

**Brandon Select Board Meeting
November 9, 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, Ethan Swift

Also in Attendance: Dave Atherton, Wayne Rausenberger, Richard Baker, Bernie Carr, Dick Kirby, Jeff Stewart, Chris Brickell, Arlen Bloodworth

1. Call to order

The meeting was called to order by Doug Bailey - Chair at 7:00PM.

a) Agenda Adoption – Motion by Tracy Wyman/Seth Hopkins to adopt the agenda as amended. **The motion passed unanimously.**

Addition of Item 9 (e) – Economic Development Revolving Loan Fund warrant of November 3, 2015 for \$61,000.00

2. Consent Agenda

a) Select Board Meeting Minutes – October 26, 2015

Motion by Seth Hopkins/Tracy Wyman to approve the minutes of the October 26, 2015 Select Board meeting. **The motion passed unanimously.**

3. Town Manager’s Report

Dave Atherton reported he met with VTrans last week to discuss the Segment 6 deed and title corrections that Richard Baker and he have fixed. They have been sent to the state for right of way approval. Mr. Atherton will have a discussion with the Select Board about the parties involved (VHB and VSE). He has had several conversations with them this week. Mr. Atherton had a meeting with Ranger Solar and advised that they hope to attend the next Select Board meeting to answer questions. They want to work with the Town to make this project happen. Mr. Atherton attended the Vermont Rail Action Network meeting that included a train ride from Middlebury to Burlington. He is trying to get a stop for the Whistle Stop Route in Brandon. It was a good meeting and he had discussions with the key players. The second Budget Committee meeting was held on November 3rd. The meeting went well and there is a new format for getting the budget out. The next Budget Committee meeting is scheduled for November 18th @ 6PM. Mr. Atherton met with VLCT to review the insurance policies and discuss the potential for changes to find savings. Route 73 has been paved from Marble Street to Town Farm Road. Mr. Atherton advised the State will be repaving this road next year. Two of

the three garages that are being repaired for the Wastewater Plant now have heat and it is hoped to have heat up and running in the 4-bay garage soon. Daryl Burlett met with the UVM Extension Service and the Town will be receiving 200 hours of free engineering services for the Wastewater plant upgrades from their senior students. Road grading is continuing. The Recreation Department held a successful Spooksville event thanks to the efforts of the Committee members; Tanya Laroche, Liz Alvarado, Colleen Wright and Missey Thompson. The New York City bus trip on December 5th will have a second bus going. Tickets will be available at Carr's Florist for the performance of Snow White and the Seven Dwarfs at OV on December 4th, 5th and 6th. There are nine tickets remaining for the Celtic bus trip on December 11th. Committee volunteers are needed for the Winter Carnival that will be held on February 6th.

Seth Hopkins asked if there has been consideration to go out to bid for the insurances. Mr. Atherton advised that it is wiser to stay with the VLCT. All options will be considered, however, VLCT is basically the only option at this point.

Ethan Swift requested more details concerning the Ranger Solar discussions. Mr. Atherton advised he met with Liz last Friday to discuss the Town's concerns regarding the need for maintenance of the Syndicate Road and concerns about the bridge. Mr. Atherton also questioned whether they would have an interest in putting some money into the town to show a good faith gesture. He noted that nothing is on the table right now, but it is hoped there can be a further discussion at the next meeting. With regard to revenue stream, Doug Bailey stated the Town would be receiving a bump with regard to the land use. Mr. Bailey asked for a calculation of what they are putting in and what the long-term tax scenario looks like. There was concern expressed that other projects, such as the gas pipeline, where the funds were never received. Ranger Solar will be coming back to the Select Board to provide another presentation and answer other questions at the next meeting. Ethan Swift stated some other towns are being offered a lot more and it is likely because of the land use value. Mr. Bailey stated there was discussion of a one-time offer, as opposed to steady revenue. The Board does not want to make a statement of what revenues will be and then not have it come to fruition. Mr. Bailey thinks this is the best location that he has seen. Ranger Solar has not started the permitting process yet. Mr. Atherton hopes to receive information soon of what they will be putting on the area and he will provide that information to the listers. His big concern was that when the wind turbines were built, the vendors had installed them and then left town and he does not want to see something like that happen. Mr. Bailey stated between the wind turbine project and the gas pipeline project dollars being unfulfilled, the Town needs to be sure of this project.

Bernie Carr stated it needs to be known what land is being considered to have a more concrete discussion. If the company can't talk about it yet, he would rather they come back after making the deal with the landowner to provide a presentation with more details. Doug Bailey stated he is unsure what the timeline is with the landowner.

4. Comments for Items not on the Agenda

There was no discussion held.

5. PACE (Property Assessed Clean Energy)

Dave Atherton provided the Select Board an information package from Efficiency Vermont that included a presentation and a sample ballot. The proposal is for energy efficiencies for homes. Mr. Atherton advised that there is an option where the Town could assume some of the responsibility in the contract that would require the Town to adopt the program, decide how to administer it and assume responsibility for collecting delinquent assessments on the properties. Mr. Atherton suggested a representative from Efficiency Vermont attend a future Select Board meeting to discuss this item. Seth Hopkins wished to confirm that the Town has to vote to establish the energy plan, but the Town is not providing any of the funding. Mr. Atherton stated it depends upon whether the Select Board wants to issue a bond for financing. Mr. Hopkins was in favor of making it available to the voters, but not in favor of a bond. Mr. Atherton stated the first option can be placed on the ballot without the second option of the Town administering the program; as Efficiency Vermont is offering to administer it through the first option. Mr. Hopkins sees it as being valuable for people who want to do something about conserving energy and there are some good ideas in the information. Mr. Atherton will contact Mark Kelley at Efficiency Vermont to discuss attending a Select Board meeting. Ethan Swift advised the State's Comprehensive Plan calls out for conservation and energy efficiency measures. Heating and transportation costs are still an unmet goal in finding lower costs in the Energy Conservation plan. Mr. Atherton stated energy conservation is in the Town Plan and it would be beneficial to provide people these options. Mr. Atherton will extend an invitation for someone from Efficiency Vermont to provide a presentation at one of the December Select Board meetings. The goal would be to have an article for voting in March.

6. Green Lantern Solar Project

Dave Atherton provided an update on the Green Lantern solar project. The Wetland people have viewed the site. There was a concern with the proposed cul-de-sac and an attorney was contacted for clarification of whether there will be an issue. The 45-day letter has been submitted for this project. This will be a 7.28 acre project and information has been received regarding where the panels will be. The company has been really good to work with and communication has been very good. Ethan Swift asked who would be acquiring the energy credits. Mr. Atherton advised the Town would be receiving the energy credits and would be somewhere around 15% of its utility use. The Town will not be using the entire credit and noted that perhaps some of the downtown businesses could take advantage of this project. There is also the potential for another municipality to join this project.

7. FEMA Projects/Segment 6/Bridge 114

Dave Atherton reported the Cobb Hill project will be done in the spring. Newton Road's Phase 1 study done by KAS has been submitted for approval by the HMPG office before moving forward with that project. The landowners have been have been informed of this information.

There are close to 30 rights of ways for Segment 6 that have been negotiated and he will have more information on this subject at the next meeting. Mr. Atherton has talked to VTrans regarding the rail designs for Bridge 114. VTrans will be providing the Town Manager with a letter outlining what is required for the rail design in order to qualify for federal funding. He is hoping to see a letter from them this week. Wayne Rausenberger stated the bridge rail had a design and the Town was told that it owns the bridge and if the rail chosen goes over what is allowed, the Town would have to pay the difference. He stated every meeting there is information from VTrans that indicates the desired rail cannot be done. Mr. Atherton stated there has not been anything submitted to CLD yet, but the bridge rail suggested does not meet the standards for federal crash testing, which is why it is necessary to go back to design. Mr. Rausenberger stated it sounds like there is only one rail that can be used. Mr. Atherton stated in order to meet the federal highway standards; this is the rail that can be used. Mr. Atherton noted the design looks better than what the Town currently has and it will meet the crash testing and the Town is trying to do this within reason and within a budget.

Bernie Carr expressed concern about getting the communication process in line with the Chamber for Segment 6. He wants to be sure the businesses are aware of the project and it is his understanding that there will be utility movement done in 2016. Mr. Carr suggested the Town Manager and he meet after the first of the year to discuss the process. Mr. Atherton advised it is hoped to get the bids out next summer with some of the utility work happening in the fall. Once the vendors are chosen, the communication efforts can be coordinated. Mr. Carr would like to get a lot of the communication process done upfront to help make things go smoother. Doug Bailey suggested an update of the Project Tracker report be done. Dave Atherton suggested starting a new report and discussing the document during the budget process.

Mr. Atherton advised the Town is waiting for the final numbers to be provided by Dubois and King concerning the overflow culvert project and until they are received it cannot be determined what the funding options are. Doug Bailey stated there are also downtown concerns relating to this project. Richard Baker stated the project will have a project information officer and the Town will pay 5 cents on the dollar for this service. Ethan Swift stated there was discussion of keeping some of this project in-house to alleviate some of the financial burden.

Ethan Swift stated there was discussion of having the Project Tracker report include information for capital budget planning. He also noted that with the overflow culvert, the rail that was put up is in the town right of way, but there was going to be discussion with the land owners concerning the property relating to the project. Mr. Atherton has discussed with the land owner that there is an interested party and if they want to close the deal, they may want to look at what they owe the town. Nothing has come to fruition, but the Town is working with the land owner and the perspective buyer to address the easement. Seth Hopkins asked if the perspective buyer understands the town's time line and Mr. Atherton confirmed that they are aware. Mr. Atherton stated there is an issue with the Town acquiring the property through a tax sale and if someone acquired the property and agrees to an easement; it would be a better

way. Mr. Atherton stated if the property is not sold, the Town would be the next party in line to purchase the property, but the Town is not in a position to own it right now. Mr. Atherton stated this project is not ready for discussion at this point. Mr. Hopkins questioned if it has been researched whether federal or state funding can be used to build a structure on land that is privately owned with an easement. Mr. Atherton stated the funding cannot be applied for until the final design is complete. He does not see that this is any different from an easement for a roadway, but there could be eminent domain. Mr. Atherton noted there is a handicap lift going into an adjoining landowner's property to be used in the town office that received funding. Mr. Swift thought that FEMA funds are for land of the entity applying for the funding. He also noted there could potentially be downstream property owners affected with this project.

8. Town Office Project

Dave Atherton reported there was a meeting today to go over a couple of concerns. The electrical panel is being moved, the floor is being leveled on the first floor and work is being done to raise the 2nd story floor. Mr. Atherton is concerned about the north chimney being repointed, and it is hoped this will be done this week. The contractor has been great to deal with.

9. Fiscal

a) Postage Warrant – November 4, 2015 - \$2,000.00

Motion by Seth Hopkins/Tracy Wyman to approve the Postage warrant of November 4, 2015 in the amount of \$2,000.00. **The motion passed unanimously.**

b) Town Office Warrant – November 6, 2015 - \$45,512.00

Motion by Seth Hopkins/Ethan Swift to approve the Town Office warrant of November 6, 2015 in the amount of \$45,512.00. **The motion passed unanimously.**

c) General Fund Warrant – November 9, 2015 - \$74,829.21

Motion by Seth Hopkins/Tracy Wyman to approve the General Fund warrant of November 9, 2015 in the amount of \$74,829.21. **The motion passed unanimously.**

Doug Bailey questioned the invoice for chains. Dave Atherton advised the invoice is for tire chains.

d) Wastewater Fund Warrant – November 9, 2015 - \$5,061.52

Motion by Seth Hopkins/Tracy Wyman to approve the Wastewater Fund warrant of November 9, 2015 in the amount of \$5,061.52. **The motion passed unanimously.**

e) Economic Development Revolving Fund Loan Warrant – November 3, 2015 - \$61,000.00

Motion by Seth Hopkins/ Tracy Wyman to approve the Economic Development Revolving Loan Fund warrant of November 3, 2015 in the amount of \$61,000.00. **The motion passed unanimously.**

Dave Atherton was unable to include the warrant in the Board's packet, as he had just received it today. The warrant is for the Revolving Loan Fund application that had been approved at the last meeting.

Motion by Seth Hopkins/Tracy Wyman to recess the Select Board at 7:55PM. **The motion passed unanimously.**

Motion by Seth Hopkins/Tracy Wyman to enter into executive session at 8:00PM for the purpose of discussing the appointment or employment or evaluation of a public officer or employee pursuant to Title 1, Section 313(a)(3) of the Vermont Statutes. The session to include the Town Manager. **The motion passed unanimously.**

10. Executive Session

Motion by Tracy Wyman/Seth Hopkins to come out of executive session at 8:45PM. **The motion passed unanimously.**

There was no action required.

11. Adjournment

Motion by Ethan Swift/Seth Hopkins to adjourn the Select Board meeting at 8:46PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary