

**Brandon Select Board Meeting
November 28, 2016**

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

In Attendance: Doug Bailey, Seth Hopkins, Devon Fuller, Brian Coolidge

Others In Attendance: Dave Atherton, Lee Kahrs, Dick Kirby, Jeff Stewart, Butch Shaw, Richard Baker, Arlen Bloodworth, Anna Scheck, Chris Brickell

1. Call to order

The meeting was called to order by Doug Bailey – Chair @ 7:00PM.

a) Agenda Adoption – Motion by Devon Fuller/Seth Hopkins to adopt the agenda. **The motion passed unanimously.**

2. Approval of Minutes

a) Select Board Minutes – November 14, 2016

Motion by Devon Fuller/Brian Coolidge to approve the November 14, 2016 Select Board meeting minutes as amended. **The motion passed unanimously.**

A correction to the approval of minutes' motion to read October 24, 2016 minutes.

3. Town Manager's Report

Dave Atherton stated the second meeting in December is scheduled for December 26th and the town offices are closed on that day.

Motion by Devon Fuller/Seth Hopkins to eliminate the 2nd meeting in December. **The motion passed unanimously.**

Dave Atherton reported Davenport Solar has advised they are moving forward with permitting for the project and they will keep the Town Manager informed of the permitting process. Mr. Atherton reported the asbestos has been removed, the buildings have been demolished and the debris clean-up continues on the Newton Road demolition project. The chimney is still there and it is planned to take it down next week. Some of the old gears will be saved to do some type of art on the location. Two more properties have come out of condemnation for Segment 6 and the hearing is scheduled for December 15th at 10AM in the Town Hall conference room. Excavation continues on the overflow culvert and a schedule from Markowski was provided. Employee evaluations were completed this week. The tax delinquencies are \$196,105.17 and the sewer

delinquencies are \$81,990.30. There have been 50 payment agreements set up and there are 38 properties pending for tax sale, with a deadline of December 1st to either pay in full or set up an agreement. There have been some inquiries on amounts owed and Town is awaiting payment on those properties. Road grading continues as long as weather permits and recently Long Swamp, High Pond and Birch Hill have been done. In Recreation, the youth cross country participants ran in the 40th annual Middlebury Turkey Trot on November 20th. Thanks to coaches Jackie Savela, Bruce Perlow, Sam Stone and Katrina Ducharme. A “Couch to 5K” program for all ages will begin in the spring. There were two bus trip collaborations with the Pittsford Rec on November 11th to Boston for a Boston Celtics game and November 12th to New York City to see the Rockettes. The Rec Department in collaboration with the Brandon Toy Project hosted a Movie Night at the town hall on November 12th. Doug Bailey reported Daryl Burlett had indicated more paving will be done this week and will probably be the last of the paving on the water project until spring. As Select Board Chair, Mr. Bailey thanked Mr. Atherton and his staff for a job well done with only two properties going to condemnation, considering where the Town was a year ago.

4. Zoning Administrator’s Report

A report was provided by the Zoning Administrator. Anna Scheck reported there will be a DRB hearing on December 14th regarding the special flood hazard area. There was a report of dead roosters in the road and she noted this type of issue would fall under Act 64 as it relates to agriculture practices, however, it has not gone into effect yet. Ms. Scheck now sends congratulatory letters to new businesses that also includes information about signage as a proactive measure. Ms. Scheck reported there is a partially burned house in town that neighbors are concerned about and the Board and Town Manager should review this issue. The Town Plan amendment process is complete and has been approved by the Rutland Regional Planning Commission. The Brandon Planning Commission had a meeting last week and had discussion of bringing forward the May 19, 2014 Brandon Land Use Ordinance to the Select Board. With regard to the rental code, Ms. Scheck is in the process of updating the records and she will be sending out letters next month for yearly compliance that will include the fees the Select Board has approved. Devon Fuller asked how long it takes to work through reconstruction and boundary line adjustment permits. Ms. Scheck stated it depends on what the request is; some are quick permits and some have to go to the DRB. Ms. Scheck reported she is starting on the rental letters that have to go out in January as there are about 200 letters. She is unsure how long this process will take, but in the course of a month, all letters should be returned and compliance requests received. She noted there may be several changes since there was not someone doing this last year. Mr. Fuller requested the Zoning Administrator keep track of the hours that are required for the rental code officer’s position. He complimented Ms. Scheck on the report particularly, with sending letters to the new businesses as a proactive measure. Mr. Fuller asked Representative Shaw if Act 64 was going to pass in the House. Mr. Shaw stated if it is not signed by January 3rd it will be dead. Once it receives an act number, it is no longer a bill. Ms. Scheck stated Act 64 relates to regulations for certain size farms and the issue noted in the report would fall under that act. Mr. Bailey asked for feedback from the Zoning

Administrator on the rental code fees, since it is the first year the fees will be collected. Ms. Scheck noted there are about 500 rental units in the Town.

5. Comments for Items not on the Agenda

Devon Fuller thanked Daryl Burlett and Dave Atherton for the installation of the new steps in front of the town hall.

Jeff Stewart stated as a representative of the Brandon Artist Guild Board and the Designated Downtown Board, there is a push to beautify towns in the state and there has been discussion of murals. There is a brick wall on the Brandon Artist Guild building and there was a suggestion to put a mural or large prints affixed to the wall. Murals are permitted in the BLUO, but they have to be hand painted and placement has to be approved by the municipality. Mr. Stewart is not sure what is being considered, but he will be bringing an idea to the Select Board at some point in the future.

Representative Shaw reminded the Board the Legislature starts in January and if there is anything he can do for the Town; he would like feedback from the Select Board by the mid-January. There will be a meeting this week to see where the State stands financially, but the projections for the budget will be discussed in January. Mr. Shaw stated the session will be centered around economic development and hopes that Rutland County will be a topic of that discussion. Doug Bailey stated the Segment 6 Route 7 project and the overflow culvert are the Town's focus. He noted the Economic Development Director has been doing a good job and things are in a better position than in the past. Mr. Shaw has provided Mr. Moore information on a new grant program and will make him aware of grant opportunities in the future. Mr. Shaw noted Segment 6 is the driver for Segments 3 and 4. Mr. Atherton advised the condemnation hearing will need to take place, but those properties will not hold up the utility work, and the bids should be out by the end of the year. The Town has all documents and it is a matter of tying up the loose ends. Mr. Bailey suggested the Town would like the State to follow-through with doing Route 73, as the Town is not planning to add any large projects. Mr. Atherton stated the Churchill Road Bridge is another project that the Town may need assistance with. The abutments need to be built correctly, which is the major part of the project. Devon Fuller stated the Town needs to be kept up to date on what economic development is going on around Rutland County. It was noted there is a new push for Killington Valley in Rutland County and Mr. Atherton stated there is a meeting set with Lyle Jepson to discuss this item. Mr. Bailey asked the status of the 911 calling centers as to when this change will take place and what type of dollars the towns will need. Mr. Shaw stated 911 and local dispatching have been reviewed and a report is to be submitted to the Legislature. The Department of Public Safety does not want to dispatch for anything except the State Police. Mr. Shaw noted it will likely be a 3-year process to allow towns to plan for this service. Mr. Bailey suggested it would be helpful for the legislators to advise towns as soon as anything is known. Mr. Fuller noted education is still the largest tax expense for taxpayers. Mr. Shaw stated Act 46 is going to center around school choice and he is hoping that the district can make some changes after the first four years. He noted this is a very good school district.

6. Purchasing Policy

Doug Bailey stated some changes were made from the last meeting and it was distributed to the Board. Seth Hopkins thanked the Town Manager and Board Chair for the changes and suggested that #4 and #5 noted Major Purchases be differentiated with #4 – Large Purchases and #5 – Major Purchases. Also in #5 – Major Purchase, it was suggested to add “in advance” to the last sentence in the first paragraph. Mr. Hopkins suggested the changes could be noted in the minutes and approval could take place tonight.

Motion by Seth Hopkins/Brian Coolidge to remove the prior meeting’s motion from the table.

The motion passed unanimously.

Motion by Devon Fuller/Seth Hopkins to approve the Purchasing Policy as amended above, which will replace the June 8, 2015 policy. **The motion passed unanimously.**

7. Budget Discussion

Doug Bailey reported there is a budget meeting scheduled for Monday, December 5th that will now be held at the town office. Mr. Atherton will re-warn the meeting with the change in location. Administration and economic development will be the next topics of discussion. Mr. Atherton will provide the Board with the Economic Development department’s numbers. Mr. Atherton stated the definitive numbers for workers’ comp have not been received, but it should be known soon. Seth Hopkins reported Mr. Fuller and he will be meeting with the Rescue Squad this Friday at 6PM at the Rescue Squad building about the appropriation.

Chris Brickell asked if the meeting with the Police Department and Public Works will be at the town office to allow connectivity to NEMRC if needed. Doug Bailey agreed the last budget meeting could be held at the town office.

8. Segment 6/Bridge 114/Overflow Culvert

Doug Bailey had a visit with the Public Works Director concerning the overflow culvert and stated it is an amazing project. Dave Atherton stated the project is moving along and is about one-third of the way through with the drilling. Mr. Atherton reported the Town has received the wetlands and storm water permits for Segment 6 and effort is being made to tie up loose ends to be sure everything is in place. Nothing has changed with Bridge 114 and the Town is waiting to do the bat study when allowed. The bat issue has also come up for the Churchill Road Bridge as it is a state requirement. Mr. Atherton advised he will provide the Board with Markowski’s updates when he receives them. Mr. Bailey stated those updates and the updates that Mr. Carr sends out on behalf of the Brandon Chamber are very helpful. There was a handicap spot added in front of Gourmet Provence. Mr. Atherton reported there is a meeting scheduled with DuBois and King and Markowski on Wednesday. Chris Brickell stated as far as traffic; the frustration he hears is about parking and utilizing parking spaces inappropriately.

9. Fiscal

a) FY2016/17 Warrant – November 28, 2016 – \$1,229,304.62

Motion by Seth Hopkins/Devon Fuller to approve the FY2016/17 warrant of November 28, 2016 in the amount of \$1,229,304.62. **The motion passed unanimously.**

Doug Bailey noted the majority of the warrant was for payment to the school district. Devon Fuller questioned the paving warrant and Dave Atherton advised the Town pays the pavers and the Water District then reimburses the Town.

b) Warrant for Route 7 Segment 6 Right-of-Way Negotiations - \$15,000.00

Motion by Devon Fuller/Brian Coolidge to approve the Route 7 Segment 6 right-of-way negotiations warrant for an amount not to exceed \$15,000.00. **The motion passed unanimously.**

10. Adjournment

Motion by Devon Fuller/Seth Hopkins to adjourn the Select Board meeting at 7:58PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary