

11. Waterline/Segment 6/Bridge 114

Robin Bennett has received approval to execute the last right of way for the waterline project and will have the town's attorney proceed. All comments from the state are due by Friday and the project will go out to bid as soon as possible.

Ms. Bennett has not had a chance to set up the meeting with the state's Historic Preservation division to discuss Bridge 114. Mr. Cliver stated there was the decision to bring the facade facing the stream back to the 1867 bridge and this information had been submitted to VHB. Tom Whitaker questioned when the water line project will go out to bid. Ms. Bennett stated it is hoped that it will go out within the next two weeks, with a response to be received within a three week timeframe, which is a relatively standard timeline for responses.

12. Town Manager's Report

Robin Bennett reported Patty Coburn is leaving VTrans this month. Dan Peterson will be taking over and has worked with the town in the past on the Vermont Emergency Management and this project.

Ms. Bennett reported she has had an initial meeting with the staff. A Grant Task Force has been formed and they are meeting weekly to try to move the open grants and funding sources along to meet the targets. A number of the applications need some

minor engineering work and has been incorporated within the requests. An RFQ is being developed to secure an engineering firm to move these actions along. The Wheeler Road demolition project is ready to execute. The VDAT team was in Brandon and met with various staff and community members. The town will receive a final report at some point in the future. The Barlow Avenue road project is near completion. A culvert was replaced on Adams Road. The results of the ground water monitoring for the landfill is an acceptable level. There is a line leak at the wastewater treatment plant and an RFP is being developed to close that leak. Ms. Bennett noted this building was constructed in 1975 and is beginning to show its age. A special Select Board meeting is scheduled for next Monday at 6:00PM.

13. Other Business

Maria Ammatuna questioned if there is a plan in place to complete the recommendations made by Cate Environmental Engineering. Robin Bennett has not received anything from the state regarding further monitoring. Ms. Ammatuna would like to know if there are any further costs that will be associated with this issue. Ms. Bennett stated this will be covered under mitigation.

Ms. Ammatuna stated a representative and alternate are needed to serve on the Mosquito District.

14. Fiscal

a) Warrant – October 30, 2013

Motion by Ethan Swift/Blaine Cliver to approve the warrant of October 30, 2013 for an amount not to exceed \$1,004.44. **The motion passed unanimously – 3 to zero.**

b) Warrant – November 13, 2013 - \$1,021,147.69

Motion by Maria Ammatuna/Blaine Cliver to approve the warrant of November 13, 2013 for an amount not to exceed \$1,021,147.69. **The motion passed unanimously – 3 to zero.**

It was noted the increased warrant was due to the education tax payments to the schools.

Blaine Cliver requested an explanation of the charges from CLD. Devon Fuller requested the town manager obtain a breakdown of the charges for VHB and CLD.

c) Warrant – November 15, 2013 - \$6,953.75

Motion by Maria Ammatuna/Blaine Cliver to approve the warrant for the Mosquito District in the amount of \$6,953.75. **The motion passed unanimously – 3 to zero.**

d) Wheeler Road Demolition

Motion by Maria Ammatuna/Blaine Cliver to authorize the town manager to execute the agreement for the site stabilization for 114 Wheeler Road. **The motion passed unanimously – 3 to zero.**

Motion by Ethan Swift/Blaine Cliver to recess the Select Board to convene as the Board of Liquor Commissioners at 9:20PM. **The motion passed unanimously – 3 to zero.**

The Select Board reconvened at 9:25PM.

Motion by Ethan Swift/Blaine Cliver to enter into executive session at 9:26PM to discuss a legal/contractual issue. **The motion passed unanimously – 3 to zero.**

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

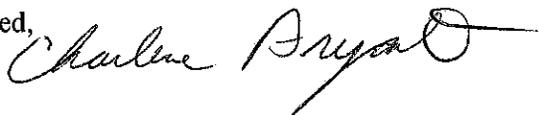
Motion by Maria Ammatuna/Ethan Swift to come out of executive session at 10:00PM. **The motion passed unanimously – 3 to zero.**

There were no actions required.

20. Adjournment

Motion by Maria Ammatuna/Ethan Swift to adjourn the Select Board meeting at 10:01PM. **The motion passed unanimously - 3 to zero.**

Respectfully submitted,



Charlene Bryant
Recording Secretary

