

**Brandon Select Board Meeting  
September 28, 2015**

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

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

**Also in Attendance:** Dave Atherton, Wayne Rausenberger, Kathy Rausenberger, Richard Baker, Bernie Carr, Lee Kahrs, Arlen Bloodworth, Chris Brickell, Janet Coolidge, Steve Bissette, Dick Kirby, Daryl Burlett, Jim Crawford, Bill Moore

**1. Call to order**

The meeting was called to order by Doug Bailey - Chair at 7:01PM.

**a) Agenda Adoption – Motion** by Seth Hopkins/Devon Fuller to adopt the agenda, as printed. **The motion passed unanimously – 4 to zero.**

**2. Consent Agenda**

**a) Select Board Meeting Minutes – August 24, 2015**

**Motion** by Tracy Wyman/Seth Hopkins to approve the minutes of the September 14, 2015 Select Board meeting, as amended. **The motion passed with one abstention – Ethan Swift.**

Correction to agenda item - Fiscal 11(a) - to read FY14/15 General Fund Warrant

Correction to Item 5 – Maple Street/Union Street Sidewalk Project – 5<sup>th</sup> line from the end – first word should be think, not thing

**3. Town Manager's Report**

Dave Atherton reported there was a meeting with VTrans negotiators on September 14th regarding the right of way process for Segment 6. The negotiations have begun, with assistance from Tom Whittaker, Bill Dick and Richard Baker. To date, the negotiations are going well. Mr. Atherton provided the Select Board information from the VERI meeting that Bill Moore, Ethan Swift and he attended. The town is on track and some of the flood repair work is going well. It will be beneficial to follow the standards, as this plays a critical role in applying for other grants. While in Montpelier, they also visited the Capital to speak with the people that are reviewing the Town's Charter and Option Tax request. The documentation submitted is acceptable, with no follow-up information required and this item will be submitted to the legislators in January. FEMA has approved the buyout for the Fjeld property on Newton Road and the owner has been advised. A Phase 1 site assessment will be required. A Brownfield

study has been requested through the Rutland Regional Planning Commission. Mr. Atherton also met with the Regional Planning Commission to finalize the Town Plan. The Select Board is required to hold two hearings for the Town Plan that have been scheduled for October 13<sup>th</sup> and October 14<sup>th</sup> at 6:30PM in the Town Hall. There was a Bridge 114 meeting today. There are costs that have been provided and Mr. Atherton will get this information to the Select Board for discussion at the next meeting. Bill Moore attended a Fair Housing training on September 21<sup>st</sup>, which was a requirement for the Town Office grant. Mr. Moore also attended a Designated Downtown conference last Friday in Grand Isle that included a discussion on USDA grant opportunities. With regard to the Wastewater Department, there was a break in the sewer on Union Street that has been repaired and all other items are business as usual. With regard to the executive session for a public health risk during the last meeting, Mr. Atherton advised that this has been resolved.

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

Janet Coolidge stated the Town Hall's Chiller Theater event scheduled for October 10<sup>th</sup> has been pushed out to October 17<sup>th</sup>. Richard Baker reported that the Friends of the Town Hall received a \$2,000.00 Walter Cerf grant for the handicap accessible door. Bill Moore stated he has had a discussion with Anna Scheck concerning the scheduling of a landlord training as a result of the information he received at the Fair Housing training. Mr. Moore also advised there will be a costume party dance at the American Legion on October 24<sup>th</sup> that will be sponsored by Black Diamond Builders and Jam Man. The American Legion has donated the space for the event.

#### **5. Resolution for Municipal Planning Grant**

Dave Atherton advised this document, which has a September 30<sup>th</sup> deadline, was provided to the Town by the Rutland Regional Planning Commission. Mr. Atherton requested the Board's approval to apply for the grant. Seth Hopkins questioned who would be designated as the Chief Executive Officer, Alternate Authorizing Official and the Grant Administrator. Mr. Atherton assumed that the Town Manager would be the Chief Executive Officer, the Planning Commission Chair would be the Alternate Authorizing Official and the Town Manager would be the Grant Administrator. Ethan Swift noted there were recommendations in the VERI report on more actions for flood hazard mitigation. Mr. Swift encouraged Mr. Atherton to be sure the Town Plan is concurrent with the flood hazard mitigation recommendations. Mr. Atherton will provide an updated version of the Town Plan to the Select Board. With regard to the resolution, he noted this is done every year and currently it is open as to what the Town will do with the grant.

**Motion** by Seth Hopkins/Ethan Swift to approve the Municipal Planning Grant resolution and authorize Dave Atherton to be the Chief Executive Officer and Grant Administrator and Jeff Guevin as the Alternate Authorizing Official. **The motion passed unanimously – 4 to zero.**

## **6. Road Closure Request – Halloween Parade**

Doug Bailey advised the Neshobe School has submitted their annual request to close a portion of Route 7 for their Halloween Parade.

**Motion** by Devon Fuller/Ethan Swift to close the section of Route 7 between Park Street and the Town Hall from 12:55PM to 1:15PM on Friday, October 30<sup>th</sup>. **The motion passed with one abstention – Seth Hopkins.**

## **7. FEMA Projects/Segment 6/Bridge 114**

Dave Atherton reported there was an extension received for Cobb Hill. The Segment 6 rights of ways are currently being done. The Bridge 114 meeting was held today and Mr. Atherton will provide information to the Select Board from this meeting. Richard Baker advised the Town Manager signed the approved plans as of today for Segment 6. Mr. Atherton reported Sue Gage has a set of plans at the town office that are available for review by the public. It was noted the deadline for the rights of ways is February, however, the Town is in hopes of having them completed by December 1<sup>st</sup>, as most involve disconnects and connects. VTrans will help negotiate some of the more detailed ones.

## **8. Town Office Project**

Devon Fuller stated the bids were open for the Town Office project and Smalley Construction was the lowest bidder at \$688,000.00. There were a total of three bids – Smalley Construction, VMS and Wright Construction. The other two bids were \$773,000.00 and \$778,000.00. There was a meeting with a representative from Smalley to go over the bid to assure that everyone is on the same page. The contract will be signed this Thursday and it is hoped that a start date will be determined at that time. The project is budgeted for \$654,000.00. There have been some alternations to the project, which is now down to \$622,000.00 and it could be reduced by another \$25,000.00 before the start of the project.

## **9. Fiscal**

### ***a) FY 15/16 General Fund Warrant – September 28, 2015 - \$74,642.56***

**Motion** by Ethan Swift/Tracy Wyman to approve the FY15/16 General Fund warrant of September 28, 2015 in the amount of \$74,642.56. **The motion passed with one abstention – Devon Fuller.**

Doug Bailey requested clarification of the two invoices for the Woods Lane culvert. Daryl Burlett advised that one invoice was for design and the other was for the right of way. Both invoices have been paid for through a grant the Town received. It is hoped to have this project done this year. Seth Hopkins questioned which department the invoice

from the University of Louisville was for and it was noted this was for police officer training.

***b) FY 15/16 Wastewater Fund Warrant – September 18, 2015 - \$33,316.41***

**Motion** by Ethan Swift/Devon Fuller to approve the FY15/16 Wastewater Fund warrant of September 28, 2015 in the amount of \$33,316.41. **The motion passed unanimously – 4 to zero.**

**Motion** by Seth Hopkins/Devon Fuller to recess the Select Board at 7:27PM to convene as the Board of Liquor Commissioners. **The motion passed unanimously – 4 to zero.**

The Select Board reconvened at 7:51PM.

**Motion** by Ethan Swift/Seth Hopkins to enter into executive session at 7:52PM for the purpose of negotiating or securing real estate purchase or lease options pursuant to Title 1, Section 313(a)(2) of the Vermont Statutes. **The motion passed unanimously – 4 to zero.**

**10. Executive Session**

**Motion** by Seth Hopkins/Devon Fuller to come out of executive session at 8:30PM. **The motion passed unanimously – 4 to zero.**

**Motion** by Seth Hopkins/Devon Fuller to authorize the Town Manager to pursue a lease contract with a solar panel provider. **The motion passed unanimously – 4 to zero.**

**Motion** by Seth Hopkins/Tracy Wyman to accept “Lot E” of the Brandon Industrial Corporation in lieu of payment of a promissory note to the Town of Brandon. **The motion passed unanimously – 4 to zero.**

**11. Adjournment**

**Motion** by Seth Hopkins/Ethan Swift to adjourn the Select Board meeting at 8:35PM. **The motion passed unanimously - 4 to zero.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary