

**Brandon Select Board Meeting  
September 12, 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, Steve Bissette, Richard Baker, Maria Ammatuna, Dick Kirby, Chris Brickell, Daryl Burlett, Bill Moore, Ray Jobst

**1. Call to order**

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

**a) Agenda Adoption – Motion** by Ethan Swift/Tracy Wyman to adopt the agenda as presented. **The motion passed unanimously.**

Addition of 1b – Pledge of Allegiance

**b) Pledge of Allegiance**

Ethan Swift led the attendees of the Select Board meeting in the Pledge of Allegiance in honor of 911.

**2. Approval of Minutes**

**a) Motion** by Tracy Wyman/Ethan Swift to approve the August 22, 2016 Select Board meeting minutes as amended. **The motion passed unanimously.**

**3. Town Manager's Report**

Dave Atherton reported that he met with Markowski and Camp Precast on August 25<sup>th</sup> to discuss the overflow culvert construction and timeline. The drawings are being submitted to Camp Precast for culvert construction. The Town is in the process of completing the temporary and permanent right easements with the landowners involved with the overflow culvert. There are some issues with a couple of the landowners that are being worked out. The Town is in the process of switching the Town Hall lights upstairs to LED to provide some cost savings. The Select Board and two Planning Commission vacancies are being advertised. The Downtown Designation renewal is now due and the Planning Commission is in the process of reopening the Town Plan to add the Downtown district map that was not included in the current approved Plan. There is a Planning Commission public hearing set for Friday, October 7<sup>th</sup> at 8:00AM in the 2<sup>nd</sup> Floor Meeting Room of the Brandon Town Office. The Select Board will then have to hold two public hearings before adopting the change. On August 26<sup>th</sup> Mr. Atherton met with Jill Muhr and Jeff Thies from VLCT to discuss new regulations for wages and the liability concerns with public buildings for contractors and renters. The Town has collected \$5,552.00 in timber sales to date from the North Birch Hill lot. The Notice of Tax Sale letters were mailed August 26<sup>th</sup>. There have been many inquiries to set up payment plans and some full payments have been received. So far the Town has collected \$26,130.53 in taxes and \$16,507.55 in sewer payments from these letters.

With regard to Recreation and Economic Development, the Youth Theater has more than 40 participants involved in a production of Robin Hood. There will be three performances on November 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> at the Brandon Town Hall. The first year of flag football for 1<sup>st</sup> and 2<sup>nd</sup> graders has been popular with 15 children playing. The Brandon Rec's Cross Country Running program has 12 participants gearing up for a 5k run in November. The Brandon Rec's 28 Middle School football players started their 7-game schedule on Sunday. The 5<sup>th</sup> and 6<sup>th</sup> grade football program has 27 participants and will begin their play in the Middlebury Padded Flag football league on the 17<sup>th</sup>. The 3<sup>rd</sup> and 4<sup>th</sup> grade football program has 15 participants and began on the 11<sup>th</sup>. The Brandon Rec will be working with Pat

Hogan on an Odyssey of the Mind Club to support a 6<sup>th</sup> through 12<sup>th</sup> grade team. The U6 and U8 soccer practice began on the 9<sup>th</sup>. Mr. Moore met with Kevin Elnicki about the future of the Smith Block.

Maria Ammatuna provided the Town Manager a report from the Planning Commission that met on August 29<sup>th</sup> with Maria Ammatuna elected as the Planning Commission's Chair. Phyllis Atchison and Mike Lufkin are the other members of the Commission and two additional members are to be appointed. There was discussion of developing a collaborative rapport with the Select Board, the Main Street Association, Economic Development and other groups. There was a discussion of the type and number of zoning violations and the possibility of land use ordinance changes as needed. Mr. Atherton stated he is looking forward to working together with the Planning Commission.

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

Richard Baker thanked Ethan Swift for his work on the Select Board.

Seth Hopkins offered the following Resolution of Thanks:

*“Whereas Ethan Swift has served the Town of Brandon as a planning commissioner, including leading the planning commission as its chairman, and*

*Whereas Ethan Swift was appointed to a vacancy on the Brandon Selectboard in 2010 and has been reelected by the voters of Brandon annually since then, and*

*Whereas Ethan Swift's tenure has been marked by an exemplary demonstration of respect and civility toward other town officials, employees and volunteers, and*

*Whereas Ethan Swift's education and professional experience in watershed management have been extraordinarily useful to the Town of Brandon, particularly in the aftermath of flooding from Tropical Storm Irene in 2011, and*

*Whereas Ethan Swift's instrumental efforts in both flood recovery and in the long-term mitigation of future flood events will be a lasting legacy of his service to the Town of Brandon, and*

*Whereas Ethan will continue to reside in Brandon where he and his wife Annsonee are raising their family, and*

*Whereas Ethan Swift has tendered his resignation from the Selectboard, now, therefore,*

*Be it resolved that the Brandon Selectboard, on behalf of the Town of Brandon, make public our sincere appreciation to Ethan Swift for his years of citizen-service to his community, and*

*Be it further resolved that the Brandon Selectboard extend to Ethan Swift our best wishes for his continued success, good health, and happiness.”*

**Motion** by Seth Hopkins/Tracy Wyman to accept the Resolution of Thanks to Ethan Swift as presented. **The motion passed unanimously.**

Ethan Swift thanked the Select Board and all of the residents of Brandon. Mr. Swift stated there are many ways to serve the community and encouraged more people get involved to give back to the community. He stated one realizes that you have to collaborate and work together for a good process and better outcomes. Mr. Swift again expressed his gratitude to all who had voted him to the Select Board for several years. Mr. Hopkins also conveyed Doug Bailey's gratitude.

Dick Kirby asked for clarification on the culvert project and asked if there are any problems. Dave Atherton stated the Town has a notice to proceed. Markowski will be shoring up the building where Blue Moon is located. There is still funding that is expected from Hazard Mitigation and they will be here within the next couple of weeks to work in the river.

Dave Atherton reported the roadside mower is currently in Richmond and the Public Works Director is working on getting it delivered to Brandon.

Dave Atherton reported there was a great talent show at the Brandon Town Hall last Saturday.

## **5. USDA Loan Resolution for Champlain Street Pump Station**

Dave Atherton reported there is a loan resolution for the Champlain Street pump station from the USDA that requires the Select Board's approval.

**Motion** by Devon Fuller/Ethan Swift to approve the USDA Loan Resolution for a loan amount not to exceed \$499,000.00 and a grant of \$153,400.00 for the Champlain Street pump station.

Seth Hopkins stated at the Town meeting it was discussed that the project would be \$680,000.00 and it is now going to be \$652,000.00. There has been discussion of doing some work this fall, but it is now decided to do it all at once. The final design is not complete and Daryl Burlett stated it is hoped to get a better bid doing it all at once rather than piece meal. Mr. Hopkins asked if there is an explanation of the match. Mr. Atherton stated it is what the USDA has chosen to award the Town for the project and it is roughly 22%. Maria Ammatuna requested clarification of the indebtedness. Mr. Hopkins stated the bond resolution is pursuant to bond Article 2 in 2016 and it was voted that up to \$680,000.00 would be paid by the wastewater users. It would not result in an increase in the sewer rates. It is currently a 20-year bond, however, Mr. Atherton stated this will likely change. Mr. Burlett stated this is not a bond, but is a low interest loan, plus a \$153,000.00 grant. Mr. Atherton stated it will be lower than the prime interest rate to cover the cost of this project. Ethan Swift stated there is a qualifier in the document indicating the Town has put forth the approval of the fund whether it is through bonds or capital reserve to cover the loan itself.

**The motion passed unanimously.**

## **6. Reschedule October 10<sup>th</sup> Select Board Meeting**

The October 10<sup>th</sup> meeting falls on Columbus Day. It was the consensus of the Board to maintain the regularly scheduled date of October 10<sup>th</sup>.

## **7. Set Public Hearing Date for Town Office Grant Closure**

Dave Atherton stated a public hearing is required for the close out of the community development loan for the town office funding. The grant funds have been exhausted and Mr. Atherton suggested the hearing could be held prior to the October 10<sup>th</sup> Select Board meeting.

**Motion** by Devon Fuller/Tracy Wyman to schedule a public hearing for the town office grant closure for 6:45PM on Monday, October 10<sup>th</sup>. **The motion passed unanimously.**

## **8. Consider Planning Commission Appointment**

Dave Atherton advised that Stephanie Jerome has submitted a letter of interest in serving on the Planning Commission.

**Motion** by Ethan Swift/Devon Fuller to appoint Stephanie Jerome to the Planning Commission for a period of three years with a term ending June 30, 2019. **The motion passed unanimously.**

## **9. Segment 6/Bridge 114/Overflow Culvert**

Dave Atherton reported he has been in touch with the Town's attorney regarding a warning for the condemnation hearings of the five properties relating to Segment 6. It is hoped to get utility work started this fall and for bids to go out by the end of the year. There are discussions being held on some small items such as park benches and lights. They will be moving poles on

the north and south end of town. The Town is awaiting the historic review for Bridge 114. There is some concern with bats that are living under the bridge. The project is not being held up for anything up at this point. The overflow culvert project was discussed earlier in the meeting. With regard to resolving the easement issues, there are some moving parts on a landowner's lot and the Town has met with the landowner multiple times. Two of the four properties have signed off. Maria Ammatuna questioned if trees are being discussed in the Segment 6 plan. Dave Atherton stated trees were already included in the plan that had been designed by an arborist. Ms. Ammatuna stated Mr. Rausenberger had raised questions regarding the trees for this project. Mr. Atherton stated there has been discussions about the trees and there will be a lot of trees being replaced. Bernie Carr noted that the trees along Center Street were planted in 1976 and prior to that there were no trees. Richard Baker stated the project has already paid \$40,000.00 to an arborist. Mr. Atherton stated this has been in the plans for 15 years, but he will confirm the tree portion of the project. Daryl Burlett reported there is a meeting with Markowski to discuss the permanent shoring of the Blue Moon building instead of temporary shoring. Seth Hopkins stated a number of people have asked about the Dunkin Donuts/Mobil building. Dave Atherton stated a Dunkin Donuts and car wash will be coming to Town. The parking lot behind the Mobil building is now owned by the Town. Devon Fuller asked if Mr. Burlett has come up with lighting for the parking lot. Mr. Atherton stated this is not something currently being worked on, as the parking lot is going to be used as the staging area for Segment 6. Mr. Fuller stated there was discussion of using the parking lot for voting, however, there is lack of lighting. Mr. Atherton stated there is not consideration to do anything with the parking lot for at least another year. Mr. Fuller suggested coming up with temporary lighting for the parking lot during voting. Bill Moore suggested temporary lighting could potentially be done by the Brandon Fire Department as they have a large lighting truck. Sue Gage will contact the Brandon Fire Department to request.

## **10. Fiscal**

### ***a) FY 2015/16 Warrant – September 12, 2016 - \$4,095.00***

**Motion** by Devon Fuller/Tracy Wyman to approve the FY2015/16 warrant of September 12, 2016 in the amount of \$4,095.00. **The motion passed unanimously.**

### ***b) FY2016/17 Warrant – September 12, 2016 - \$220,502.58***

**Motion** by Tracy Wyman/Ethan Swift to approve the FY2016/17 warrant of September 12, 2016 in the amount of \$220,502.58. **The motion passed with one abstention – Devon Fuller.**

The Select Board recessed the meeting at 7:49PM.

The Select Board reconvened at 7:52PM.

**Motion** by Ethan Swift/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 7:53PM to include the Town Manager and Recreation/Economic Development Director. **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**

**Motion** by Devon Fuller/Ethan Swift to come out of executive session at 8:40PM. **The motion passed unanimously.**

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 8:41PM 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**

**Motion** by Ethan Swift/Tracy Wyman to come out of executive session at 8:55PM. **The motion passed unanimously.**

Motion by Ethan Swift/Devon Fuller to appoint Brian Coolidge to fill the remaining term of Ethan Swift on the Select Board.  
**The motion passed unanimously.**

### **13. Adjournment**

**Motion** by Devon Fuller/Tracy Wyman to adjourn the Select Board meeting at 9:00PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary