

**Brandon Select Board Meeting**  
**May 11, 2015**  
**7:00 p.m.**

The Brandon Select Board will meet Monday, May 11, 2015 at 7:00 p.m. at the Brandon Town Hall located at 1 Conant Square expecting to consider the items noted on this agenda. Agendas shall be posted on the community bulletin board located in the front window of the Town Office at 49 Center Street, on the community bulletin board located between Dave's Grocery and the Forest Dale Post Office and the bulletin board at Lake Sunapee Bank. The Select Board reserves the right to add additional items, if necessary, at the beginning of the meeting.

- 1) Call to Order
  - a) Agenda Adoption
- 2) Consent Agenda
  - a) Select Board Minutes – April 27, 2015
  - b) Special Select Board Minutes – May 4, 2015
- 3) Town Managers Report
- 4) Comments for Items not on the Agenda
- 5) Appointments
  - a) Rutland Regional Planning Commissioner
  - b) Rutland Region Transportation Council
- 6) Town Charter – Local Option Tax
- 7) FEMA Projects
  - a) Green Park
- 8) Segment 6
- 9) Town Office Project
- 10) Bridge 114
- 11) Tax Sale Update
  - a) Sign Resolution
  - b) Updated Time Line
- 12) Fiscal
  - a) Postage Warrant – April 27, 2015 - \$1,000.00
  - b) General Fund Warrant – May 11, 2015 - \$62,182.71
  - c) Wastewater Fund Warrant – May 11, 2015 - \$6,433.73
  - d) Bond Warrant – May 15, 2015 - \$51,695.08
- 13) Executive Session Contracts –  
The Appointment or Employment or Evaluation of a Public Officer or Employee –  
1 VSA § 313(a)(3)
- 14) Adjournment

**Brandon Select Board Meeting  
April 27, 2015**

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

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

**Also in Attendance:** Wayne Rausenberger, Kathy Rausenberger, Richard Baker, Arlen Bloodworth, Lee Kahrs, Chris Brickell, Steve Bissette, Bernie Carr, Anthony Paduto, Jeff Stewart, Tracy Wyman, Darren Winham, Janet Coolidge, Dick Kirby, Bill Moore, Judy Bunde

**1. Call to order**

The meeting was called to order by Doug Bailey - Chair at 7:05PM.

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

- . Item 11a – discussion of town charter proposal
- . Item 11b - Consider re-adherence to Title 19 and approval of culvert standards
- . Item 14a – Consider RFQ for overflow culvert
- . Item 14b – Consider 2015 paving projects
- . Item 19 – Add Executive session regarding the appointment or evaluation of a public employee 1VSA313(a)(3)

**2. Consent Agenda**

**a) Special Select Board Meeting Minutes – April 9, 2015**

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

**b) Select Board Meeting Minutes – April 13, 2015**

**Motion** by Devon Fuller/Seth Hopkins to approve the minutes of the April 13, 2015 Select Board meeting. **The motion passed with one abstention (Ethan Swift).**

**3. Town Manager's Report**

Doug Bailey advised the new Town Manager was unable to attend due to illness and read the following report submitted by Dave Atherton:

*“April 20<sup>th</sup> – Prepared and submitted a Federal Land Access Grant application for the Churchill Road Bridge rehabilitation. Awarded paving bid for Champlain Street, Union*

*Street and Marble Street to Wilk Paving. Wilk will be starting as soon as weather permits. Also awarded Union Street Culvert replacement to Harvey Excavating. Posted Select Board vacancy having received one letter of interest so far and reposted the bookkeeper position. Worked on organizing the office.*

*April 21<sup>st</sup> – Meeting with Town Office Committee for status and followed up and set appointments with plumber for NVAC estimate and Royal Group for Fire/Security estimate. Also worked on organizing office.*

*April 22<sup>nd</sup> – Meetings with engineering firms for RFQ for the overflow culvert.*

*April 23<sup>rd</sup> – Office work all day.*

*April 24<sup>th</sup> – Met with plumber and engineer at 49 Center Street to spec HVAC system. Conducted interview with candidate for bookkeeping position.”*

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

Doug Bailey thanked Wayne Rausenberger for the suggestion to move the Public Comments agenda item after the Town Manager's report to avoid duplication of discussions.

Wayne Rausenberger stated he had suggested to the Town Manager that if Union Street is going to be paved from Hannaford to Otter Creek the town should notify the railroad to see if they can do something with the crossing. Seth Hopkins noted there are funds to do more distance on the project according to Mr. Burlett's report.

Bernie Carr thanked the Town and Daryl Burlett for repairing the bus stop.

Janet Coolidge reported the first event in the Town Hall will be a silent movie this Saturday. Doug Bailey attended the Friends of the Town Hall meeting and there was discussion that the Town Hall has many uses and there is concern that the doors are left unlocked. Mr. Bailey recommended that anyone using the Town Hall should make sure the doors are locked.

Bill Moore thanked everyone who had helped with the field preparation. There has been a new batting cage installed and the league will start next week.

#### **5. Darwin Enterprises**

Doug Bailey introduced Darren Winham of Darwin Dynamic Solutions. The Town has received a draft of the Tax Stabilization Plan and the first draft of the Economic Development Strategic Plan for consideration. Mr. Winham stated the plan uses simplistic methods to get results and is the best one to do as it is very easy for developers to understand and market. The concept is to provide incentive to property owners and businesses to invest money in the town. It was noted Vermont is a difficult

place to do economic development as the way they incentivize business is state controlled. There is the ability to do tax stabilization. This is not just a tax break, but it takes in commercial situations and multi-family homes in the downtown district. If money is put into a commercial property, the owner will receive a tax break on the additional invested amount for a specified length of time. This does not include the education tax, just the municipal portion. Mr. Winham provided a breakdown of the investment ranges and the corresponding number of years that tax stabilization would be offered. Should the terms not be executed in full, the town can terminate the Tax Stabilization Agreement (TSA) and collect the total amount of taxes. This would go to legal counsel once the Select Board has approved the TSA. It was noted the Hill School is part of the downtown designation. Devon Fuller confirmed that the tax stabilization is for the additional invested amount over the original tax for a given property, so there will still be the tax base that currently exists. Mr. Winham noted if something is not working for the Town they can choose to customize it. Devon Fuller questioned if the incentives can be changed and Mr. Winham stated the Town can choose to change the tax stabilization regulations, if required. If a property owner is given tax stabilization and the property is sold, the new owners would be eligible for the tax stabilization. If more money is to be invested, the new owner can request an extension or terminate and start a new TSA.

Doug Bailey stated there was discussion about the Brandon Industrial Corporation that is separated out to attract industry. The loan modification was signed today with Tom Whittaker and Steve Carr. Darren Winham stated this property is one of the best assets the town has and in his conversations with Steve Carr, there was discussion of getting more people on the board to help market this property. Anyone interested in participating on this Board should contact Steve Carr.

## **6. Consider Annual VTrans Financial Plan**

Seth Hopkins stated there is a VTrans Annual Financial Plan that provides information on the various classes of town roads and appropriations that requires action by the Board.

**Motion** by Seth Hopkins/Devon Fuller to approve the signing of the VTrans Annual Financial Plan for the town highways. **The motion passed unanimously – 3 to zero.**

## **7. Consider Payroll Services**

Doug Bailey stated moving to this type of service can free up a lot of time. Sue Gage and Luanne Merkert investigated payroll services for the Town and received three bids; ADP - \$3,949.00, Paydata - \$4,000.00 and NEMRC - \$5000.00. Though NEMRC is not the lowest bid, it is the recommended to go with this company because they do quarterly and annual statements and the retirement system. It was noted that the bookkeeping position could then be hired for less hours.

**Motion** by Seth Hopkins/Devon Fuller to contract with NEMRC from Georgia, Vermont for \$5,000.00 per year for payroll services. **The motion passed unanimously – 3 to zero.**

Ethan Swift stated in restructuring the roles of the staff, it appears this will assist with this issue of filling the bookkeeper position. Doug Bailey stated the bookkeeping position has been advertised and the Town has been unsuccessful in finding a qualified candidate. It was the intent to hire a 32-hour per week employee that would trigger benefits, but there is consideration in restructuring the staff to have Luanne Merkert and Sue Gage do some of the work and hiring a lesser position. Seth Hopkins stated the Board received information from Ms. Gage, Ms. Merkert and the Town Manager noting the other firms would provide a lesser amount of service and he is comfortable with the recommendation from them. Mr. Hopkins stated the key benefit is that NEMRC would have the information available since they already do the Town's computer services and it would allow for integration with the payroll system.

**The motion passed unanimously – 3 to zero.**

**8. Consider Municipal Planning Grant for Planning Commission**

**Motion** by Devon Fuller/Ethan Swift to approve the Municipal Planning contract for the Planning Commission. **The motion passed unanimously – 3 to zero.**

This is a contract for services for the Planning Commission by Jim Donovan, dba Broadreach Planning and Design.

**The motion passed unanimously – 3 to zero.**

**9. Consider Appointments**

**a) Select Board Clerk**

Doug Bailey reported with the departure of Dave Atherton from the Select Board there is a vacancy for the Clerk of the Select Board for special meetings and executive sessions.

**Motion** by Ethan Swift/Seth Hopkins to appoint Devon Fuller as the Select Board Clerk. **The motion passed unanimously – 3 to zero.**

**b) DRB**

Doug Bailey stated at the last meeting, there was a request to clarify if an additional member is required for the DRB and it was noted an additional member can be added.

**Motion** by Seth Hopkins/Devon Fuller to appoint Tom Bohler to the DRB for a term to expire June 30, 2016. **The motion passed unanimously – 3 to zero.**

Ethan Swift stated there is still an alternate vacancy and the current alternate's term will expire in June and the Board is still looking for members to fill the spots.

**c) *Reminder of Various Vacancies***

Doug Bailey stated there are additional vacancies that include:

- . BLSG Insect Control District Representative - Alternate
- . Two DRB Alternates
- . Three Members to the Historic Preservation Commission
- . Revolving Loan Fund Committee Member
- . Rutland County Solid Waste District Alternate
- . Rutland Region Transportation Council Representative - Alternate

It was noted there can be up to 9 members of the Planning Commission and there are currently 6 members. Mr. Bailey stated if there is anyone interested in filling one of the positions noted above, a letter of interest can be submitted to the Town Office.

Ethan Swift stated Chief Brickell was appointed the Emergency Management Coordinator and suggested appointing Mr. Atherton as the Coordinator now. Chief Brickell did not know if Mr. Atherton has received the training and this may be the reason it has not changed hands yet. Mr. Swift stated at least one member of the Select Board has to go through the ICS training and he is not sure if the Coordinator also has to go through the training. The Emergency Operations Plan is due on May 1<sup>st</sup> and the Plan will have to indicate Chief Brickell or Mr. Atherton. This will be discussed with the Town Manager.

**10. Consider Audit RFL**

Doug Bailey stated there was a request for an audit firm rebid to assure that the best price is obtained. Seth Hopkins stated the Board does not have an update at this point.

**Motion** by Seth Hopkins/Ethan Swift to direct the Town Manager to prepare and publish an RFQ for audit services. **The motion passed unanimously – 3 to zero.**

**11. Consider Emergency Operations Plan**

Doug Bailey stated this item was tabled from the last meeting. Ethan Swift stated he had attended a workshop to update the Plan. It was noted the deadline for submission of the Emergency Operations Plan is May 1<sup>st</sup>.

**Motion** by Seth Hopkins/Devon Fuller to approve the Emergency Operations Plan as signed by Mr. Swift. **The motion passed unanimously – 3 to zero.**

Mr. Swift advised the next item to be updated is the Hazard Mitigation Plan.

### **a. Town Charter Discussion**

Seth Hopkins stated the Board received the proposed Town Charter from Representative Carr and Representative Shaw that they passed by the legislative counsel. Mr. Hopkins submitted the changes to the Town Manager and Select Board and it was noted this has been reviewed for any legal issues and is similar to other charters that the legislature has approved. Mr. Hopkins stated in moving forward two dates would need to be set for public hearings and then it would have to be brought to the public for a vote. One hearing must be 30 days before and one within the 30 days of the Australian ballot vote and it would be warned as a special town meeting. Doug Bailey stated it is not known when the special town meeting will take place, however, discussion had been to hold one in June as there are other items that include a vote on the surpluses that may be available in the paving projects, filling the vacancy on the Select Board and possibly one other item. Seth Hopkins suggested holding one of the meetings on June 15<sup>th</sup>, followed by the vote on June 16<sup>th</sup>. There was a suggestion the voting could take place either at Neshobe School or the Town Hall. Mr. Baker stated the Board of Civil Authority makes the decision on where the voting is to be held.

**Motion** by Devon Fuller/Seth Hopkins to schedule the first hearing on May 18<sup>th</sup>, with the second hearing to take place on June 22<sup>nd</sup> followed by voting on June 23<sup>rd</sup>.

Ethan Swift stated the proposed charter only speaks to the local option tax, but there is a lot more that a charter can do to provide local control. He stated there had been discussion of having a more detailed charter and he is concerned the town is limiting this effort and there could be opportunities missed. Seth Hopkins stated there is the option to amend the charter at any time and he was not aware that the Board wanted to set up the charter for a form of government, as there would need to be a charter committee. Mr. Swift did not realize that it was going to be solely for a local option tax and noted it could be moved forward, but he does not think it addresses all the opportunities that could be afforded to the town. Mr. Hopkins suggested asking the voters to adopt the limited charter and then a longer discussion could be done. Mr. Swift did not think it would take a lot more time to research the other options. Devon Fuller thought this was the biggest piece of having a charter and he does not know what other advantages would be missed, but agreed it should be done all at once. Mr. Swift stated the Board has looked at other models that towns and cities have done and there had been a discussion of having a town administrator as opposed to a town manager and a town charter could provide this option. Doug Bailey stated the only discussions that he was aware of for the town charter was the local options tax and each conversation since last October was a discussion of having the most basic charter. It was his instruction to the attorney to draft this type of charter and he was not privy to the discussions of the prior Select Board. Seth Hopkins noted concern about becoming a charter town is that any time there is a desired change it would take an act of the legislature.

Judy Bunde asked to clarify the charter, as the hearings are required and a ballot vote is required to have a local option tax. She suggested going through with the vote, as it is

the first step and if the voters do not approve the 1% local options tax, the Select Board may reconsider the development of a town charter. Doug Bailey stated the charter has to be in place first, prior to a public vote on the local option tax. Devon Fuller stated the charter would not be approved by the legislature until 2016 and the town could then move forward with the local option tax, if approved by the voters. Seth Hopkins is not opposed to having two special two meetings, as FEMA items have to be taken care of and the consensus of the Board on this subject is important to him.

Devon Fuller and Seth Hopkins withdrew the motion in order to look into other aspects of the charter. Doug Bailey suggested Ethan Swift, Devon Fuller and Dave Atherton provide information on what was previously discussed for the charter.

***b) Consider Re-adherence to Title 19 and Approval of Culvert Standards***

Ethan Swift stated this is an annual action. There is an annual financial plan for roadway expenditures and it is important to adhere to the road and bridge standards as specified in Title 19.

**Motion** by Ethan Swift/Devon Fuller to adhere to the requirements under Title 19 regarding road and highway management and re-adopt the A76 Road and Bridge Standards. **The motion passed unanimously – 3 to zero.**

**12. Consider VHB Amendment**

Doug Bailey stated there was a discussion about the VHB contract pertaining to their original contract and additional fees they are billing for now and there was a question as to whether to continue using VHB as a project consultant.

**Motion** by Seth Hopkins/Ethan Swift to approve the Amendment 2 of the Brandon Segment 6 Waterline Additional Services for the purpose of discussion.

Ethan Swift asked what the rationale was for approving the amendment. Seth Hopkins stated the work has already been done and they have outlined the reasons why the money should be paid. They claim to have budgeted 100 hours and provided 505 hours for the waterline and are billing for \$39,000.00. They say even with payment, the payment funded was under the MLA. Devon Fuller asked if the Fire District has responsibility for any payment, as this was taken out of Segment 6 for the Fire District's convenience. There is also breaking out of the contractors invoicing and Mr. Fuller asked why the contractors are not doing that instead of VHB. Mr. Hopkins did not think the Fire District had the responsibility for hiring VHB, which was that of the Town. Doug Bailey had a conversation with Tom Whittaker regarding VHB in his work on behalf of the Fire District and he expressed displeasure with the work from VHB as they did not add to meetings when attending.

Wayne Rausenberger stated there were charges with regard to work that should have been done by the design engineer, rather than VHB. It was recommended the Board schedule a meeting with the management of VHB to understand the work that has been

done. Mr. Fuller agreed that a meeting should take place with VHB to obtain an explanation of the billing prior to payment approval. He does not see the value of what they have been doing and perhaps an explanation from the management of VHB is necessary. He would also like to read the initial contract to determine where the Brandon Fire District sits with this project and whether they have any financial responsibility in the project.

Ethan Swift stated with the issues and awareness the Board has had with VHB's involvement, it was recommended the services with VHB be suspended until a meeting is held. Mr. Fuller agreed the Town cannot continue to work with them until clarification has been made. Mr. Swift questioned the amount of hours and money that is associated with the services as he does not feel that it adds up. Mr. Rausenberger stated at the last Select Board meeting, there was a question whether anything they had done belongs to them. Seth Hopkins stated there was information received that CLD actually has all of the production in hand. Richard Baker stated there would be no effect on the appraisals. Mr. Hopkins noted it appears this is the co-efficient of inefficiency in this project.

Seth Hopkins and Ethan Swift withdrew the motion and the Board will instruct the Town Manager to contact VHB to schedule a meeting.

### **13. FEMA Projects**

#### ***a) Green Park***

Seth Hopkins stated there is a letter from FEMA dated 4/30/15 and their official decision is that they are approving the work on Green Park. There was an email from Mary Andes giving the official green light to start the work on Green Park. Doug Bailey stated in cleaning out the town office, Sue Gage found a Brandon Reporter that was dated 6/27/12 that indicated the same things that the Select Board is dealing with as a result of Irene. He noted there are still some hurdles to cross, but the project is a lot closer to getting done. The Project Tracker report has been helpful in assisting to keep the town focused and headway is being made. September 1<sup>st</sup> is when FEMA wants to close out all projects. With Green Park, it has been identified that FEMA will be paying for only the part that is on the town property and it is Mr. Bailey's intention to discuss this with Mary Andes to try to get approval to go ahead with the plan for the front half of the park. Ethan Swift stated this is part of the process of going through federal and state bureaucracy and cautioned it is difficult to set deadlines, as there are issues that are not known with FEMA-related items.

### **14. Segment 6**

Richard Baker reported he has started on the 97<sup>th</sup> waiver evaluation, which is the last one remaining. There are 16 properties on Carver Street that have to be considered and 9 that will require certificates filed with the Town Clerk.

#### ***a) Consider RFQ for Overflow Culvert***

**Motion** by Devon Fuller/Seth Hopkins to approve DuBois and King as the design engineers for the Overflow Culvert Project.

Devon Fuller reported there was a meeting held to interview the three candidates who had submitted bids: Hoyle, CLD and Dubois and King. Mr. Fuller noted Dubois and King was the most innovative bid. Ethan Swift stated he did not recall that one consultant rose above the others and questioned the criteria used in the decision. Mr. Fuller stated Dubois and King was very creative in attacking the project. Mr. Swift noted there would be some efficiencies in having CLD continue as the design engineer as they are also doing the design for Segment 6 and Bridge 114 and there is a lot of inter-play between those projects. Richard Baker stated there was a weighed scoring method and Dubois and King scored high. The other point is that the contractors were told this was the customer's interview and CLD was told not to come with a presentation, but they came with a PowerPoint presentation and did not come prepared to answer questions from the customer. Seth Hopkins was not at the presentations, but he asked Mr. Burlett if CLD would be okay with a different designer and Mr. Burlett believes they will work together fine. Mr. Baker stated there is one more step with negotiating an acceptable cost proposal.

**The motion passed unanimously – 3 to zero.**

***b) Consider the 2015 Paving Projects***

Seth Hopkins reported that Mr. Atherton has advised the paving bids were opened for the Champlain Street, Union Street and Marble Street projects with Wilks Paving being the lowest bidder. There will be a surplus of \$13,771.00 from what was appropriated and the \$175,000.00 grant. A proposal was made to also pave Union Street from Hannaford at an additional cost of \$53,212.00 and Pearl Street from Sanderson's Bridge to the end of the paving at a cost of \$22,575.00. There will also be additional funds remaining.

**Motion** by Seth Hopkins/Devon Fuller to approve Wilk Paving as the paving contractor for the Marble Street, Union Street and Champlain Street projects in the amount of \$154,009.00. **The motion passed unanimously – 3 to zero.**

**Motion** by Seth Hopkins/Devon Fuller to award Wilk Paving the additional paving projects of Union Street from Hannford and the paving of Pearl Street as noted above at the same rate as the Union Street, Champlain Street and Marble Street bid. **The motion passed unanimously – 3 to zero.**

Seth Hopkins noted there will be a savings in doing the additional paving due to mobilization costs will be already absorbed. The road from the bridge where Long Swamp Road turns to dirt for Pearl Street is thought to be one of the Class 2 roads that is in the worst shape.

Doug Bailey requested confirmation that the grant money can be spent for other projects and Seth Hopkins advised that the Public Works Director has indicated the grant can be used for Class 2 roadways. Mr. Hopkins noted these are estimates, but there is still approximately \$100,000.00 remaining. This is the result of having a Public Works Director that is capable and qualified in knowing how to do the work. Mr. Hopkins stated the voters appropriated the money for Union Street and the Board will be asking the voters to approve the transfer of the surplus funds be used for funding items such as the 5% FEMA match for Briggs Lane, Kennedy Park, Cobb Hill and Green Park that would total \$39, 977.00. It is thought that the projects will be done in one timeframe.

With regard to the Union Street Culvert Project, the culverts will need to be purchased out of the funds and Harvey Excavating was awarded the excavating project. Doug Bailey noted there were several bidders for this project.

**Motion** by Seth Hopkins/Ethan Swift to award the Union Street Culvert Project to Harvey Excavating for \$28,461.40. **The motion passed unanimously – 3 to zero.**

Seth Hopkins stated the Public Works Director and Town Manager are concerned the spending authorization is too low for efficient work, with the limit being \$1,000.00 for Public Works and \$5,000.00 for the Town Manager. Chris Brickell finds the spending limits are an issue when time is of the essence and there are times when a \$5,000.00 limit would be more advantageous for his department. The Board will request the Town Manager provide a recommendation for department head authorization limits.

Ethan Swift questioned whether Belden Company was approved as the contractor for Briggs Lane. Seth Hopkins thought they were the only bidder, but this item was not voted on. Mr. Swift stated there were estimates for the road restoration and repair of the damaged sewer lines and this item can be discussed at the next meeting.

Bernie Carr reiterated that the Town Manager or Public Works Director should be in contact with the railroad due to the additional paving that will now be done.

## **15. Town Office**

Devon Fuller reported the Environmental Review is being looked at this week and there will be a 31 day waiting period after the review. Mr. Fuller spoke with Kate Fournier and she needs more details on the restoration of the windows and the stonework, which will be sent to her tomorrow. The bidding process is scheduled for the end of May.

## **16. Bridge 114**

Seth Hopkins reported CLD has an image of a railing they think will work that will be sent to the Historic Preservation people.

## **17. Tax Sale Update**

There has been no additional update received from the Town Manager. Doug Bailey had notified Jim Carroll that things had been delayed due to the absence of a town manager. A new time line will be developed for the tax sale and letters will be going out to the property and lien holders.

## **18. Fiscal**

### **a) General Fund Warrant – April 27, 2015 - \$35,354.35**

**Motion** by Seth Hopkins/Devon Fuller to approve the General Fund warrant in the amount of \$35,354.35. **The motion passed unanimously – 3 to zero.**

### **b) Wastewater Fund Warrant – April 27, 2015 - \$19,010.08**

**Motion** by Devon Fuller/Seth Hopkins to approve the Wastewater Fund warrant of April 27, 2015 in the amount of \$19,010.08. **The motion passed unanimously – 3 to zero.**

**Motion** by Seth Hopkins/Devon Fuller to recess as the Select Board to convene as the Board of Liquor Commissioners at 9:32PM. **The motion passed unanimously – 3 to zero.**

The Select Board reconvened at 9:37PM.

**Motion** by Seth Hopkins/Devon Fuller to enter into executive session for the purpose of discussing the appointment or evaluation of a public employee in accordance with 1VSA313(a)(3). **The motion passed unanimously – 3 to zero.**

## **19. Executive Session**

The Board came out of Executive session at 10:34PM. There were no actions required.

## **20. Adjournment**

**Motion** by Devon Fuller/Seth Hopkins to adjourn the Select Board meeting at 10:35PM. **The motion passed unanimously - 3 to zero.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary

Selectboard Minutes for May 4, 2015

Present: Doug Bailey, Ethan Swift, Devon Fuller, Seth Hopkins, David Atherton

Meeting called to order at 6:00 p.m.

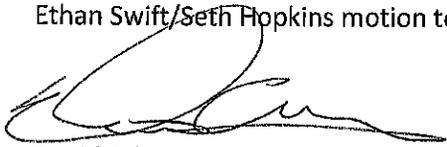
Doug Bailey motioned to adopt agenda. Motion passed

Devon Fuller/Ethan Swift motion to enter into executive session to discuss appointment of a Public Officer at 6:05 p.m.

Ethan Swift/Seth Hopkins motion to come out of executive session at 6:15 p.m.

Ethan Swift/Seth Hopkins motion to appoint Tracy Wyman until the next town meeting. Motion passed 3-0

Ethan Swift/Seth Hopkins motion to adjourn at 6:25 p.m. Motion passed 3-0

A handwritten signature in black ink, appearing to read 'David Atherton', written over a horizontal line.

David Atherton  
Town Manager

## Town Manager Report for the week of May 4, 2015

A part time bookkeeper has been hired and will start on May 25<sup>th</sup>. Her name is Jacolyn Savela. She is a local resident and has worked at Lake Sunapee Bank for the last 10 years.

The RFP for Green Park has gone out. The deadline for bids is May 22, 2015. The final completion date will be on or before July 20, 2015.

An RFP for the annual Audit was sent out on May 7<sup>th</sup>. The deadline for proposals is May 25<sup>th</sup>.

The Levy/Warrant and Notice of Tax Sale has been received by the Town Clerk. (Tax sale timeline included in packets)

Street sweeping started this week and will continue through next week.

We are looking at options for the Kennedy Park retaining wall repair and staircase to the parking lot.

VTrans has told us that Pearl Street cannot be included for paving on the Union Street project.

We have received a draft contract from Dubois & King for the Overflow Culvert. We are reviewing it and should have a final contract in place by the next Selectboard meeting.

I was out with pneumonia the week of April 27<sup>th</sup>, no report for that week.

A meeting has been scheduled with VHB for Tuesday May 12<sup>th</sup> at 3:00 p.m. to discuss future plans.

Met with Ideal Construction roofers and Dennis Marden on the damage to the town hall roof. Apparently there is damage from the hail storm last year. Will be receiving a report to submit to Insurance company.

Union street culvert will begin next week. Please note road closure in Reporter for that week. Paving will begin upon culvert completion.

The eroded embankment on Wheeler has been repaired.

The Gazebo on Central Park is being painted and rotted boards replaced by Devon.



**COMMISSIONER CERTIFICATION**

July 1, 2015 - June 30, 2016

WE, THE LEGISLATIVE BODY OF Town of Brandon HEREBY CERTIFY THAT:

(Name) Ann Scheck

(Street Address) 996 Forestdale Road

(Town/Zip) Brandon, VT 05733 Phone: 802-247-3650

e-mail: ascheck@townofbrandon.com

IS APPOINTED AS THE REGULAR COMMISSIONER TO THE RUTLAND REGIONAL PLANNING COMMISSION AND:

(Name) David Atherton

(Street Address) 160 Fox Road

(Town/Zip) Brandon, VT 05733 Phone: 802-247-3635

e-mail: datherton@townofbrandon.com

IS APPOINTED AS THE ALTERNATE COMMISSIONER.

We understand that this certification shall be submitted to the secretary of the Rutland Regional Planning Commission prior to June 30, 2015 or as soon as the appointments are filled and that such submission is necessary to validate the name of the person who is empowered to vote for the town on Commission issues.

APPROVED BY THE LEGISLATIVE BODY AT ITS MEETING OF \_\_\_\_\_

\_\_\_\_\_  
Chairman/President/Town Clerk

If there is a change do you wish this to take effect immediately? \_\_\_ YES \_\_\_ NO

**RUTLAND REGIONAL PLANNING COMMISSION**

The Opera House, P.O. Box 965, Rutland, VT 05702  
802-775-0871

The Opera House  
P.O. Box 965  
Rutland, Vermont 05702-0965

802-775-0871 • 800-464-7900 • 802-775-1766 (fax)

# Rutland Region Transportation Council

COUNCIL CERTIFICATION  
July 1, 2015 - June 30, 2016

Town of Brandon

This certification shall be submitted to the Rutland Region Transportation Council prior to June 30, 2015 or as soon as the appointments are filled and that such submission is necessary to validate the name of the person who is empowered to vote for the town on Council issues.

REGULAR:

Name Richard Baker  
Address P.O. Box 99  
Town/Zip Brandon, VT 05733  
Phone: 802-236-2946  
e-mail: arabaker@yahoo.com

ALTERNATE:

Name David Atherton  
Address 160 Fox Road  
Town/Zip Brandon, VT 05733  
Phone: 802-247-3635  
e-mail: datherton@townofbrandon.com

\_\_\_\_\_  
Name Date

Changes to take effect immediately: X Yes

TOWN OF BRANDON  
IN RE TAX SALES

RESOLVED, that the Selectboard approve retaining the firm of English, Carroll, Boe, PC, on an hourly basis, said fees to be assessed against the delinquent taxpayers in an amount not to exceed 15% of the delinquent taxes.

IT IS FURTHER RESOLVED, that David J. Atherton , the Delinquent Tax Collector, be authorized to bid at the tax sales in an amount equal to all delinquent taxes, interest, penalties and fees owed at the time of sale as allowed by law.

**BRANDON – 2015 TAX SALE TIMELINE**

- 11/25/14 Initial 30-day letters sent to property owners to pay by 1/05/15
- 11/26/14 Letter re representation and billing sent to Robin Bennett
- 1/09/15 Initial 30-day letters sent to “bankruptcy” property owners to pay by 2/05/15
- 1/13/15 Letter with Warrant sent to Robin Bennett
- 1/13/15 Begin title work in Brandon
- 5/1/15 Update title; Record Resolution with Warrant, Levy and Extension of Warrant and Notice of Sale; Post Notice of Sale; and Select Board certification of “disability” and appointment of person as delinquent tax collector
- 5/13/15 Deadline for registered letters mailed to resident and non-resident taxpayers and lienholders
- 5/13/15 Deadline for Notice to Brandon/Pittsford Reporter for publication of Notice on 5/20/15; 5/27/15; 6/03/15 (check paper each day);
- 6/22/15 Tax Sale (9:00 am at Town Offices)
- 7/22/15 Deadline for recording Report of Sale in Land Records; file discharge of tax lien if taxes paid;
- 6/22/16 Issue Tax Collector’s Deed if not redeemed; if redeemed, make sure discharge of tax lien is filed.

NAME Postage  
DATE April 27, 2015  
INVOICE# Req. #8  
VENDOR# \_\_\_\_\_  
AMOUNT \$1,000.  
FISCAL YEAR 14-15  
ORG/OBJ 10510/30132

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Funds added to the postage machine via telephone line. Entry only Board signature required.

	DR	CR
10100/01110		1000.00
10510/30132	1000.00	

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05/08/15  
12:53 pm

TOWN OF BRANDON Accounts Payable  
Check Warrant Report # 41920 Current Prior Next FY Invoices For Fund (20 Sewer Fund)  
All Invoices For Check Acct 01(10 General Fund) 05/11/15 To 05/11/15 & Fund 20

Page 1 of 2  
Luanne

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
100015	05/05/15	ALLEN ENGINEERING & CHEMI chlorine 11150489401	20-5-55-50120 Chlorine	570.60	40411	05/11/15
100190	05/08/15	BLUE SEAL FEEDS SAFETY CHAIN CLIPS WW329-6540	20-5-55-43160 Maint. Supplies - General	25.98	40472	05/11/15
100190	05/08/15	BLUE SEAL FEEDS SHOVEL WW329-6845	20-5-55-43160 Maint. Supplies - General	17.99	40472	05/11/15
100280	04/27/15	BRANDON LUMBER & MILLWORK foam insulation 491006/3	20-5-55-42140 Maint. Supplies - Bldgs	16.98	40419	05/11/15
310201	04/28/15	CARRARA'S HOT OIL RUSTPRO oil rustproofing 042815	20-5-55-41180 Maintenance-Vehicles	135.00	40422	05/11/15
100411	04/30/15	CIJKA, STEPHEN J reimb for postage 043015	20-5-55-10310 Travel & Expenses	22.34	40424	05/11/15
301043	04/30/15	CIVES CORPORATTON, DBA directional lights 4463113	20-5-55-41180 Maintenance-Vehicles	23.41	40425	05/11/15
310097	05/06/15	COMCAST WW PHONE AND INTERNET WW MAY 2015	20-5-55-42100 Wastewater Telephone	116.43	40430	05/11/15
330426	05/06/15	CVC PAGING WW PAGER FOR MAY WW MAY 2015	20-5-55-42100 Wastewater Telephone	11.95	40432	05/11/15
100494	04/27/15	ENDYNE INC testing 170790	20-5-55-22120 Testing	22.00	40433	05/11/15
100494	05/05/15	ENDYNE INC testing 171481	20-5-55-41130 Fuel - Vehicles	22.00	40433	05/11/15
300492	04/13/15	FASTENAL COMPANY clamps, safety glasses VTRUT76553	20-5-55-43160 Maint. Supplies - General	53.48	40435	05/11/15
100925	04/28/15	FOLEY SERVICES INC uniforms 24897	20-5-55-10320 Clothing Allowance	18.57	40437	05/11/15
100925	05/05/15	FOLEY SERVICES INC uniforms 26211	20-5-55-10320 Clothing Allowance	18.57	40437	05/11/15
310158	04/27/15	GREEN MOUNTAIN ELECTRIC S light bulbs S2601970.001	20-5-55-42140 Maint. Supplies - Bldgs	16.08	40441	05/11/15
100725	04/22/15	GREEN MOUNTAIN GARAGE hitchpin 068220	20-5-55-41180 Maintenance-Vehicles	5.99	40442	05/11/15
100725	05/04/15	GREEN MOUNTAIN GARAGE brush 068821	20-5-55-43160 Maint. Supplies - General	11.69	40442	05/11/15
100559	04/23/15	HACH COMPANY heating element 9344300	20-5-55-43160 Maint. Supplies - General	240.89	40443	05/11/15
300600	04/28/15	HOLLAND COMPANY INC sodium bisulfite 97077	20-5-55-50140 Sodium Meta Bisulfite	1831.83	40444	05/11/15
300747	04/20/15	MELANSON COMPANY INC rebuilt pump 00066163	20-5-55-20240 Contractors	708.00	40450	05/11/15
310322	05/05/15	MIKE HANCE TRUCKING INC April trucking of sludge 0179	20-5-55-50160 Sludge Disposal	1930.50	40451	05/11/15
310304	04/14/15	MIKE'S FUELS, LLC diesel @ Wastewater 355341	20-5-55-41130 Fuel - Vehicles	122.96	40452	05/11/15
200179	04/20/15	ROOTX root killer 42748	20-5-55-51310 Collection Systems	455.00	40457	05/11/15
330348	05/06/15	VERIZON WIRELESS WW CELL APRIL WW MAY 2015	20-5-55-42100 Wastewater Telephone	35.49	40465	05/11/15

05/08/15

TOWN OF BRANDON Accounts Payable

12:53 pm

Check Warrant Report # 41920 Current Prior Next FY Invoices For Fund (20 Sewer Fund)

Luanne

All Invoices For Check Acct 01(10 General Fund) 05/11/15 To 05/11/15 & Fund 20

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
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Report Total

6433.73

Selectboard

To the Treasurer of TOWN OF BRANDON, We Hereby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ \*\*\*\*6,433.73  
Let this be your order for the payments of these amounts.

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Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
200263	ALDRICH & ELLIOTT, PC 75566	Multiple FEMA Projects	3569.10	0.00	3569.10	40410	05/11/15
300541	ASSOCIATION FOR RETARDED CITIZ MAY 2015	APPROPRIATION	875.00	0.00	875.00	40412	05/11/15
100655	BLSG INSECT CONTROL DISTRICT MAY 2015	APPROPRIATION	7375.00	0.00	7375.00	40413	05/11/15
100190	BLUE SEAL FEEDS 329-6845	TRASH BAGS	64.90	0.00	64.90	40472	05/11/15
100245	BRANDON AREA CHAMBER OF COMMER MAY 2015	APPOPRIATION	250.00	0.00	250.00	40415	05/11/15
100305	BRANDON AREA RESCUE SQUAD MAY 2015	APPOPRIATION	5183.74	0.00	5183.74	40416	05/11/15
100275	BRANDON FREE PUBLIC LIBRARY MAY 2015	APPROPRIATION	7125.00	0.00	7125.00	40417	05/11/15
100625	BRANDON INDEPENDENCE DAY CELEB MAY 2015	APPROPRIATION	1500.00	0.00	1500.00	40418	05/11/15
200218	BRANDON REPORTER 4/30/15	April ads	297.38	0.00	297.38	40420	05/11/15
100310	BRANDON SENIOR CITIZENS CENTER MAY 2015	APPROPRIATION	1068.75	0.00	1068.75	40421	05/11/15
100592	CHAMPLAIN OIL COMPANY INC CL160394	gasoline	145.93	0.00	145.93	40423	05/11/15
100592	CHAMPLAIN OIL COMPANY INC CL160397	gasoline	1140.61	0.00	1140.61	40423	05/11/15
100346	CLARK'S TRUCK CENTER 356643	absorber	51.79	0.00	51.79	40426	05/11/15
310097	COMCAST HW MAY 2015	HW PHONE AND INTERNET	104.67	0.00	104.67	40427	05/11/15
310097	COMCAST MAY 2015	PD PHONE AND INTERNET	237.88	0.00	237.88	40428	05/11/15
310097	COMCAST TC MAY 2015	T O PHONES/INTERNET	530.28	0.00	530.28	40429	05/11/15
310177	COTT SYSTEMS, INC. 78014	MARCH HOST FEE	200.00	0.00	200.00	40431	05/11/15
330426	CVC PAGING 10306937	HW PAGER FOR MAY	11.95	0.00	11.95	40432	05/11/15
310493	DEPARTMENT OF PUBLIC SAFETY APRIL 2015	permitting for 49 Center	3445.75	0.00	3445.75	40409	04/30/15
100860	ENGLISH, CARROLL & BOE, P.C. 27633	BIC	407.50	0.00	407.50	40434	05/11/15
300187	FLORENCE CRUSHED STONE 220936	gravel and stone	1981.55	0.00	1981.55	40436	05/11/15
300187	FLORENCE CRUSHED STONE 220991A	stone	514.69	0.00	514.69	40436	05/11/15
300187	FLORENCE CRUSHED STONE 220991B	stone	566.65	0.00	566.65	40436	05/11/15
100925	FOLEY SERVICES INC 24898	uniforms	42.05	0.00	42.05	40437	05/11/15
310445	FOXCROFT FARM HARVEST PROGRAM MAY 2015	APPROPRIATION	3750.00	0.00	3750.00	40438	05/11/15
100009	FRANKLIN PAINT CO., INC. 132497	paint	1465.00	0.00	1465.00	40439	05/11/15
100650	GALLS, AN ARAMARK COMPANY 003384661	battery pack	61.00	0.00	61.00	40440	05/11/15
100725	GREEN MOUNTAIN GARAGE 068391	plugs, lamps	15.21	0.00	15.21	40442	05/11/15
100725	GREEN MOUNTAIN GARAGE 068493	epoxy	5.16	0.00	5.16	40442	05/11/15
100725	GREEN MOUNTAIN GARAGE 068992	trailer ball	8.99	0.00	8.99	40442	05/11/15
300359	HOME DEPOT CREDIT SERVICES 8142865	filters, connectors	43.93	0.00	43.93	40445	05/11/15
100679	JOSEPH P. CARRARA & SONS, INC. 226319	blocks	760.00	0.00	760.00	40446	05/11/15
100588	MARKOWSKI EXCAVATING, INC. V-15451	gravel	372.75	0.00	372.75	40447	05/11/15
310062	MCCULLOUGH BROS., INC. 42715EST	Estabrook parking lot	600.00	0.00	600.00	40448	05/11/15
310062	MCCULLOUGH BROS., INC. 42715HWY	tree & stump removal	2800.00	0.00	2800.00	40448	05/11/15
310079	MCGUIGAN, GABRIEL B 5-6-2015	SOLID WASTE MEETING	23.00	0.00	23.00	40449	05/11/15
310304	MIKE'S FUELS, LLC 347699	heating fuel @ Town Hall	327.62	0.00	327.62	40452	05/11/15
310304	MIKE'S FUELS, LLC 355063	heating fuel @ HWY	212.99	0.00	212.99	40452	05/11/15
310304	MIKE'S FUELS, LLC 355340	diesel @ Highway	825.74	0.00	825.74	40452	05/11/15
310304	MIKE'S FUELS, LLC 355776	heating fuel @ HWY	124.47	0.00	124.47	40452	05/11/15
310304	MIKE'S FUELS, LLC 355782	heating fuel @ Town Hall	313.70	0.00	313.70	40452	05/11/15
310304	MIKE'S FUELS, LLC 355936	diesel @ Highway	630.17	0.00	630.17	40452	05/11/15
100030	MINER CONSTRUCTION, INC. 15010	Wheeler Road Project	1185.00	0.00	1185.00	40453	05/11/15
100149	MODERN CLEANERS & TAILORS, INC APR2015	uniform maint.	90.00	0.00	90.00	40454	05/11/15
100788	NEW ENGLAND MUNICIPAL RESOURCE 34406	MAY ASSESSMENT	1333.33	0.00	1333.33	40455	05/11/15
310494	PRORIDER MAY 2015	SHIRTS/ DEB BOYCE	620.00	0.00	620.00	40456	05/11/15
100485	RUTLAND AREA VISITING NURSE AS MAY 2015	APPROPRIATION	2550.00	0.00	2550.00	40458	05/11/15
100005	RUTLAND COUNTY SOLID WASTE DIS 21608	MARCH SURCHARGE	714.16	0.00	714.16	40459	05/11/15
100005	RUTLAND COUNTY SOLID WASTE DIS M1049	April recycling	273.00	0.00	273.00	40459	05/11/15
100492	RUTLAND MENTAL HEALTH SERVICES MAY 2015	APPROPRIATION	1656.00	0.00	1656.00	40460	05/11/15

TOWN OF BRANDON Accounts Payable  
Check Warrant Report # 0511 Current Prior Next FY Invoices  
Manually Selected For Check Acct 01(10 General Fund) 05/11/2015 To 05/11/2015

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
310232	SMARTPOWER, LLC	502 electrical work	232.18	0.00	232.18	40461	05/11/15
100006	SOUTHWESTERN VT COUNCIL ON AGI MAY 2015	APPROPRIATION	600.00	0.00	600.00	40462	05/11/15
330348	VERIZON WIRELESS	9743977518 APRIL CELL PHONES	231.94	0.00	231.94	40463	05/11/15
330348	VERIZON WIRELESS	9744425944 PD MAY CELLS	160.04	0.00	160.04	40464	05/11/15
300024	VERMONT DIGITAL	4275T SET UP 2 COMPUTERS PD	300.00	0.00	300.00	40466	05/11/15
300024	VERMONT DIGITAL	5523 town manager computer se	205.00	0.00	205.00	40466	05/11/15
100317	VERMONT STATE TREASUER-DOG LIC MAY 2015	DOGS JAN-APR	1516.00	0.00	1516.00	40467	05/11/15
100067	VLCT	16209 BCA THOMAS/FAIVRE	120.00	0.00	120.00	40468	05/11/15
310046	W.B. MASON CO INC	I25135487 toner for OKI printer	113.99	0.00	113.99	40469	05/11/15
310046	W.B. MASON CO INC	I25251054 paper	69.98	0.00	69.98	40469	05/11/15
310046	W.B. MASON CO INC	I25287540 ink roller, pens, labels	108.37	0.00	108.37	40469	05/11/15
300905	WELLS COMMUNICATION SERVICE IN 164281	reprogrammed radio	105.00	0.00	105.00	40470	05/11/15
310415	ZALINGER CAMERON & LAMBEK, P.C 58088	collective bargaining ap	968.82	0.00	968.82	40471	05/11/15
Report Total			62,182.71	0.00	62,182.71		

Selectboard

To the Treasurer of TOWN OF BRANDON, We Heraby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ \*\*\*\*62,182.71  
Let this be your order for the payments of these amounts.

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**NAME** US Bank N.A.  
**ADDRESS** 60 Livingston St.  
**CITY/STATE/ZIP** St. Paul, MN 55107  
**DATE** Due 05/15/15  
**AMOUNT** \$51,695.08-Wire Transfers  
**FISCAL YEAR** 14/15

**REASON/COMMENT-** Multiple Bond Payments-Principal/Interest

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ENTRY ONLY-BOARD SIGNATURE REQUIRED

2006 Infrastructure bond	36,671.75	10519/48140
WW 2012 Series #4&5	8,393.81	20555/61000
PD bond	5,862.19	10519/60410
Carver ST Upgrade	767.33	20555/60800

BOARD SIGNATURES

\_\_\_\_\_  
Doug Bailey

\_\_\_\_\_  
Seth Hopkins

\_\_\_\_\_  
Ethan Swift

\_\_\_\_\_  
Tracy Wyman

\_\_\_\_\_  
Devon Fuller



All of us serving you

RECEIVED  
APR - 6 2015  
TOWN OF BRANDON

April 1, 2015

Brandon Town  
49 Center Street  
Brandon, VT 05733

BORROWER KEY ID: VMBBBRA32

### Vermont Municipal Bond Bank

ATTN: Bookkeeper

Pursuant to the Loan Agreement with respect to the below loan series, your debt service payment due on or before May 15, 2015 is as follows:

Loan Series	Refunded By	Interest	Principal	Credit	Debit	Total Payment Due
2006-1	Series 2014-4	\$36,671.75	\$0.00	\$0.00	\$0.00	\$36,671.75 ✓
-	Series 2012-4	\$5,862.19	\$0.00	\$0.00	\$0.00	\$5,862.19 ✓
-	Series 2012-4	\$767.33	\$0.00	\$0.00	\$0.00	\$767.33
-	Series 2012-4	\$8,393.81	\$0.00	\$0.00	\$0.00	\$8,393.81 ✓
<b>Totals:</b>		<b>\$51,695.08</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$51,695.08</b>
<b>Total Amount Due From Borrower:</b>			<b>\$51,695.08</b>			

Kindly send your payment to the attention of the undersigned at the following address and ensure that you reference your "Borrower Key ID" in the payment.

Remit check to: (must be received 7 business days prior to due date)

U.S. Bank  
SDS 12-2302  
PO Box 86  
Minneapolis, MN 55486-2302

(Please reference VMBBBRA32 and Debra Rucker)

If by Wire Instructions or ACH:

Bank: U.S. Bank N.A. - 60 Livingston St., St Paul, MN 55107  
Beneficiary: U.S. Bank Corporate Trust  
ABA #: 091-000-022  
A/C #: 173103321092  
OBI: TFM - Debra Rucker  
Ref: VMBBBRA32



All of us serving you

Should you have any questions, please do not hesitate to contact me at 617-603-6631.

Sincerely,

Debra Rucker

Assistant Vice President

[debra.rucker@usbank.com](mailto:debra.rucker@usbank.com)