

Brandon Select Board Meeting April 9, 2018

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

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

Others In Attendance: Dave Atherton, Bernie Carr, Mike Frankiewicz, Jeff Stewart, Arlen Bloodworth, Bill Moore, Dave Mills, Jon Willson, Michael Shank

1. Call to order

The meeting was called to order by Seth Hopkins at 7:02PM.

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

Addition of Davenport Solar Update after Comments for Items Not on the Agenda

2. Approval of Minutes

a) Approval of Minutes – March 26, 2018 - Select Board Meeting

Motion by Devon Fuller/Brian Coolidge to approve the March 26, 2018 Select Board minutes. **The motion passed unanimously.**

3. Town Manager's Report

Dave Atherton reported the contractor has continued with mobilization of equipment and personnel for Segment 6 for the construction of the proposed sewer infrastructure near 30 Conant Square and the U.S. Post Office. This includes installation of sewer manholes F4 and F5 along with connecting piping. Installation of underground duct banks near the former Mobil Station leading to near the Municipal Office has been initiated. This is in preparation for relocation of the overhead lines to underground. Within the upcoming two weeks, it is anticipated to complete the activities noted above to include the sewer infrastructure adjacent to 30 Conant Square and completion of the underground duct bank crossing West Seminary Street. An aggressive restart to implementing improvements to Segment 'B' (Central Park) area, which is to include sewer, water, underground electrical and storm water drainage, is proposed. This will likely have some traffic control implications as activity infringes within the traveled area. Mr. Atherton attended the Segment 6 public forum on April 3rd that was well attended with good questions and a positive outlook on the project. Mr. Atherton has been speaking with Chief Brickell and Casella about a change in the speed limit downtown to 15mph and the addition of speed carts, as there have been a lot of near misses. It is hoped that there will be something for the Board's approval at the next meeting. There is nothing new to report on the Bridge 114 project at this time. The

additional culvert work north of the bridge is now being reviewed by VTrans for the Churchill Road Bridge. This setback was not anticipated and the project will be advertised as soon as possible. The Town has received approval for three property buyouts on Newton Road. Mr. Atherton is currently working with Josh Hanford at ACCD to secure funding for the 25% match not covered by FEMA. Mr. Atherton has also spoken with Representative Shaw about this subject. The Town will be working on submitting the spring buyout applications. Mr. Atherton received a letter from VTrans informing the Town that they will be installing centerline rumble strips along Route 7 from Bennington to Highgate. The amount of delinquent taxes sent to the attorney totals \$40,870.61 for property and \$26,884.46 for sewer. The Town is still receiving payment arrangements. In the Rec Department, the Gettysburg trip is scheduled for June 15th – 17th that will include a Premier bus trip, lodging, breakfast and dinner, with the trip led by Dr. Kevin Thornton. This is a collaboration with the Brandon Free Public Library. Brandon Rec's Odyssey of the Mind team is the Division II State Champions. They will be having a fundraising dinner at the American Legion on April 13th to support their trip to the World Competitions in May being held at the Iowa State University. Donations can be made to their "gofundme" web page and the Brandon Rec registration website. All spring baseball/softball sign-ups have ended, with exception of T-ball. There will be a delay in the start of the season due to the wet field conditions. There are a few spots remaining for the Week of Fun Vacation camp at Compass Music and Arts Center being held over April break. The Rec Department will be sponsoring a bus trip to Barre on April 14th for the Green Mountain Comic Expo. The Brandon Carnival in conjunction with the Brandon Toy Project is slated for June 7th – 10th and has a few sponsorship opportunities remaining.

Devon Fuller questioned if the speed control funding is for additional police department presence. Dave Atherton reported there is traffic control funds in the contract. Mr. Fuller questioned if the Town is going to install permanent speed carts and Mr. Atherton advised there has been discussion of doing that. Brian Coolidge thanked the Town Manager for the good job of collecting the property and sewer taxes. Doug Bailey requested Mr. Moore provide the Board information on the number of participants in the baseball program, broken down by the number of local participants and out-of-town participants.

4. Comments for Items Not on the Agenda

Tracy Wyman has been contacted by the owner of Greg's Tire concerning the staging area for the Route 7 project. Dave Atherton has reached out to Casella to find out if there are any concerns with that business and the staging area. Casella was unaware of any problems and Mr. Atherton recommended the Town allow Casella to address any issues. Seth Hopkins noted a conversation with the Town Manager and the only activity on the site has been what is permitted. Mr. Atherton is uncertain what the State had issued Casella, but he knew the staging areas have to be approved by the State. As far as what the permit indicates, the Town would have to talk to Casella about that. Greg's Tire should be in touch with Casella as it is not the Town's jurisdiction. Mr. Atherton noted after speaking with Casella, it sounds like they are working with the business. Mr. Hopkins asked if the Town has had a satisfactory staging area in the Town and Mr. Atherton confirmed the Town has not had any problems.

Seth Hopkins stated there were a couple of regular attendees to the Select Board meetings absent and extended well wishes from the Board to Lee Kahrs and Dick Kirby.

5. Davenport Solar Update

Jon Willson from NextEra Energy provided an updated site plan for the Davenport Solar project. NextEra is a Fortune 200 company that has experience in every state. They have assets in New England and are purchasing the assets of Ranger Solar. Mr. Willson is in charge of the projects in Vermont. The updated site plan has some slight changes from the 45-day notice. They are finalizing materials and will be updating the application process and will be filing for the Certificate of Public Goods. Sometime in 2020, they plan to be in service and the economic development package is still in effect.

Devon Fuller questioned the construction timeframe. Mr. Willson advised the timeline is for construction to begin in 2019, with service to begin around mid-2020, depending on the panel supply. This went from a 20-megawatt to a 15-megawatt project due to the 100-year flood plain. The Agency of Natural Resources did a site visit and encouraged the project stay at existing grade. The recs will be sold to Connecticut. Seth Hopkins thanked Mr. Willson for providing an update. The Board is encouraged that the project is encompassing the feedback received and the economic development is still part of the plan. Bernie Carr questioned how this project is helping Vermont obtain its renewable energy goals when the recs are being sold out of state. Mr. Willson stated the project would go towards Connecticut's renewable energy portfolio standards, as it would have required GMP to purchase the recs. Projects of this size are regional in nature that go throughout New England and those projects can sell power anywhere in New England. At the beginning of the project, Connecticut put in an RFP. Ranger Solar tried to sell to the Vermont utilities, but they did not need the power at that time. Michael Shank stated GMP's energy mix is 45.5% market purchases (59% gas, 11% nuclear and 13% oil), 34.7% large hydro from Hydro Quebec, 13.8% nuclear, 5.6% existing VT hydro and .4% oil and natural gas that GMP owns. Mr. Shank noted GMP could be encouraged to do more on the renewable energy front. Mr. Willson advised they are looking throughout Vermont for additional sites. Mr. Willson requested a refreshed letter of support from the Select Board.

Motion by Doug Bailey/Tracy Wyman to authorize the updating of the letter of support for the Davenport Solar Project for approval at the next Select Board meeting. **The motion passed unanimously.**

Motion by Devon Fuller/Doug Bailey to direct the Town Manager to obtain party status for this project for the Town, when appropriate. **The motion passed unanimously.**

6. Revolving Loan Fund – Red Clover Ale, Co.

Bill Moore read a letter he submitted to the Select Board for consideration to approve the revolving loan application for Red Clover Ale, Co. in the amount of \$40,000.00 at 2.75% amortized at a 15-year rate with a balloon at 7 years. Mr. Moore advised the owners were present to answer any questions the Board had. The members of the Revolving Loan Fund Committee in

favor of the application were Stephanie Jerome, Tom Whittaker, Catherine Wall, Wendy Bizzarro and Karen Lynch. Frank Spezzano was not present.

Motion by Tracy Wyman/Devon Fuller to approve the loan for Red Clover Ale, Co. in the amount of \$40,000.00. **The motion passed unanimously.**

Doug Bailey noted the owners put together the most complete and thorough package he has ever seen. He likes the risks/strengths that were outlined, their credit score is very good and it is a very easy loan to approve. Mr. Bailey questioned who processes the loan documents. Mr. Moore reported they are done at the Town Office using a boilerplate that protects the interests of the Town. Mr. Bailey offered his assistance if needed. Mr. Moore advised there is a \$110.00 application fee and no closing fee. Seth Hopkins asked when using town water and wastewater, how the waste will be eliminated. It was reported there would be a separate floor drain that will trap the solids for use on farms. The pH will be checked, balanced, and released at the convenience of the wastewater facility. The wastewater is very important and is something that had been worked out. Daryl Burlett is very interested in the integrity of the wastewater and there have been several discussions with him. Devon Fuller asked if the beer will be produced and served only at their location or if it will be sold to go. It was noted there would be some sold to go, but the main focus will be on taproom sales and a good environment to sell. The estimated opening day will be late summer/early fall, as there is more permitting required.

7. Tax Stabilization – Smith Block

Bill Moore reported Matt Bonner purchased the Aubuchon Block and will be putting apartments in the 2nd and 3rd floors of the building. Mr. Bonner is applying for a tax stabilization for one year for parcel # 0137-0010 with a current assessed value of \$366,900.00 with property improvements totaling \$49,759.27. Invoices have been received in support of this request. This is the amount for one year; however, Mr. Bonner will come back next year with the additional property improvements.

Motion by Devon Fuller/Tracy Wyman to approve the tax stabilization for the Smith Block as presented. **The motion passed unanimously.**

7. Approve Park Street Loan Agreement

Dave Atherton advised this agreement is like the one the Select Board signed last month. The Town will see 100% forgiveness of these loans.

Motion by Devon Fuller/Brian Coolidge to approve the loan agreement with the Vermont State Revolving Loan Fund in the amount of \$9,650.00. **The motion passed unanimously.**

8. Review and Approve Emergency Management Ordinance

Dave Atherton provided an updated version from what was provided in the Board packet that reflected the changes to remove the Select Board as a board from active management in an emergency situation and designates the Town Manager as the Emergency Management Director.

There was also some language change that referred to the Town Charter and the Emergency Management Coordinator was blended in with the Director's position. Devon Fuller questioned whether this required the Board annually appoint the Town Manager as the Emergency Management Director. It was thought that an annual appointment was not required. The current version would replace the existing version of 1993.

Motion by Devon Fuller/Tracy Wyman to approve the Town of Brandon Emergency Management Ordinance. **The motion passed unanimously.**

Dave Atherton suggested board members might want to attend an emergency meeting or be certified, as it is a good learning experience.

9. Fiscal

a) General Fund Warrant – April 9, 2018 - \$94,048.27

Motion by Tracy Wyman/Brian Coolidge to approve the warrants of April 9, 2018 in the amount of \$94,048.27. **The motion passed unanimously.**

Doug Bailey questioned the \$7,000.00 warrant for sewer repairs. Dave Atherton reported there have been a few breaks recently and within the treatment plant, there have been some high flows. These funds come out of the Sewer budget. Mr. Atherton has spoken with the State regarding Mill Lane and one gentleman from the State has confirmed the flows disclosed were much higher than what they were. It is a slow process in finding out what the State wants to do, but they are happy with the way the Town has dealt with trying to solve the problem. Devon Fuller questioned the warrant for J. & R. Sprinkler. Dave Atherton reported all public buildings require an annual inspection. Mr. Bailey questioned if there have been any response regarding the Town's reimbursement for Newton Road. Mr. Atherton reported he met with Dave Kramer who reported everything is in order and the Town is now waiting for a response. FEMA still has also not closed out Cobb Hill. The Town has a good rapport with them and would like to get these items closed out.

b) Route 7 Construction Warrant – April 9, 2018 - \$34,174.02

Motion by Devon Fuller/Brian Coolidge to approve the Route 7 Construction warrant in the amount of \$34,174.02. **The motion passed unanimously.**

Motion by Devon Fuller/Tracy Wyman to recess the Select Board meeting to convene as the Board of Liquor Commissioners at 7:57PM. **The motion passed unanimously.**

The Select Board reconvened at 8:12PM.

Motion by Tracy Wyman/Brian Coolidge to find that premature general public knowledge of the current Union negotiations will clearly place the town at a substantial disadvantage. **The motion passed unanimously.**

Motion by Tracy Wyman/Brian Coolidge that the Select Board enter into executive session at 8:13PM to discuss the Union contract under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes. **The motion passed unanimously.**

10. Executive Session: 1VSA 313(a)(1)

Motion by Doug Bailey/Tracy Wyman to come out of executive session at 8:40PM. **The motion passed unanimously.**

There were no actions required.

11. Adjournment

Motion by Devon Fuller/Brian Coolidge to adjourn the Select Board meeting at 8:41PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary