

**BRANDON SELECT BOARD MEETING  
JUNE 13, 2016**

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

**In Attendance:** Doug Bailey, Seth Hopkins, Tracy Wyman

**Also in Attendance:** Dave Atherton, Bill Moore, Tom Whittaker, Dick Kirby, Steve Cijka, Jonathan Butterfield, Sue Gage, Lee Kahrs, Carol Driscoll, Serena Nettleton, Arlen Bloodworth, Chris Brickell, Ray Jobst

**1. Call to Order** - The meeting was called to order by Doug Bailey, Chair, at 7:03 pm.

**a) Agenda Adoption - Motion by Hopkins / Wyman to adopt the agenda as printed. The motion passed unanimously on a vote of 3-0.**

**2. Approval of Minutes - Select Board Minutes - May 23, 2016**

**a) Motion by Wyman / Hopkins to approve the minutes of the May 23, 2016 Select Board meeting as submitted. Motion passed unanimously on a vote of 3-0.**

**3) Town Manager's Report** - Mr. Atherton reported on the following:

- Town office lift was turned on and is functioning. Window treatments have been installed.
- Mr. Atherton attended the VLCT Human Resources and Employment Law Workshop.
- Mr. Atherton met with representatives from PACIF to discuss strategies for decreasing workers compensation premium.
- Mr. Atherton, Mr. Bailey and Mr. Brickell attended 21st Century Policing seminar.
- Jonathan Butterfield has been hired to fill the vacant police officer position. Chief Brickell introduced Officer Butterfield, a fully trained officer.
- There are many appointed officials terms which are ending June 30, 2016. Boards include: DRB, BLSG Insect Control, Planning Commission, Revolving Loan Member, RRTC, RRPC, RCSWD. Some letters of interest have come in and some people have said they want to be reappointed. Looking for new volunteers.
- Youthworks will be working 10 hours a week for six weeks this summer on town projects at Estabrook Park, Central Park and the Wheeler Road Park.
- Delinquents taxes, are down \$136,000 year-to-date from this time last year. Our tax sale is working.
- Brandon Fire District upcoming road closures: Carver St closed June 16 from Rossiter to Nickerson from 7 am - 5 pm. Townwide shutdown from June 20 to June 21 starting from 9 pm - 5 am. Mr. Atherton said the Fire District has been great to work with on the shutdowns and the Town has a good working relationship with them.

- The town will placing an ad in the Reporter reminding everyone to slow down at road construction sites.
- The tax sale is June 22, which is also the last day for final redemption from properties sold at tax sale last year.
- Mr. Bailey said he enjoyed the 21st Century Policing Seminar and left with the comfortable feeling that Brandon has an extremely strong and knowledgeable police chief and police force.

#### **4) Comments for Items not on the Agenda**

- Carol Driscoll from the Carving Studio and Sculpture Center explained the Center's stone bench project. Each summer the Center conducts a two week workshop for teenagers, at no cost to the student. They work with a sculptor to design and carve a stone bench. A municipality is selected to receive the bench. Some municipalities that have already installed benches include Rutland, West Rutland, Fair Haven, Poultney, and Middlebury. The Center asks for the host municipality to identify a location and if possible give a \$500-1000 contribution, and help with bench transportation. The Center does not have a town selected so far this year and asked if Brandon was interested, for this year or the future. Mr. Hopkins suggested the Brandon Area Chamber of Commerce be approached for the contribution so there is no taxpayer money involved. The BACC has some beautification money. Ms. Driscoll said it would be great for the bench to be in a highly visible location. She said the footings are limestone and set on gravel. Mr. Atherton suggested Kennedy Park, the only park that will not be torn up during Segment 6. There is a beautiful garden there. Mr. Atherton will make an introduction to BACC Executive Director, Bernie Carr. Ms. Driscoll was encouraged by Board members.
- Bill Moore announced the Brandon Chamber sponsored Music in the Park Summer Concert Series, reinvigorated this year. There will be a concert every Wednesday evening in Central Park. Schedules are being distributed around town.

**5) TAN & GAN Resolutions** - Sue Gage, Town Treasurer, said these lines of credit are needed to be in place in order to maintain cash flow. One note, the TAN, is a regular tax anticipation note which is renewed every year. Since she has been Town Treasurer, the town has not used it but it is good to have it. The other line of credit is to maintain cash flow for upcoming construction projects. The projects are primarily funded through reimbursements and the town needs to have the cash available for projects as we spend. The National Bank of Middlebury will loan us the amount of each of the projects. The line of credit will only be used if needed and she will have to give NBM signed warrants to access the funds. The line of credit is a favorable rate and we have the match money in hand, but we have to pay first and then get reimbursed.

Doug Bailey asked that Board members be kept informed about the status of the notes if drawn upon. Sue Gage said the only project so far that we have all the pieces on is Cobb Hill. Mr. Hopkins asked if the bridge at the Leicester Hollow Trail will work in the

same way. Mr. Atherton said the grant is paying for the Churchill Bridge and is not a reimbursement.

**Motion by Hopkins / Wyman to approve the Construction Line of Credit Grant Anticipation Note with the National Bank of Middlebury at an interest rate of 1.55% fixed, for an amount not to exceed \$3,470,718. Passed unanimously 3 - 0.**

**Motion by Hopkins / Wyman to approve signing the Tax / Revenue Anticipation Note with the National Bank of Middlebury at an interest rate of 1.32% in an amount not to exceed \$500,000. Passed unanimously 3 - 0.**

**6) Reconsider Prospect Street Roadway and Drainage Acquisition** - Mr. Atherton said a motion made at the last meeting had incorrect wording. It was clarified that the town is not taking over the pond and Tom Whittaker explained how the motion should be worded for that intent. The town needs access, not ownership.

**Motion by Hopkins / Wyman to rescind the motion passed at the May 9, 2016 Select Board meeting that read: "Motion by Seth Hopkins / Tracy Wyman to approve the take-over of the road and sewer maintenance for Prospect Street, including the piping, catch basin and pond. The motion passed unanimously." The motion to rescind passed unanimously 3 - 0.**

**Motion by Hopkins / Wyman to approve road and sewer maintenance for Prospect Street including the piping, catch basins and easement for maintenance purposes to the piping to the forebay and then to the pond. Passed unanimously 3 - 0.**

**7) Consider Amendment to Engineering Contract for Churchill Road** - Mr. Atherton said this is a contract amendment to McFarland Johnson, the engineers on the redesign of the Churchill Bridge. This is an amendment to the 2007 contract for engineering as some standards changed after Tropical Storm Irene. We were granted +\$150,000 for engineering, this will use it up and we will not need to pay it back. This is for preliminary engineering. The town received the grant money almost ten years ago but then the project did not continue. The federal government is asking for the money back if it is not used for this purpose.

**Motion by Wyman / Hopkins to approve the contract amendment with McFarland Johnson for the replacement of Bridge 22 on Churchill Road. Passed unanimously 3 - 0.**

**8) Consider Repeal of Alcoholic Beverage Control Ordinance** - Mr. Moore and Mr. Atherton have been reviewing the Alcoholic Beverage Control Ordinance because the Recreation Department would like to occasionally hold events in Central Park or Estabrook Park and allow alcohol at the events. The current ordinance is in the town's ordinance book but was not signed or dated. Mr. Atherton has been talking to officials in other municipalities to determine how they handle this. Bill Moore said Estabrook Park is an undiscovered gem north of town with 14 acres of land, a pavilion, bathroom, tennis

court, ball field, hay field and great views. He would like to open the opportunity for more activities to be held there and repealing this ban is a good step. Examples of events in which people might enjoy adult beverages include adult softball games, corn toss tournaments, or music concerts.

Chief Brickell reviewed problems with the current ordinance and said he thinks it could be a good idea if the town was able to issue permits without the process being too cumbersome. He does not think that doing away with all control is a good idea. He said Bill Moore has good ideas for future uses of Estabrook Park and there is great potential for alcohol to be present without problem, but he thinks there should be some kind of regulation or ordinance.

There was discussion about regulating the spaces where parties have to bring in a licensed caterer to serve the alcohol versus allowing events with "bring-your-own". Comments, cautions, and suggestions were offered. Mr. Atherton said he does not think the Town Manager should be allowed to issue the permits but rather the legislative body. Seth Hopkins will head up a committee to work on this with Bill Moore and Chief Brickell.

**9) Consider Credit Card Policy** - Dave Atherton said the town currently has a debit card to use for occasional purchases but it is hard to track in the accounting system. A credit card with a monthly statement would be easier to follow accounting-wise. A draft policy was presented. It is similar to the town's debit card policy, which would be removed in place of this one. There were questions and discussion:

- Will we pay the bill in full each month? Will we get a card with no annual fee? Mr. Atherton said the invoice will be submitted to the Board each month with the warrants.
- Will this be in line with the warrant cycle? Ms. Gage said that was one of the problems with the debit card and this will make it simpler for accounting.
- Has a card issuer been selected? Mr. Atherton said not yet, we will do the research.
- In the Separation clause, does that mean that people could take the card out of the office? Right now there are two debit cards. One stays in the town office and the other at the Police Department. There are controlled uses.
- Chief Brickell said the card is useful for sometimes buying items on-line less expensive than through a regular supplier or for travel.
- Mr. Bailey said he wants to see dual control. Mr. Atherton said it would have to be signed in / out.
- If someone travels for town purposes, would they carry it? Chief Brickell said in the past police officers might pay for their own expenses and then get reimbursed but it is cumbersome because the town is not supposed to be paying sales tax. And then they have to go through a reimbursement.
- A credit card has more fraud and mis-use protection than a debit card. Once money is taken out from an account with a debit card, it is gone.
- Mr. Atherton said we will shop around different cards for terms.

**Motion by Hopkins / Wyman to approve the Credit Card Policy as presented. Passed unanimously 3 - 0.**

**10) Consider Town Service Officer Position** - Dave Atherton said there is a memo from Anna Scheck regarding the Town Service Officer position. There is not really a need for the town to have someone in the position anymore due to state assistance programs.

**Motion by Wyman / Hopkins to do away with the Town Service Officer position as presented. Passed unanimously 3 - 0.**

Sue Gage said there are a few hundred dollars in the Town Service Officer account. Atherton said it will be researched for end of year financials.

**11) Segment 6 / Bridge 114 / Overflow Culvert**

- Segment 6 - Dave Atherton said there is progress. There are less than ten rights of way which need to be finalized. VTrans and the town are happy with the situation.
- Bridge 114 - Atherton has contacted the engineer. We are on track. An environmental study is in the works. We should see final plans soon.
- Overflow Culvert - Phase II was sent to FEMA. We are waiting to hear back about it.

**12) Fiscal**

**a) Motion by Wyman / Hopkins to approve the General Fund Warrant - June 13, 2016 -\$60,818.77. Passed unanimously 3 - 0.**

**b) Motion by Wyman / Hopkins to purchase gasoline, diesel fuel, heating fuel and propane for next year as presented:**

- **Fuel bid through Champlain Valley Plumbing and Heating for \$.10 over rack price with a cap of \$1.90 / gallon.**
- **Propane bid through Fyles Brothers for 1.18 per gallon.**

Mr. Hopkins said these are very good prices. Mr. Atherton said buying in bulk, we have saved over \$7000 this past year. Bailey read the memos from Daryl Burlett with the recommendation that these not be put out for competitive bid but that the Board accept the bids from these two providers who have given us outstanding service this past year and have agreed on great prices for next year. Mr. Atherton said the Board could choose to waive the bidding process. Mr. Bailey said thanks to Mr. Burlett, buying in bulk for the town garage has saved us more than \$10,000. Mr. Atherton commented that Fyles Bros did the heat upstairs in the town hall at a very favorable price.

**Motion passed unanimously 3 - 0.**

**c) Consider Financing for Dump Truck:**

**Motion by Hopkins / Wyman to purchase a a 2017 Mack GU713 with Viking Body at an acquisition cost of \$181,300 to be financed through Sheldon Truck for a term of 6 years at an interest rate of 2.940%. Pass unanimously 3 - 0.**

**15) Adjournment**

The meeting adjourned at 8:17 pm.

Respectfully submitted,

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Janet Mondlak