

**Brandon Select Board Meeting
January 25, 2016**

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

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

Also in Attendance: Dave Atherton, Wayne Rausenberger, Richard Baker, Anna Scheck, Lee Kahrs, Steve Bisette, Arlen Bloodworth, Dick Kirby, Bernie Carr, Chris Brickell, Jeff Guevin

1. Call to order

The meeting was called to order by Doug Bailey - Chair at 7:42PM.

Doug Bailey wished to recognize the passing of Wilda Harris, who had previously been the Brandon Town Clerk for 26 years.

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

Addition of Item 8(a) – Town Meeting Preparation

2. Consent Agenda

a) Select Board Meeting Minutes – January 11, 2016

Motion by Ethan Swift/Seth Hopkins to approve the minutes of the January 11, 2016 Select Board meeting. **The motion unanimously.**

3. Town Manager’s Report

Dave Atherton reported he met with VLCT to discuss insurance costs and breakdowns by departments for potential insurance premium savings. Mr. Atherton met with DuBois and King to discuss the final design of the overflow culvert. There was also discussion of laying the rest of the bricks in the walkway, which was added into the scope of work. The Certificate of Public Goods for the Green Lantern Solar Project was submitted with the Public Service Board on January 19th. The Wheeler Road skating rink was filled and should be ready for skating by February 1st. It was noted that this was the original location of the skating rink. The delinquent tax and sewer accounts have been turned over to the attorney to start the tax sale process. The Town has started a new storm clean-up process in the downtown area by removing the snow before the businesses open. This addresses safety issues for all. Bernie Carr thanked the Town for this change. Mr. Atherton provided a Recreation update. Winter Carnival will be held on February 6th that will include a movie at Neshobe from 10AM to 2PM and a bonfire that night at the skating rink on Wheeler Road. The Snowbowl Ski Program is slated to start March 6th. There is a Mohegan Sun bus trip scheduled for February 27th, a Boston Flower bus trip on March 19th

and a Boston Bruins bus trip on April 4th. Mr. Atherton received a report from the Wastewater Department that the Champlain Street pump station had another pump failure.

Devon Fuller questioned when the Town will receive an answer about the Certificate of Public Goods. Dave Atherton was not sure when the Town will hear. Mr. Fuller stated Mrs. Debbie Kirby advised him that she fell on the sidewalk and requested the sidewalks be cleared better. Ethan Swift asked what the next steps will be regarding the overflow culvert. Mr. Atherton stated there is a final design and the next step is talking with Hazard Mitigation about funding. The Town will have a 25% match. Mr. Swift asked if the funding will be available if a favorable bond vote is received. Mr. Atherton stated they want to be sure the Town has the match funds before moving forward. Mr. Atherton stated Mary Andes and an individual from the FEMA office will be in Town Wednesday morning to go over the Green Park work.

4. Comments for Items not on the Agenda

Dick Kirby stated his wife fell on the sidewalk coming down the hill from Café Provence, but they do not think it is any fault of the Town. Mr. Kirby stated it should be the merchants' responsibility to take care of the sidewalk near their business after the bobcat goes through. Mr. Atherton will bring this to Mr. Burlett's attention, as this is a well-travelled area. Bernie Carr stated he will also include something in the Chamber News encouraging everyone to do their section of the sidewalk to assure that the entire stretch is done. Mr. Atherton suggested if a merchant sees that an area is bad; they should call the Town Office to report the area. Mr. Carr will also confirm there is a salt barrel in Kennedy Park.

5. Approval of Town Meeting Warning

Motion Seth Hopkins/Devon Fuller to approve the Town Meeting warning.

Seth Hopkins questioned whether the word "re-appropriate" is the correct verb in Articles 18 and 19. Mr. Hopkins suggested either reassigned or transferred would be better. Sue Gage advised these are funds that were previously appropriated. Doug Bailey stated re-appropriate is correct for Article 18, but Article 19 is more of an allocation. It was recommended to change the word to allocate from re-appropriate in Article 19. It was questioned whether Article 19 was required to be voted on or could it be a decision of the Select Board. Dave Atherton stated the Select Board had motioned at the last Select Board meeting to bring before the voters whether to allocate funds from the Town Farm Fund. Jeff Guevin stated if it is the Select Board's job to implement the funds, he suggested leaving the Select Board wording in the Article.

Motion by Seth Hopkins/Devon Fuller to amend the original motion to include a change of the word "re-appropriate" to "allocate" in Article 19. **The motion passed unanimously.**

Mr. Bailey called the original motion to a vote. The motion passed unanimously.

6. Approval of Bond Documents

The Select Board was provided the appropriate documents for moving forward with the bond vote that had been received from Paul Gulianno, a bond attorney. Mr. Atherton advised the bond language will be included on the regular ballot and the Town Clerk will need to have the document signed in order to move forward with the warning.

Seth Hopkins questioned if an inquiry had been made to the attorney whether the second bond amount could include the wording that it would be the responsibility of the sewer users through sewer fees. Sue Gage noted this was not a discussion point with the attorney. Doug Bailey stated it is important information to advise who will be responsible for the bond. Dave Atherton advised there will be two bond hearings prior to the vote and this information can be addressed during the hearings. Sue Gage stated generally the sewer users are responsible for the sewer infrastructure and questioned if it has to be included in the actual bond language. Mr. Hopkins did not advocate for a change in the language that has been provided by the attorney. Ethan Swift stated that during the bond hearings, it should also be noted that there should be a 50% grant received. Mr. Atherton suggested an article on how the bonds will be paid could be printed in The Reporter. The Select Board letter that will be included in the Town Report will also have information on this subject.

Motion by Devon Fuller/ Seth Hopkins to approve the bond Declaration of Official Intent, Resolution Certificate, Town Meeting Warning and Official Town of Brandon ballot language as presented. **The motion passed unanimously.**

7. Town Plan

Dave Atherton stated Jeff Guevin was present to discuss the proposed Town Plan. There needs to be two Select Board hearings held by February 22nd. Jeff Guevin stated the hearings could be held between February 11th and the 22nd, with an approval of the Town Plan at the Select Board meeting on February 22nd, if everyone is in agreement. There was consensus to schedule the Select Board's Town Plan hearings for Friday, February 12th @ 6:30PM and Monday, February 22nd at 6:30PM.

8. Rental Housing Code Annual Fee

Dave Atherton stated there has been a line item on the revenue side relating to a rental housing code annual fee, but fees have never been collected. Anna Scheck did some research regarding a collection for annual rental properties. A recommendation was made to institute a \$25.00 per unit annual fee.

Motion by Seth Hopkins/Devon Fuller to set a \$25.00 per unit yearly fee for rental units in the Town of Brandon. **The motion passed unanimously.**

Doug Bailey questioned if someone has to go out every time someone moves out. Anna Scheck stated this is the case and in reviewing Section 19 of the Rental Code, it indicates that the Board could set an amount for a yearly fee for each unit. The most convenient time to collect the fee is when the yearly compliance paperwork is submitted. Ms. Scheck advised there was no one in the

Rental Officer position for six months and once the compliance letters go out, there will likely be several inquiries. Ms. Scheck noted each time someone moves out of a rental property, the renter is required to advise the Town. The compliance letters have not been sent out for this year and it was suggested that the fee be instituted as of January 1, 2017 for residential rentals only. Mr. Atherton stated this would be a good start, as the ordinance does indicate that a fee can be assessed and starting the fee in 2017 will provide the Town time to notify the renters concerning the fee that will be assessed. Ms. Scheck stated the ordinance also needs revamping to bring it up to date with the electrical codes and she is working with the Deputy Fire Marshall regarding this. Mr. Atherton stated for budgeting purposes; an amount could be anticipated as the Town knows how many rental units are in town. Bernie Carr suggested highlighting this fee in the compliance letter being sent and also include a penalty if it is not paid.

a) Town Meeting Preparation

Devon Fuller distributed an outline of information he recommends be included in the town meeting presentation that includes what has been accomplished, what the budget is, what the tax increase means, the bond appropriations and the plans. Mr. Fuller recommended that more than one Select Board member provide the presentation. Mr. Fuller stated Mr. Hopkins did a very good job with the presentation last year, but it is not fair to ask him to do it every year. Doug Bailey received an email from Doug Sawyer questioning whether a budget meeting should be scheduled prior to town meeting. Mr. Bailey will meet with Lee Kahrs to discuss articles for The Reporter regarding the operating budget, the bonds and the appropriations. He suggested holding a town meeting workshop as it is important to get the correct word out to the public and to share the burden of the presentation. The Town Manager's report in the Town Report lists the accomplishments and the Select Board's letter in the Town Report speaks to the budget, the bonds and staffing. Ethan Swift stated it does make sense to showcase what has been accomplished and suggested breaking things down into capital improvements. Other items to highlight include the creative financing for replacing some of the town equipment such as the grader and the police cruisers. There was also the switch on Segment 6 and the organization in Public Works to create more efficiencies. Mr. Bailey will reach out to the Budget Committee and Select Board to schedule a town meeting workshop. Bernie Carr stated there may not be a Candidates' Night this year as there is only the moderator position being contested and suggested providing him the date for the workshop so that he can get the word out. It was noted that if this meeting is to be taped, there needs to be a five to six day notice to be able to get it on PEG-TV.

9. FEMA Projects/Segment 6/Bridge 114/Overflow Culvert/Newton Road

Dave Atherton met with the landowner on Newton Road. The Town is waiting for the signed sub-grant agreement from Hazard Mitigation. The Advance Notice to Proceed has also been signed. Once the agreement has been received the bids can be sent out for the demotion work.

The final design of the overflow culvert has been received and discussion on the funding continues. On February 9th, the Town will be meeting with CLD, Scott from VTrans and the utilities to discuss the next steps to getting Segment 6 going.

The right of way negotiation process for Segment 6 continues. VTrans will be brought in to help with some of the more troublesome ones.

Cobb Hill is still on hold until the project can get into the river.

10. Town Office Project

Dave Atherton stated the project is coming along. The phone and data people were in town today. The countertop is roughed in and the first floor is looking good. The stairs should be here this week, along with the lift. The water was turned on in the space today.

11. Fiscal

a) General Fund Warrant – January 25, 2016 - \$23,261.58

Motion by Seth Hopkins/Devon Fuller to approve the General Fund warrant of January 25, 2016 in the amount of \$23,261.58. **The motion passed unanimously.**

c) Wastewater Fund Warrant – January 25, 2016 - \$20,022.73

Motion by Devon Fuller/Ethan Swift to approve the Wastewater Fund warrant of January 25, 2016 in the amount of \$20,022.73. **The motion passed unanimously.**

13. Adjournment

Motion by Ethan Swift/Devon Fuller to adjourn the Select Board meeting at 8:54PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary