

**Brandon Select Board Meeting
July 11, 2016**

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

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

Others In Attendance: Dave Atherton, Arlen Bloodworth, Linda Stewart, Chris Brickell, Bernie Carr, Anna Scheck, Dick Kirby, Steve Bisette, Daryl Burlett

1. Call to order

The meeting was called to order by Seth Hopkins, Vice-Chair at 7:02PM.

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

Add Item 2c: Approve Minutes of July 7th Select Board meeting

Add Item 12: Executive Session pursuant to 1VSA 313(a)(3) – the appointment or employment or evaluation of a public officer or employee

Move Item 8: Planning Commission Appointments – to follow the second executive session

2. Approval of Minutes

a) Motion by Ethan Swift/Devon Fuller to table the approval of the July 13, 2016 meeting to a subsequent meeting. **The motion passed unanimously.**

Mr. Bailey will need to be present for the approval of the July 13, 2016 meeting minutes.

b) Motion by Devon Fuller/Tracy Wyman to approve the June 27, 2016 Select Board meeting minutes as submitted. **The motion passed unanimously.**

c) Motion by Tracy Wyman/Devon Fuller to approve the July 7, 2016 Select Board meeting minutes as submitted. **The motion passed with one abstention – Ethan Swift.**

3. Town Manager's Report

Dave Atherton reported the closing on the Newton Road buyout has been rescheduled for August 2nd. The Town has received approval from FEMA for Phase II of the Overflow Culvert in the amount of \$1,346,411.25. The bid advertisement will be posted on July 15th. This is the construction phase of the project. The Wood Lane culvert replacement has started and should

be completed by the end of the week. The Town has received the final draft lease agreement from Green Lantern for review by the Town's attorney. The land transfer for the BIC lot should be closing this Friday. All legal work has been completed for the purchase of the parking lot and a closing is hoped to be set for next Wednesday. There are five Segment 6 negotiations left. Two are pending due to re-appraisals, two are in negotiations and one is likely going to condemnation. There are a total of four currently going to condemnation that will require hearings. The new Vermont Magazine has a great article "Visiting Brandon". Mr. Carr advised the magazine is available at The Book & Leaf.

With regard to the Recreation Department; thanks to the efforts of the Youth Work Volunteers that Compass Music and Arts referred to the Town, all painting at Estabrook and the painting of the baseball dugouts at Neshobe School have been completed. They also stained the deck and Thomas Overlook at Kennedy Park. They will be working on trails around Estabrook and other projects for the next 4 weeks. Regular season baseball has ended and thanks goes out to the many volunteer coaches and sponsors for a great season. There were 11 teams and 137 children who participated in the program. The family activities behind the Brandon Inn as part of the Independence Day Celebration went well. Thanks to the sponsors: Jump Fore Fun, Brandon Area Christmas Toy Project, the Brandon Inn, Blue Cross/Blue Shield of Vermont, Jim, Nancy and Jen Leary, Thursday Night Poker and the Furnace Brook Wesleyan Church. The Swiss Roll Eating Competition went off without a hitch and a new champion was crowned. Joshua Melen edged out the two-time pie-eating champ, Curtis Danley. Estabrook Park hosted the Rutland Amateur Radio Experimenters Club on June 25th and 26th for the American Radio Relay League Field Day. It was a great event that will be hosted again next year. The summer baseball for 3rd/4th grade, 5th/6th grade, Jr. Babe Ruth and Majors Summer Softball will be competing through the beginning of July. The 2nd season of Bags & Brews started on July 5th. There are 18 teams and the league winners will be crowned at the finals on August 9th. This will consist of a trophy and the entry into the Brandon Fire Department's 2nd Annual Cornhole Tournament on August 20th at Wyman's Campground. The Brandon Swimming Lessons at the Brandon Inn are in the 2nd session. There are still some limited spaces available in each of the five classes. A summer wrestling camp will be held at Otter Valley on July 24th through the 27th.

Ethan Swift was pleased with the funding assistance received for the overflow culvert noting that there was much work done by Mr. Burlett, Mr. Atherton and the various iterations of Select Boards since Irene. He stated after Irene took place there had been conversations with the State about how something like an overflow culvert could assist with potential future problems. There had been discussions with VTrans who had limited funding and he was thankful for the continuing efforts to pursue this project. In prior iterations of the Select Board, there had been discussions about whether to move the town office back to its current location and at the time Mr. Swift opposed the move unless there was something done in case of future potential floods. He stated in order to receive the grant for the town office, mitigation projects have been done to take the pressure off future flooding. Mr. Swift thanked all who have worked hard on getting these projects to fruition. Mr. Atherton stated Cobb Hill will also be done this week. Devon Fuller stated Mr. Swift's knowledge about the river was instrumental in

determining what should be done to mitigate the flooding. Linda Stewart questioned whether the Town owns the property for this project. Mr. Atherton advised the Town has options in the Phase II part of the grant to either obtain the property or obtain easements and the Town will likely buy a portion of the property. The Town must follow the FEMA guidelines through the process to obtain the funding. Seth Hopkins asked if there is anything left to do with regard to the town office windows as someone raised the concern about the insulating value. Mr. Atherton stated there were a number of deductions from the plan as there was no money left, however, there will be shades and an awning installed. There are still maintenance concerns, but the Town did not have enough money left and the items will have to be put in the budget for the future. Mr. Hopkins questioned the status of Union Street and whether it was going to be side to side paving. Mr. Atherton advised it is only going to be the one lane that was worked on as the road was paved last year. Mr. Swift stated it was anticipated to do more roads and Mr. Atherton noted that will probably be the case. Seminary Street and North Street will be worked on and all areas that were dug up will be repaved. Daryl Burlett stated more may be able to be done, however, it will be up to Ray Counter. Mr. Burlett advised that so far the repairs to Union Street have been the Water District's funds.

4. Comments for Items not on the Agenda

Bernie Carr stated the July 4th parade was a great parade and he has heard all positive comments. He also noted the Town looks great and manicured and the clean-up from the parade was amazing. There was also a great concert last week and there will be one every Wednesday night from now to the end of August. Mr. Carr thanked the Town Manager for his assistance in cooking hot dogs at the parade. He stated things are coming to fruition and there has been a lot of hard work from the Select Board and town employees and the Chamber appreciates the efforts. Bill Moore also thanked the Select Board for supporting the efforts of the town staff and the wonderful Police Department. He stated this is a very safe and well run community and he thanked Mr. Brickell for being a great Police Chief.

Tracy Wyman questioned the paving on Pearl Street near the transfer station, as he was approached by someone expressing concern with the road. Mr. Burlett reported the pavers will be coming back and this will be taken care of. Linda Stewart asked if there is going to be roadside mowing done.

5. Consider Purchase of Roadside Mower

Dave Atherton stated there has been discussion of getting a roadside mower versus the cost of leasing a mower for a two-week period at \$6,000.00 each time. Daryl Burlett recommends a mower that would work on the new loader that has the capability of getting behind guardrails. This would allow mowing to be done more than once a year and at various times of the year. The equipment would be funded by encumbered money from the Public Works budget. There are two options at a cost of \$66,900.00. Mr. Burlett stated a flail mower would also allow for pruning trees versus the other option of a rotary mower. Tracy Wyman questioned the

possibility of purchasing a tractor with a ditch mower versus an attachment for the loader. Mr. Burlett stated the Town would not have to buy a tractor as it already owns the loader. Mr. Wyman provided information on a tractor and mower at a cost of \$46,800.00 without a cab and \$56,800.00 with a cab and asked if this option would be comparable. Mr. Wyman stated this is a ditch mower and is not an over the rail mower. Mr. Burlett stated this would be another piece of equipment that would need to be stored and his recommendation would be an attachment for a piece of equipment the Town already has. Ethan Swift asked if it is known how many hours are spent on mowing. Mr. Burlett stated currently there are 80 hours of mowing done when leasing the equipment, but it is a hack job as the work needs to be completed within the two weeks. Tracy Wyman noted the Town should probably be doing triple that time and one is limited when renting equipment as the maintenance people are being taken away from other things they need to be doing. Mr. Burlett stated a mower would move slow and would not be a lot of wear and tear on the loader and this equipment would provide a wider mowing swath. Chris Brickell stated the intersections should be done more often for safety reasons. Mr. Atherton stated one of the major concerns is safety of employees working on the roads. Employees working on the road in a loader versus a tractor would be safer. Devon Fuller liked the idea of the flail mower that would provide more versatility in trimming trees as well. Tracy Wyman advised that he had no problem with the equipment recommended and did the research just for comparison. Ethan Swift asked if the attachment comes with training. Mr. Burlett stated the equipment is no different than what the staff is accustomed to operating. Mr. Fuller asked if it could be rented to other municipalities and Mr. Burlett did not recommend renting the equipment out. Bernie Carr was also in favor of the flail mower. Linda Stewart stated in the past, she has had to hire someone to mow additional area as the mowing by the Town did not extended far enough.

Motion by Ethan Swift/Tracy Wyman to approve the purchase of a roadside mower at the recommendation of the Public Works Director as described in the quote from Milton Cat for an amount not exceed \$66,900.00. **The motion passed unanimously.**

6. Approve Contract with Gearwar Builders to Install Siding on Police Department Building

Dave Atherton stated this was put out to bid last fall and Gearwar Builders was the lowest bidder. It was noted the bid was also less than originally submitted. This will be for new siding on the exterior of the Police Department building. Dave Atherton stated this will replace the current siding with vinyl siding. Devon Fuller asked if the charge would be the \$17,256.92 that is noted as an estimate for time and material. Mr. Atherton confirmed unless there are issues that would require approval from the Town Manager. Daryl Burlett advised there is \$20,000.00 in the budget and this contract is less than the budgeted amount.

Motion by Devon Fuller/Tracy Wyman to approve the contract with Gearwar Builders to install siding on Police Department Building. **The motion passed unanimously.**

7. Consider Quote for Police Department Garage

Dave Atherton stated this project was put out to bid. Daryl Burlett and he met with vendors to discuss the scope of work. Gearwar Builders was the lowest bid and within this bid there was a bid from Patch Electric to do the electrical work that included a quote for upgrading the service from 200 amps to 300 amps. Ethan Swift questioned the upgrade to 300 amps. It was noted there are 300 amps running into the building and inside the building there are 200 amps. When moving the panel to the end of the new garage, if the Town wanted to upgrade, it would just require a change in the panel. The cost for this change would be \$800.00. Seth Hopkins stated there were funds encumbered in the \$65,000.00 range and these two bids are around \$90,000.00. Daryl Burlett stated Public Works encumbered \$114,000.00 and after buying the mower, he has \$14,000.00 remaining in his budget that could be used for this project.

Motion by Tracy Wyman/Devon Fuller to enter into a contract with Gearwar Builders for an amount not to exceed \$84,296.46 and Patch Electric for an amount not to exceed \$6,435.00 for the Police Department Garage, to include the upgrade in the power amps.

Daryl Burlett stated the end of the existing building will move to the new structure and there will be a savings on the siding with the addition of the garage. Mr. Atherton stated this was part of the original Police Department renovation, but at the time the funds were not available. This will provide a secure entry into the station and storage. Ethan Swift asked if there is an entry door access from the garage to the Police building and it was confirmed there would be. Chris Brickell stated there is no storage in the building and currently items are being stored in the evidence room, which should be used for only evidence. Bernie Carr asked if everything will be done this year and it was confirmed it will be completed. There were three quotes obtained from three different vendors. Steve Bisette stated his nephew is a contractor and he had not heard about the project. Per the Purchasing Policy, Mr. Atherton advised that the Town is not required to go out to bid as long as there are three bids obtained. The three quotes were Miners, Ted Shields and Gearwar Builders. Bernie Carr suggested the Town obtain an inventory of builders to send out quotes to. Mr. Atherton encouraged Mr. Bisette to provide the Town with contact information for future biddings. It was noted the Town would like to keep projects local when possible. It was questioned if there would be other associated costs relating to security. Mr. Brickell stated there would be one additional camera and as far as everything else, it is a complete turnkey project.

The motion passed unanimously.

8. Planning Commission Appointments

This item was postponed for discussion after Item 12: Executive Session.

Linda Stewart encouraged the Select Board to maintain the three-year term for Planning Commission members, noting with this particular board there is a learning curve. Seth Hopkins was not aware that the Select Board was considering a change in the terms, but the Board will keep her input in mind when discussing the appointments.

9. Segment 6/Bridge 114/Overflow Culvert

Dave Atherton reported Segment 6 has five remaining appraisals and final plans are being created for Segment 6. The Town is well within the timeframe and the State was impressed that the Town got as many of the negotiations done in this amount of time. There are changes that VTrans has to approve and discussions are held with them on a daily basis. There are four properties that are definite to go to condemnation. Mr. Atherton provided information to the Select Board regarding Bridge 114 that Mr. Buyette has provided the Town regarding the new project costs and the breakdown of the costs. Seth Hopkins asked what the Town's match would be and Mr. Atherton advised that this is a VTrans project with the Town's match being 5%. This is a preliminary estimate that has been approved by VTrans. There continues to be conversations with the engineers and VTrans regarding this project and the Town is well within the original costs. Devon Fuller stated there is a question of adding work, such as extra road work, and questioned if that funding comes from Segment 6. Daryl Burlett stated it would be coming from the Segment 6 project. Dave Atherton stated these are two separate projects, but will be done together. The plan is to start Segment 6 from the south and continue north. Mr. Burlett stated he would start with the underground facilities first, but the means and methods are up to the contractor. Dick Kirby asked if the utility work is going to be done before the project and it was noted that the overhead utilities will start this fall from south of the library to the Mobil north. The only thing left will be the underground utilities. Mr. Atherton reported the bids are going out for the Overflow Culvert project. Mr. Burlett stated this project was sent to FEMA 2 ½ weeks ago and in that amount of time they approved the money and he noted that is almost unheard of. Mr. Atherton reported Segment 6 will go out to bid in November. The project time for the overflow culvert will be completion by April 1st. Bernie Carr requested the businesses be notified when dates are known and Mr. Atherton confirmed he will notify Mr. Carr as soon as the dates are known. Mr. Burlett stated he is going to push for night work as well to help the downtown businesses.

10. Fiscal

a) FY 2015/16 Warrant – July 11, 2016 - \$16,262.41

Motion by Tracy Wyman/Devon Fuller to approve the FY2015/16 warrant of July 11, 2016 in the amount of \$16,262.41. **The motion passed unanimously.**

b) FY2016/17 Warrant – July 11, 2016 - \$103,464.86

Motion by Tracy Wyman/Ethan Swift to approve the FY2016/17 warrant of July 11, 2016 in the amount of \$103,464.86. **The motion passed with one abstention – Devon Fuller.**

Dave Atherton provided the Select Board with maps of the proposed logging sites for conversation at a subsequent meeting. There was currently no action needed.

The Select Board recessed at 8:12PM

Motion by Devon Fuller/Tracy Wyman to enter into executive session pursuant to 1VSA 313(a)(3) regarding the appointment or employment or evaluation of a public officer or employee at 8:15PM to include the Town Manager and the Zoning Administrator. **The motion passed unanimously.**

11. Executive Session Pursuant to 1VSA 313(a)(3) – The appointment or employment or evaluation of a public officer or employee

The Board came out of executive session at 8:35PM. There were no actions required.

Motion by Ethan Swift/Devon Fuller to enter into executive session pursuant to 1VSA 313(a)(3) regarding the appointment or employment or evaluation of a public officer or employee at 8:50PM to include the Town Manager. **The motion passed unanimously.**

12. Executive Session Pursuant to 1VSA 313(a)(3) – The appointment or employment or evaluation of a public officer or employee

The Board came out of executive session at 9:30PM. There were no actions required.

8. Planning Commission Appointments

Motion by Devon Fuller/Tracy Wyman to table the Planning Commission appointments until the next meeting. **The motion passed unanimously.**

13. Adjournment

Motion by Tracy Wyman/Ethan Swift to adjourn the Select Board meeting at 9:35PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary