

**Brandon Select Board Meeting
March 14, 2016**

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

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

Others In Attendance: Dave Atherton, Katrina Ducharme, Chris Brickell, Bernie Carr, Richard Baker, Anna Scheck, Dick Kirby, Jeff Stewart, Steve Bisette, Judi Bunde, Carol Bertrand, Arlen Bloodworth, Lee Kahrs

1. Call to order

The meeting was called to order by Dave Atherton at 7:00PM.

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

Move Item 8 – Tandem Truck Quotes and Item 9 – Addition of Class 1 Highway to immediately follow the Election of Select Board Officers

2. Election of Select Board Officers

a) Election of Chair

Motion by Devon Fuller/Seth Hopkins to appoint Doug Bailey as the Chairperson the Brandon Select Board. **The motion passed with one abstention – Doug Bailey.**

a) Election of Vice-Chair

Motion by Tracy Wyman/Ethan Swift to appoint Seth Hopkins as the Vice-Chair of the Brandon Select Board. **The motion passed unanimously.**

a) Election of Clerk

Motion by Devon Fuller/Ethan Swift to appoint Tracy Wyman as the Clerk of the Brandon Select Board. **The motion passed unanimously.**

3. Tandem Truck Quote

Dave Atherton reported that based on the quality of the trucks and the quotes, Mr. Burlett recommends the purchase of a Mack GU713. Daryl Burlett stated the Mack is a working truck and would be the longest lasting option. The Mack would likely last 15 years and would have a

much higher trade in value. Devon Fuller asked if the payment plan is built into the budget and Mr. Atherton confirmed this would be a municipal loan and is included in the budget for this year. Over the 15 years that the Town would want to keep the vehicle, the maintenance would also be less and the body would hold up better. Tracy Wyman agreed the Mack would be the best option. The quote also included the plow equipment and sander.

Motion by Tracy Wyman/Devon Fuller to approve the purchase of a 2017 Mack GU713, including the dump body as presented to the Board. **The motion passed unanimously.**

4. Addition of Class 1 Highway

Dave Atherton stated in the Board packet was a memo from Scott Robertson of VTrans that discusses portions of Route 7 North and South that would be beneficial for the Town to take over for the village limits. The north end would extend from Jiffy Mart to Steinberg Road and the southern end would be extended 163 feet. There was a question as to whether the drainage would still be included in the Segment 6 project and it was confirmed this would still be built in the project. Mr. Atherton advised there have been some other issues north of Jiffy Mart relating to curb cut that could be dealt with easier with it being village rather than state highway. Currently the southern side ends near the fire station and this would extend the village just past the north property line of the American Legion. This change would not incur more cost to the Town and there would additional Class 1 Highway funding.

Motion by Devon Fuller/Seth Hopkins to approve the Class 1 Highway adjustment as presented. **The motion passed unanimously.**

The storm water drainage will still be dealt with in the Segment 6 project and it will not constitute a change in the Segment 6 project. Mr. Atherton stated this change will make it easier on the north end, as there are some landowner concerns in wanting to change curbing and under the town's jurisdiction versus the state it would be an easier process. Steinberg Road came up because it is a good place for the town plow trucks to turn around.

Doug Bailey noted Police Chief Brickell wished to introduce the newest member of the Police Department. Chief Brickell introduced Officer Katrina Ducharme, who has come from the Williston Police Department. Mr. Brickell noted she is quite competent and is dealing with warrants and arrests. The Department is pleased to have her here and she is interested in being part of the community. Mr. Bailey welcomed Officer Ducharme on behalf of the Select Board.

5. Consent Agenda

Motion by Seth Hopkins/Tracy Wyman to approve the Consent Agenda Items a through g.

a) Approval of Minutes – February 22, 2016 - Select Board

b) Approval of Minutes – February 29, 2016 - Select Board

c) Designation of Select Board as Other Statutory Bodies

- a) Board of Liquor Control (Title 7, Section 166)***
- b) Board of Health, (Title 18, Section 604)***
- c) Board of Sewer Commissioners***
- d) Board of Sewage System Commissioners (Title 24, Section 3506)***
- e) Board of Sewage Disposal Commissioners (Title 24, Section 3614)***
- f) Housing Board of Review (Title 24, Section 5005)***

d) Establish Meeting Schedule, Time and Location

To maintain the current meeting schedule of every 2nd and 4th Mondays of the month for the Brandon Select Board at 7:00PM in the Brandon Town Hall, unless otherwise noted.

e) Adopt Meeting Rules and Procedures

To utilize Robert's Rules of Order modified for Small Boards as the operational preference for the Brandon Select Board meetings.

f) Designate Official Newspaper

To appoint The Reporter as the designated official newspaper and to appoint the Rutland Daily Herald as the alternate newspaper.

g) Appointments

i) Tree Warden

ii) Fence Viewers (3 members)

iii) Inspector of Lumber, Shingles and Wood

iv) Weigher of Coal

v) BLSG Insect Control District (2 reps and 1 alternate)

vi) Budget Committee (4 members)

vii. Rutland County Solid Waste District (1 rep and 1 alternate)

Appoint Wayne Kingsley as Tree Warden.

Appoint Seth Clifford, Cindy Bell and Todd Nielson as Fence Viewers.

Appoint John Reynolds as the Inspector of Lumber, Shingles and Wood.

Appoint Lou Faivre as the Weigher of Coal.

Appoint Wayne Rausenberger as the Brandon Representative to the BLSG Insect Control District.

Appoint Carol Bertrand, Jan Coolidge, Anthony Paduto and Doug Sawyer to the Budget Committee.

Appoint Gabe McGuigan as the Brandon Representative to the Solid Waste District.

Dave Atherton reported all individuals noted have submitted letters of interest for the positions. The only positions still outstanding are an Alternate for the Rutland County Solid Waste District, a Representative to the BLSG Insect Control District and an Alternate to the BLSG. Mr. Atherton encouraged anyone interested in serving in one of these positions to contact him. Mr. Atherton also received information regarding the appointment of Katherine Wall to the Revolving Loan Committee.

Doug Bailey advised that he received an email from Bernie Carr regarding a suggestion to change the meeting time from 7:00PM to 6:30PM. Ethan Swift and Tracy Wyman noted 7:00PM is a more convenient time due to other obligations. It was the consensus of the Board to maintain the 7:00PM start time.

Motion by Devon Fuller/Ethan Swift for a friendly amendment to the original motion to include the appointment of Katherine Wall to the Revolving Loan Committee. **The motion passed unanimously.**

The Board Chair called for a vote on the original motion. **The motion passed unanimously.**

6. Town Managers Report

Dave Atherton reported he provided a presentation to Mrs. Keith's 3rd grade class at Neshobe School on what a Town Manager does. The class was interested in hearing what he had to say. Mr. Atherton met with Josh Carvajal and Ethan Swift at 107 Newton Road to discuss the options for the river bank and berm relating to watershed management. An appraisal has been sent to the State and the Town is awaiting their reply, but it is getting close to a resolution. There are less than 20 Segment 6 rights of ways left and a few landowners have requested meetings with VTrans. There will be hearings set for the landowners who have not signed. The hearing board is the Select Board and he will keep the Board informed of the process. Mr. Atherton attended the March 7th Planning Commission meeting to discuss the possibility of creating a better Sign Ordinance that is more user friendly. There have been situations with off-premise signs that they would like to address. The Town Office will be closed April 4th through the 6th to move back to 49 Center Street. The delinquent taxes and sewer accounts have been forwarded to the attorney. The tax sale is scheduled for 6/22/16 and as of March 10th the delinquent taxes were \$287,854.76 and the delinquent sewer accounts were \$225,050.94. Today several payments were received that will reduce these figures. The road grading has started on the drier roads. Long Swamp, Town Farm, Birch Hill, Country Club, Goldspink, Barlow and Railroad were done this week. The Public Works Department has been filling potholes on the paved roads. In the Recreation Department, basketball has ended and Mr. Moore wished to thank all of the coaches. The Youth Wrestling season will end the first week of April with 53 participants this year. Thanks to the Middlebury Parks and Recreation for the donation of their basketball backboards from their former rec space. Mr. Moore will be working with Public Works to get the backboards installed at Neshobe School. Spring baseball and softball applications are out. The plans for Estabrook Park this spring include installing more lighting in the bathroom and changing the red dirt field to the less expensive green dirt. Mr. Moore is working with

Neshobe's SOAR program to develop all-day camp solutions for the summer. They are looking for alternate spaces due to the closing of the school for repairs this summer. Mr. Moore attended the quarterly Vermont Parks and Recreation Association meeting in Montpelier on March 10th. Of particular interest was a question and answer session regarding worker's comp insurance for temporary workers and contractors. There have been some questions with regard to refs as to whether they are independent contractors or town employees. Mr. Atherton reported an audit was done today by the people that provided the grant for the town office. The audit took about 30 minutes, followed by a tour of the building and they were very pleased with the results. Devon Fuller questioned the information regarding the Newton Road project. Mr. Atherton reported there is the possibility of building a berm, as there is a building that will be removed that could potentially create flooding. Ethan Swift stated the biggest part of the project is the building that sticks out into the river area and getting this out will open up the channel capacity and will allow for the flood plain access. Steve Bissette asked if anything is going to be done regarding Barlow Avenue. Mr. Atherton stated discussions about this area could be revisited again.

7. Comments for Items not on the Agenda

Doug Bailey reported Seth Hopkins and he attended a VLCT seminar on Saturday and it was a very enlightening day. The most informative seminar was regarding Vermont Open Meeting law.

Sue Gage reported the Town has a new Justice of the Peace. Richard Baker was appointed by the Governor last week. Mr. Baker noted that he was appointed on February 11th, but did not receive the signed document until this week. Sue Gage provided a sample of a finance document that she has developed to provide the Board financial information on a more regular basis. The information provided was based on a summary of the cash accounts and other funds. She also did a summary of the loans and loan receivables. Ms. Gage stated this would be a broad sweep that she could provide the Select Board on a regular basis. Seth Hopkins asked if there is a way to figure out what the reserve account or unencumbered cash would be. Ms. Gage stated that is something that could be provided to the Select Board. Some of the accounts happen to be the fund balance because they are low activity accounts, but she can also provide a fund balance to the Board. It is her intent to determine a layout that will be helpful to the Select Board. Devon Fuller suggested for the first couple of months, it would be helpful to have this at every meeting. Ms. Gage stated currently the financials are provided quarterly and it is her intent to provide an overview to the Select Board at each of their meetings. Ms. Gage stated there are 113 pages for the balance sheet and she is trying to determine a snapshot of the financials to provide to the Board. Ethan Swift asked if there is a way to get information about the restricted funds and Ms. Gage stated that could be added to the report. Dave Atherton stated there is a list of reserve funds, which is also a good resource. Ms. Gage noted that document is only altered once per year, but having that same list with notations is something that can be done. Doug Bailey suggested also having information on the revolving loan accounts a couple of times per year.

8. Renewable Energy Resolution

Dave Atherton stated this resolution was forwarded this week to the Town. The resolution had been previously sent to the Town about a year ago and he brought it forward for the Board's consideration. Seth Hopkins stated this resolution came to each Select Board member over the last 6 to 8 months and the Board did not choose to bring it forward for action. Mr. Hopkins did not have a strong desire to approve this resolution. Mr. Atherton noted the solar projects that have come to the Town have kept the town well informed and have been concerned with how the town will view the projects. He does not feel that the Town has to be a part of this effort. Ethan Swift stated the Town has made a step in the right direction with including the solar guidelines in the Town Plan adoption. Seth Hopkins noted the Vermont legislature has recently taken action in addressing this issue.

Motion by Seth Hopkins/Devon Fuller to table the Renewable Energy resolution. **The motion passed unanimously.**

Dave Atherton reported Ranger Solar has requested a meeting with the Town. They have not given up on the project and would like to discuss other details. Mr. Atherton will email the Select Board with the date and time of the meeting.

9. Board of Abatement Policy

Motion by Seth Hopkins/Tracy Wyman to approve the Board of Abatement policy as presented.

Devon Fuller suggested on Page 3, 1st paragraph, to include the words "of Brandon" immediately following the word Town.

Motion by Devon Fuller/Seth Hopkins to amend the policy with the addition of the words "of Brandon" in the 1st paragraph on the third page. **The motion passed unanimously.**

Motion of a friendly amendment by Seth Hopkins/Devon Fuller to strike the words "water and/or" in the first sentence under Typical Unallowable Abatements, as the Town does not have control over water. **The motion passed unanimously.**

The Board Chair called for a vote of the original motion. **The motion passed unanimously.**

Dave Atherton stated the policy will be effective the date it is signed by the Select Board. Mr. Atherton will make the approved changes and the Board members will stop by the Town Office to sign the document.

10. Town Office Project

Dave Atherton reported the staff will be moving back to 49 Center Street on April 5th. The second floor is done and looks great. The Duraflex coating is being done on the first floor, which

relates to the flood resiliency grant. There has been discussion of a grand opening and Mr. Atherton suggested inviting all parties who have helped with the project. Mr. Atherton suggested the last week of the month might be a good week to do an open house for people to see what has been done to the building, prior to the move. Jeff Stewart stated the time to do it would be before all of the furniture is brought in and noted that Main Street would like to be involved in the open house planning. It was suggested that Friday, April 1st would be a good day for the open house. Jeff Stewart advised the Main Street group will be meeting tomorrow night and they will come up with a list of people to invite. Mr. Atherton will attend the Main Street meeting. Judi Bunde asked about the window treatments for the inside and Mr. Atherton stated there has not been a decision made. It is hoped to get the awnings replaced, but they have not made a decision on the window treatments. Bernie Carr asked if the propane tanks at the old entrance to the second floor are permanent and Mr. Atherton advised they are permanent, but there will be protection added and the area will be made to look good.

11. FEMA Projects/Segment 6/Bridge 114 Project/Overflow Culvert

Dave Atherton reported that the rights of ways are very close to completion. Regarding Bridge 114, Mr. Atherton emailed the scope study to the Select Board about a week ago and it has been forwarded to VTrans for review. Mr. Atherton and Mr. Burlett have been discussing the topic of creating a timeline for the overflow culvert. Ethan Swift has been speaking with Daryl Burlett regarding some grant options relating to this subject and these will also need to be discussed. It was questioned whether anything can be done with the bond and Sue Gage advised there is a 30-day waiting period after the vote. After that time the Town could borrow in anticipation of the bond. Mr. Atherton advised that the waterline work will be starting soon and the Town is looking into doing paving in phases, as it relates to the waterline work. Bernie Carr asked whether Bob Read's property and the bridge have been settled. Mr. Atherton reported the Town is working to coordinate with Mr. Read. Judi Bunde asked if this would have to be resolved prior to the culvert project and Mr. Atherton advised that an easement will be required.

12. Fiscal

a) General Fund Warrant – March 14, 2016 - \$77,106.33

Motion by Tracy Wyman/Devon Fuller to approve the warrants of March 14, 2016 in the amount of \$77,106.33. **The motion passed unanimously.**

Doug Bailey questioned the Fairpoint invoice. Dave Atherton advised there was a large phone box in the joint stairwell of the town office building that had 100 hot lines and the Town had to pay to remove the box.

b) Wastewater Fund Warrant – March 14, 2016 - \$9,167.45

Motion by Devon Fuller/Ethan Swift to approve the Wastewater warrant of March 14, 2016 in the amount of \$9,167.45. **The motion passed unanimously.**

Motion by Seth Hopkins/Tracy Wyman to recess the Select Board at 8:09PM to convene as the Board of Liquor Commissioners. **The motion passed unanimously.**

The Select Board reconvened at 8:17PM.

Motion by Tracy Wyman/Seth Hopkins to enter into executive session at 8:18PM to discuss the appointment or employment or evaluation of a public officer or employee under the provision of Title 1 V.S.A. 313(3)(a)(3) to include the Town Manager. **The motion passed unanimously.**

13. Executive Session – 1V.S.A. 313(a)(3) – The Appointment or Employment or Evaluation of a Public Officer or Employee

Motion by Devon Fuller/Ethan Swift to come out of executive session at 8:22PM. **The motion passed unanimously.**

There were no actions required.

14. Adjournment

Motion by Devon Fuller/Ethan Swift to adjourn the Select Board meeting at 8:23PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary