

**Brandon Select Board Meeting  
July 13, 2015**

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

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

**Also in Attendance:** Dave Atherton, Kathy Rausenberger, Wayne Rausenberger, Richard Baker, Janet Coolidge, Anthony Paduto, Lee Kahrs, Arlen Bloodworth, Richard Kirby

**1. Call to order**

The meeting was called to order by Doug Bailey - Chair at 7:03PM.

**a) Agenda Adoption – Motion** by Devon Fuller/Seth Hopkins to adopt the agenda. **The motion passed unanimously – 3 to zero.**

**2. Consent Agenda**

**a) Select Board Meeting Minutes – June 22, 2015**

**Motion** by Devon Fuller/Ethan Swift to approve the minutes of the June 22, 2015 Select Board meeting, as amended. **The motion passed with one abstention - Doug Bailey.**

Page 5, under Segment 6 discussion – a correction to the sentence reading there was a discussion on the sign they submitted that should read the design they submitted.

**b) Special Select Board meeting – June 29, 2015**

**Motion** by Devon Fuller/Seth Hopkins to approve the minutes of the June 29, 2015 Special Select Board meeting, as amended. **The motion passed unanimously – 3 to zero.**

A correction to the agenda adjustment to strike the executive session should be noted at the beginning.

Under Item 6g, the amount should be specified, which is a \$12,000.00 encumbrance for payroll.

**3. Town Manager’s Report**

Dave Atherton reported there was a union negotiation meeting held on July 1st and the new contract is being drafted and should be available to the Select Board soon. The Green Park is complete except for the fence and the half-moon retaining wall that will be repaired shortly. The original stone was located for the wall. The Kennedy Park stairs and decking are complete

and work is being done on the sewer line. The Animal Control Officer interviews are being conducted. This is an on-call position and though there have not been many complaints, the Town does need to fill this position. Mr. Atherton noted it would be good to fill the position with someone who lives in the Town. Mr. Atherton will look into training offered for this position. Tax bills were printed and sent out. Mr. Atherton met with Haley Pero from Senator Sanders' office to discuss federal grants. There is a draft Town Plan and the Planning Commission will be holding one of two public hearings on August 17<sup>th</sup> regarding the proposed Plan. NEMRC provided training for the accounting and tax bills. There was information provided about budget development that will save a lot of time in the future. There will be another meeting held to have a more in-depth discussion regarding payroll. It is thought this can be done in-house that would save \$5,000.00 per year. The crosswalks signs have been installed and Public Works is continuing to work on patch paving the roads and grading. Mr. Atherton met with M & T Associates to discuss the next steps for the parking lot purchase, which requires a permit process. Mr. Atherton provided a listing of highlights provided by the Recreation Department. The Brandon Red Hayes Pallet team won the 2015 Tri-County Major League Championship. New summer programs include: glass fusing, tie-dye, hip-hop dance, summer LegoRogo camp, swimming lessons, basketball leagues, and Brandon Boot Camp. A trip is planned for the July 24<sup>th</sup> Lake Monsters game. The former warming hut will be made into a concession stand. Bill Moore is currently working on fall programming. Mr. Atherton reported activities at the Wastewater Plant include pumping out the Kennedy Park manhole, a new sewer line near the Episcopal Church, the installation of new LED lights around the lab and the digging that is taking place in Kennedy Park.

Devon Fuller asked if the proposed system from NEMRC will be long-lasting. Dave Atherton stated some of the current programs have been in use for too long and NEMRC will provide guidance and support to better utilize the modules. NEMRC will do ongoing training that will include any new employees that are hired.

Doug Bailey asked about the Zoning/Planning/Safety position and the continuing problem with the property next to Dick Kirby. Dave Atherton stated this problem has been sent to the state and they are assessing the issue to determine what can be done. There are only two people in the state that do this type of work. There are a couple of other properties in Town with the same type of issue. It was suggested members of the Select Board may want to attend a Planning Commission meeting to assist with keeping this process moving.

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

Wayne Rausenberger questioned what will be done in town now that there is a new state recycling policy and a separate trash can for recycling for public trash is required. Dave Atherton stated the Town has been researching the options available and noted that the receptacles are about \$1,000.00 each. It is known that compliance is required. Mr. Rausenberger suggested coordinating with other towns in trying to get a better price. Mr. Atherton stated it seems to be a supply and demand issue and has appeared to increase the prices. The town is moving forward on this issue, as the deadline was July 1<sup>st</sup>. Wherever there

are public trash cans, there is supposed to be recycled receptacles that are connected and marked appropriately.

Wayne Rausenberger asked if the town needs another letter from the Mosquito District noting the allotment, as the next payment is due in August. It used to be an automatic payment and Mr. Rausenberger asked if the letter is good until the allotment changes or whether it is needed every year. Dave Atherton suggested keeping a paper trail and requested another letter. Mr. Rausenberger stated there should be information noted on the town's website regarding the Mosquito District. If the hotline is called, the callers should listen to the entire message and will have the opportunity to talk to someone. It was noted the town does not control the Mosquito District. Mr. Rausenberger stated people can call 247-6779 with any questions or concerns regarding the Mosquito District. The information can be left with the answering service and someone will get back to the people who call.

Doug Bailey stated there has been a lot of headway on projects with six projects completed and two almost complete. It is thought the tracker report helps to keep focus on the projects. Mr. Bailey suggested providing the Select Board the report monthly. Ethan Swift noted there are more projects that should be added to the tracker report.

## **5. Late Homestead Filing**

Dave Atherton stated the town clerk brought to his attention that Brandon is the only town that does not have a fee for submitting late homestead filings. Mr. Atherton recommended assessing the 8% penalty for the late filings according to 32 VSA 4310g.

**Motion** by Seth Hopkins/Devon Fuller to approve the assessment of an 8% penalty for late homestead filings under 32 VSA section 4310g and sign the document as presented to the Select Board. **The motion passed unanimously – 3 to zero.**

## **6. Tax Stabilization Policy**

Dave Atherton provided an updated draft of the tax stabilization policy, noting changes were made to the document since the Board packet was distributed. On Page 4, under the application process, a change from Brandon Town Hall to Brandon Town Office; Page 3, 2<sup>nd</sup> paragraph should not have been split and is now one line instead of 2; a change in the date from June 1<sup>st</sup> to July 1<sup>st</sup>; and on the last page before the signature, a correction to the sentence to read: To enter into tax stabilization, applications must be received and approved...

It was suggested to strike the word "town" after Brandon on Page 3. Seth Hopkins asked if the word "schedule" on Page 5 means that it could be a regular board meeting and not a special meeting. He also stated there is no definition of tax stabilization in the policy and it would be good practice to define tax stabilization.

Dave Atherton stated this document was brought to the Board at the last meeting and he asked the Board for input on changes to get the document executed this evening. Mr. Atherton stated he made the changes the next day of what had been discussed based on the Board's recommendation. Mr. Atherton stated under Item 4, it outlines information on tax stabilization and provides a good definition of what is being done. He also noted that the scheduled Select Board meeting could be a regular meeting. Doug Bailey stated the numbering on the document is also not correct. Mr. Atherton stated it would be helpful if the Board could provide all additional input so that he can have a final draft at the next Select Board meeting.

Ethan Swift suggested providing some clarification that the Town will not entertain any applications for tax stabilization once a project has begun. Mr. Atherton stated the tax stabilization is based on what the property is assessed at prior to the beginning of construction. Mr. Swift stated there is an assumption that if there is anyone doing a significant property investment, they would have an assessment done priority to the construction starting. Mr. Atherton stated it would be based on the grand list as of April 1<sup>st</sup>.

Seth Hopkins stated on Page 2 where it discusses the terms, it is 100% of the municipal portion and excludes education and fire district taxes. He questioned whether the special appropriations would also be included in the tax stabilization, as they are a separate line. Mr. Hopkins suggested the appropriations be excluded from the stabilization. Mr. Swift, Mr. Fuller and Mr. Atherton thought the appropriations are a municipal portion and should be included in the stabilization. Doug Bailey suggested reviewing the changes to the draft with the Economic Development Advisor and bringing the document before the Board at the next meeting.

Ethan Swift questioned whether the tax terms section noting the length of the contract based on approvable investment should be more specific. Dave Atherton stated the application must provide an estimate of construction costs from a qualified contractor and there is also a noncompliance clause if the applicant does not follow the agreement that would provide the Town the authority to recapture the prior taxes. Mr. Swift cautioned the Town needs to be sure that this is a legally binding contract and the terms are spelled out. Doug Bailey stated the timeframe depends on what is spent and there has to be some way to have proof of what has been done. Mr. Swift stated the wording does not assure the grantee has all the investment to bring the project to fruition. Mr. Fuller stated the stabilization will not be authorized until the project is complete. Mr. Swift suggested adding language that the agreement does not begin until the project is complete and the contractor has provided the appropriate information.

## **7. FEMA Projects**

Dave Atherton noted most items were covered during the Town Manager report. With regard to Cobb Hill, the borings have been done and the town is awaiting a response. Briggs Lane is complete and digging of the Kennedy Park sewer line was started today. There is currently no new information on the HMPG for Newton Road. Ethan Swift stated there had been a site visit to Newton Road by FEMA and it seemed like it was previously a priority. Ray Dougherty had sent a list of the top six high priority projects and this project was on that list. FEMA has a lot

going on and the town will continue to follow-up on this issue. Doug Bailey stated the FEMA projects have been moving along and he thanked the Public Works Director for his efforts noting there have been many positive comments received.

## **8. Segment 6**

Dave Atherton stated there has not been a lot going on with Segment 6. The waiver evaluations are being reviewed. There are some issues with Carver Street and those are being worked on. The VSE visited to review some boundary lines near Briggs Lane.

## **9. Town Office Project**

Dave Atherton reported there was a meeting with a mechanical engineer to discuss the heating/cooling system and a report will be received by the end of the month. The Town is awaiting a letter of clearance from the environmental review and it is hoped to go out to bid early to mid-August. The project is moving along as fast as possible. It was noted Robert Black and Blaine Cliver worked with the State Fire Marshall who has approved the rafters, with minor modifications, in the attic space. This effort will save the town \$35,000.00. Ethan Swift asked if there is an estimate for the heating system. Mr. Atherton stated it is hoped the information will be received by the end of the month.

## **10. Bridge 114**

Dave Atherton reported CLD has done the GPR test on the bridge, with the final results to be provided. CLD has received rail designs from the Vermont Historical Department that are approved for crash rating that includes a couple of concrete designs and a metal design. The options will be discussed at the next bridge meeting. The scoping is going forward and the borings will be done once the GPR test results are complete. There were borings done for the overflow culvert and DuBois and King have been doing surveying for the culvert.

Devon Fuller stated the Town needs to make preparations to assist with traffic flow during the project. There need to be some sort of signage ideas developed, similar to those for the waterline project to help avoid issues. Dave Atherton stated there have been discussions with the engineers regarding this subject. Seth Hopkins asked if there is a Pearl/Maple/Union Streets detour being considered. Mr. Atherton stated the issue with that detour route would be trucks and in speaking with CLD he was advised that rerouting traffic brings up Act 250 issues. Ethan Swift stated this is part of the construction bid process as there has to be a traffic control plan. It was suggested there be discussion with the Brandon Chamber for possible recommendations. Janet Coolidge stated it comes down to education in posting public notices and reminding people to plan ahead for traffic delays.

## **11. Fiscal**

### ***a) FY 14/15 General Fund Warrant – July 13, 2015 - \$127,720.23***

**Motion** by Ethan Swift/Seth Hopkins to approve the FY 14/15 General Fund warrant of July 13, 2015 in the amount of \$127,720.23. **The motion passed with one abstention – Devon Fuller.**

***b) FY 14/15 Wastewater Fund Warrant – July 13, 2015 - \$1,566.48***

**Motion** by Ethan Swift/Devon Fuller to approve the FY 14/15 Wastewater Fund warrant of July 13, 2015 in the amount of \$1,566.48. **The motion passed unanimously – 3 to zero.**

***c) FY 15/16 General Fund Warrant – July 13, 2015 - \$88,052.32***

**Motion** by Ethan Swift/Devon Fuller to approve the FY 15/16 General Fund warrant of July 13, 2015 in the amount of \$88,052.32. **The motion passed unanimously – 3 to zero.**

***d) FY 15/16 Wastewater Fund Warrant – July 13, 2015 - \$6,616.59***

**Motion** by Ethan Swift/Devon Fuller to approve the FY 15/16 Wastewater Fund warrant of July 13, 2015 in the amount of \$6,616.59. **The motion passed unanimously – 3 to zero.**

**Motion** by Ethan Swift/Devon Fuller to enter into executive session at 8:17PM for the purpose of discussing the appointment or employment or evaluation of a public officer or employee/labor relations agreements with employees in accordance with 1VSA313(a)(1). **The motion passed unanimously – 3 to zero.**

## **17. Executive Session**

**Motion** by Devon Fuller/Ethan Swift to come out of Executive session at 8:50PM. **The motion passed unanimously – 3 to zero.**

**Motion** by Devon Fuller/Ethan Swift to offer VMERS Group C retirement plan to the department heads effective July 1, 2016. **The motion passed unanimously – 3 to zero.**

## **18. Adjournment**

**Motion** by Seth Hopkins/Devon Fuller to adjourn the Select Board meeting at 8:52PM. **The motion passed unanimously - 3 to zero.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary