

Brandon Select Board Meeting July 24, 2017

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

Board Members In Attendance: Seth Hopkins, Doug Bailey, Brian Coolidge, Tracy Wyman, Devon Fuller

Others In Attendance: Dave Atherton, Brenda Fizur, Mike Frankiewicz, Frank James, Ray Jobst, Melissa Harrison, Mike Harrison, Anna Scheck, Bernie Carr, Lee Kahrs, Arlen Bloodworth, Alden Hopperstad, Kathy Hopperstad, Steve Bissette, Dick Kirby, Jeffrey Griffin, Darleen Griffin

1. Call to order

The meeting was called to order by Seth Hopkins – Chair at 7:00PM.

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

Add Item 6: Executive Session Pursuant to 1V.S.A. 313(a)(3) – The Appointment or Employment or Evaluation of a Public Officer or Employee

Add Item 5(d) Fiscal - Segment 6 warrant for Casella in the amount of \$77,410.42

2. Approval of Minutes

a) July 10, 2017 – Select Board Meeting Minutes

Motion by Tracy Wyman/Doug Bailey to approve the Select Board minutes of July 10, 2017. **The motion passed unanimously.**

b) July 12, 2017 – Emergency Select Board Meeting Minutes

Motion by Doug Bailey/Brian Coolidge to approve the Emergency Select Board minutes of July 12, 2017. **The motion passed with two abstentions - Devon Fuller and Tracy Wyman.**

Doug Bailey noted a clarification in the motion that the Newton Road flood damage fee waiver was for flood-related repairs; not all applications for land use.

3. Town Manager's Report

Dave Atherton reported the “Building an Even Better Brandon” brochures on Segment 6 would be available at the local businesses and shops throughout Town. The groundbreaking ceremony will be held at Central Park on July 31st at 10AM and requested the Select Board members attend. A

proposal has been received for additional work on Carver Street to replace approximately 500 linear feet of water line and complete paving on Rossiter Street. This work is outside the scope of work; however, it will complete the new line from last year's waterline work to the end of limit line for Segment 6. This proposal has been sent to Brandon Fire District #1 for approval. The Town would be responsible for the paving portion of the project. There was no report on Bridge 114 at this time. Both easements have been signed and recorded at the Town Clerk's office for the Churchill Road Bridge. This information was sent to VTrans to close out the R/O/W process. The project will then be advertised for fall 2017 or spring 2018 construction. The Newton Road repairs are moving along. The Town had its first meeting with FEMA on July 13th to access the site. All information has been submitted to FEMA regarding photos, repairs and estimates. The mobile home has been removed from 20 Bridge Park and an eviction notice has been delivered to the tenants of 31 Conway Terrace. Once the eviction is completed, that mobile home will also be removed. Mr. Atherton provided the proposed work schedule for Segment 6 to the Select Board members.

Doug Bailey inquired whether the Barlow Avenue repair that had been discussed at the last meeting was done. Dave Atherton advised that it is actually the bridge on Union Street that needs to be addressed. The Town is aware of the issue and will need to address this soon. Mr. Bailey asked if there is additional information on the Newton Road repairs and whether the Town has received any more surveys back. Mr. Atherton has received seven surveys and the Regional Planning Commission is aware of what is happening in that area. FEMA has visited to do their assessment to determine how to declare the project. They will likely be visiting a few more times before the project moves forward. Mr. Atherton has spoken with Hazard Mitigation and there was discussion of repairs versus buy out. All are waiting to see what FEMA is going to do. Tracy Wyman asked what the State has done as far as the river management. Mr. Atherton reported the permit was received for working on the waterway on North Street. Mr. Wyman noted the river needs to be cleaned out. Mr. Atherton stated when the River Corridor Easement document was signed, it is noted that the burden is with the State to maintain it and this has not been done. Mr. Wyman noted if the State does not do repairs to the river, the Town and the residents of that area will have the same problem again. Mr. Atherton stated if the river is not dealt with properly, he also has a problem with putting \$500,000.00 into a road that could have the same issue again. Mr. Atherton has noticed that another tree has fallen today. Doug Bailey stated there were 6 acres conveyed for the River Corridor easement and the State has the right to go into the water and clean it up. There is a clause that indicates the State can assign the task to someone else and suggested the State could provide funds for the Town to be able to take over this task. Mr. Atherton noted that the Town will persist in contacting the State regarding this issue. The problem with the easement is that there is private property; with the owner and the State the only ones that have that permissions. They can ask the Town to take it over, but the Town cannot do this without the State's permission. Mr. Bailey noted the bank on the north side is 6 to 10 inches higher than the south side and the properties are going to be flooded without keeping the three areas noted in the document cut out. This is one type of mitigation that would help the landowners with future flooding. Seth Hopkins asked if Youth Works has been doing projects in town and Mr. Atherton advised they did assist some people on Newton Road and are now doing projects in other areas of town. Ray Jobst asked who the landowner is and whether they have been contacted. Mr. Atherton advised the landowner is John Dilts and he has not been contacted at this point. Mike Harrison inquired whether it is possible to go to the federal government if the state is not willing to help.

Mr. Atherton advised that he has a good connection with Hazard Mitigation and they cannot move forward until it is determined if FEMA funds will be received. Mr. Atherton advised that the Governor and other dignitaries will be in Town next week for the groundbreaking and it might be a worthwhile trip for him to see the area. Seth Hopkins asked if Butch Shaw and Steve Carr have been made aware of this issue and Mr. Atherton noted that they are aware. Mr. Atherton suggested a letter to the State from the Newton Road residents might be beneficial. Mr. Bailey suggested a letter to the Vermont Agency of Natural Resources, Department of Environmental Conservation would also be an organization to contact regarding this issue, relative to the River Corridor easement. Mr. Atherton will follow-up with the State again tomorrow. Bernie Carr suggested the residents of Newton Road create a letter and submit it to Steve Carr and Butch Shaw. He also noted when the Governor and Senators visit, it could be suggested they visit the area. Seth Hopkins suggested the Select Board could also include a resolution with the residents' letter for submission to the State. Mr. Atherton suggested hand delivering the letter and resolution to the officials next Monday when they visit.

Motion by Tracy Wyman/Doug Bailey to authorize the Select Board Chair to draft a resolution from the Select Board expressing their concerns about Newton Road. **The motion passed unanimously.**

Seth Hopkins noted he will draft a resolution and circulate it to the Select Board members for their review.

Doug Bailey advised that during the special select board meeting, one item approved was to waive any fees for land use applications relating to flood repair improvements. Dave Atherton stated there are also USDA loan packets relating to loans associated with natural disasters available at the Town Office. It was asked if a buy-out is still a possibility and Mr. Atherton stated it is unknown until FEMA has made their determination. Mr. Bailey encouraged people to fill out the survey as it provides information to the people who work in that field to know that has happened. Mr. Hopperstad asked if it is the state's responsibility for debris clean up. Mr. Atherton does not believe that the State will indicate it is their responsibility.

4. Comments for Items Not on the Agenda

Devon Fuller reported the Downtown Brandon Alliance is developing a fundraiser for more engraved bricks for Central Park. A meeting will be held tomorrow to finalize the information on the brick fundraiser and Mr. Fuller will have more information at the next Select Board meeting on this item.

Dave Atherton reported the Project Tracker report was updated on the website today. He emailed the Select Board the breakdown for the solar costs and the Town is going to be \$24,000.00 ahead between lot rent and taxes, not including what is saved with the credits. Mr. Hopkins commended the Town Manager on this project.

Ray Jobst noted he likes the way the downtown looks without the trees as one can see the beauty of the town. Mr. Atherton stated it will look even better when the power lines go underground and the trees that will be replaced will be more size appropriate.

5. Fiscal

a) FY2016/2017 Warrant – July 24, 2017 - \$193,734.24

b) FY2017/2018 Warrant – July 24, 2017 - \$39,139.41

c. Route 7 Construction Warrant – July 24, 2017 - \$49,879.88

Motion by Devon Fuller/Brian Coolidge to approve the July 24, 2017 warrants in the amount of \$193,734.24 for FY16/17, \$39,139.41 for FY17/18 and \$49,879.88 for the Route 7 Construction. **The motion passed unanimously.**

d. Route 7 Construction Warrant – July 24, 2017 - \$77,410.42

Motion by Devon Fuller/ Brian Coolidge to approve the Casella warrant of July 24, 2017 in the amount of \$77,410.42. **The motion passed with one abstention – Tracy Wyman.**

Doug Bailey noted concern in spending \$4,371.00 for shovels for the groundbreaking ceremony. Dave Atherton reported the Downtown Business Alliance paid this invoice. Seth Hopkins noted he was pleased there was an invoice for \$176,000.00 for the overflow culvert as it is money well spent.

Motion by Devon Fuller/Tracy Wyman to enter into executive session at 7:53PM pursuant to 1VSA 313(a)(3) regarding the appointment or employment or evaluation of a public officer or employee with the Town Manager in attendance. **The motion passed unanimously.**

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

Motion by Brian Coolidge/Tracy Wyman to come out of Executive Session at 8:25PM. **The motion passed unanimously.**

There were no actions required.

7. Adjournment

Motion by Brian Coolidge/Tracy Wyman to adjourn the Select Board meeting at 8:26PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary