

## **Brandon Select Board Meeting May 29, 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, Brian Coolidge, Tracy Wyman, Bernie Carr

**Others In Attendance:** Dave Atherton, Richard Baker, Jeanne LaMarre, Mike Frankiewicz, Jeff Stewart, Stephanie Jerome, Jack Schneider, Steve Bisette, Constance Pell, Bill Moore, Bernie Carr

### **1. Call to order**

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

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

Add Brandon Independence Day Committee Discussion following Item 4

Move Energy Committee Appointments following Item 12

Addition of Executive Session in accordance with VSA 313(3)(a)(3) – Appointment or Employment or Evaluation of a public officer or employee

### **2. Approval of Minutes**

**a) Approval of Minutes – May 14, 2018 - Select Board Meeting**

**Motion** by Doug Bailey/Tracy Wyman to approve the May 14, 2018 Select Board Meeting 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 infrastructure in the vicinity of 30 Conant Square and Post Office, and installation of underground duct banks near the Hannaford entrance. This is in preparation for relocation of the overhead lines to underground. There will be underground utility installations with Segment "B" inclusive of Park Street, upper Carver Street, Union Street, West Seminary Street and within the Route 7 corridor. Initiation of pavement and concrete base removal will be near the intersections of Park Street and Route 7 South. There will be initiation of drainage within Route 7 near Brandon Auto Sales. Bridge 114 repairs have been initiated with Alpine Construction beginning the repointing of the arches. This project will have

an impact on traffic patterns with anticipated delays. Upcoming events include the sewer installation within Route 7 from Park Street South, duct bank installations within Union Street and upper Carver Street, water installations within Union Street adjacent to Central Park, Route 7 South and Park Street, utility installations from Central Park towards the Brandon Inn and drainage installation within Route 7 from Jiffy Mart towards Crescent Park. Construction should begin in June on the Churchill Road Bridge. Alpine Construction was awarded the contract for this project. The Town has received four RFP's for the audit. Mr. Atherton attended the Town Manager conference in Middlebury on May 17<sup>th</sup> and 18<sup>th</sup>. Some topics discussed were the preparing for and handling confrontation for municipal workplaces, labor relations and grievances and finding talented employees. Tim Kingston was awarded the Wastewater Operator Excellence Award by the Green Mountain Water Environment Association on May 24<sup>th</sup>. The Town has received another 1% option tax payment of \$38,798.13, which is up \$4,476.71 from last May's payment. In the Rec Department: the summer programs are filling up fast and more offerings are being released daily. Field hockey, cheerleading, challenger soccer and swimming lessons, plus the SOAR companion camps provide an all-day option for parents in the month of July. The Brandon Carnival will be at Estabrook Park from June 7<sup>th</sup> – 10<sup>th</sup> and will include a 1k Fun Run, World of Hurt Wrestling Show, music bingo, rides, food and more. Thanks to the Otter Valley Community Service Day volunteers for help with the picnic table staining and chip spreading. Thanks to Pat Hogan, Odyssey Commissioner for her work with the Odyssey of the Mind team who recently went to Iowa to represent Vermont in the Worlds competition. Plans are being made for a car show to take place at Estabrook Park on July 28<sup>th</sup>. There are only 26 tickets remaining for the July 15<sup>th</sup> Red Sox trip.

#### **4. Zoning Administrator's Report**

Seth Hopkins noted the Board received a written report from the Zoning Administrator. Ms. Scheck is available between meetings to answer any questions the Board may have.

#### **5. Independence Day Parade**

Jeanne LeMarre on behalf of the Independence Day Parade requested the Select Board consider entering a float in Brandon's July 4<sup>th</sup> parade, with a possible theme being based on the Segment 6 project. Ms. LeMarre stated the Committee hopes that the Select Board will consider this request and join in on the fun as they need more floats for the parade. Seth Hopkins advised the Board will consider this request and thanked Ms. LeMarre for all of the organization that she does. It was noted the July 4<sup>th</sup> Parade will be held on July 7<sup>th</sup> at 1PM beginning at Park Village.

#### **6. Comments for Items Not on the Agenda**

Devon Fuller announced the Downtown Brandon Alliance has been selling engraved bricks for the different parks. It is anticipated the bricks will be installed in Central Park at the end of July and bricks for this park will be available through mid-June. The easiest way to purchase the bricks is through [brandonbuilds.com](http://brandonbuilds.com). The cost is \$35.00/brick or three bricks for \$100.00. Stephanie Jerome requested the DBA print the list of bricks that have been purchased.

Doug Bailey reported he viewed the recently paved roads and noted they are very nice. Residents on those streets are very pleased with the pavement and Mr. Bailey commended the Public Works Director on getting the roads done early. Dave Atherton stated there are still a few more to do. The roads that have been done include Nickerson, a portion of Carver, Steinberg, Basin, North Birch, Van Cortland, Railroad, Mt. Pleasant and East Prospect.

Bill Moore reported the Brandon Farmers Market has moved to Estabrook Park. There is signage and good visibility and Mr. Moore hopes more people will stop by to purchase local wares.

Mike Frankiewicz invited the Select Board to Charlotte's and his Gold Wedding Anniversary celebration at the American Legion on June 9<sup>th</sup> from 1PM – 4PM.

Bernie Carr noted it was Beth and his 40<sup>th</sup> anniversary yesterday. He noted that Memorial Day was a success and thanked Casella's for dressing up their machines and Mr. Moore for his sound system.

Steve Bissette requested the Town check on Steinberg Road, as it did not appear to be completed. Dave Atherton reported Public Works is going around to be sure that the roads are completed.

## **7. Energy Committee Appointments**

This item was postponed following an executive session.

## **8. Award Auditor Contract**

Dave Atherton reported there were four firms that provided proposals, with two providing competitive pricing. Mr. Atherton and Sue Gage reviewed all proposals and noted that the two low bidders both do audits for towns and villages in Vermont. Mr. Atherton recommended the Select Board consider the proposal for RHR Smith & Company out of Maine. RHR Smith & Company has more expertise in the town area and it was noted they do the Town of Killington that also has a golf course. The cost of the audit last year was \$18,000.00 and their bid was under that amount. Doug Bailey questioned whether they would provide a presentation to the Select Board and Mr. Atherton confirmed that detail is stated in the contract.

**Motion** by Tracy Wyman/Brian Coolidge to award the audit contract to RHR Smith & Company. **The motion passed unanimously.**

## **9. Approve Late Homestead Penalty**

Dave Atherton reported this is an annual document that is considered, with the Board historically voting to assess the late file penalty. This is a continuance of current policy.

**Motion** by Devon Fuller/Tracy Wyman to approve the signing of the State's late homestead penalty document in accordance with 32 VSA (5410). **The motion passed unanimously.**

## 10. Approve Loan Modification Agreement

Seth Hopkins advised this is the cash flow loan for Segment 6. The Town Treasurer has requested to change the schedule to end on December 31<sup>st</sup> to provide time to receive reimbursements from the construction season. The interest rate has increased from 1.49% to 2.24%.

**Motion** by Devon Fuller/Brian Coolidge to approve the loan modification agreement for Bar Harbor Bank & Trust as presented. **The motion passed unanimously.**

Dave Atherton reported this is the first year the Town has had to use this loan for the time between paying the contractor to the time that the Town receives reimbursement.

## 11. Bridge 114 Prompt Pay Compliance

Dave Atherton reported the following two documents are the same as what was approved by the Board for Segment 6 for the Town to make payments before coming to the Board for approval due to the meeting schedule. The invoices are reviewed by the Public Works Director prior to payment.

**Motion** by Tracy Wyman/Brian Coolidge to approve the letter of authorization for the Bridge 114 prompt pay compliance. **The motion passed unanimously.**

## 12. Churchill Road Bridge Prompt Pay Compliance

**Motion** by Devon Fuller/Tracy Wyman to approve the letter of authorization for the Churchill Road Bridge prompt pay compliance. **The motion passed unanimously.**

## 13. Fiscal

### *a) General Fund Warrant – May 29, 2018 - \$1,083,965.77*

**Motion** by Devon Fuller/Brian Coolidge to approve the General Fund warrant of May 29, 2018 in the amount of \$1,083,965.77. **The motion passed unanimously.**

Brian Coolidge noted that \$908,000.00 of the warrant was paid to the Otter Valley Unified Union School District. Seth Hopkins questioned the RV site rental. Bill Moore advised the warrant was in connection with the Brandon Carnival for Miller Amusements staff that is the outside vendor for the carnival. Mr. Moore advised that Country Village Campground provided a substantial discount that qualified them as a Silver Sponsor of the event.

### *b) Route 7 Construction Warrant – May 29, 2018 - \$575,563.89*

**Motion** by Devon Fuller/Brian Coolidge to approve the Route 7 Construction warrant in the amount of \$575,563.89. **The motion passed with one abstention – Tracy Wyman.**

Dave Atherton requested an additional executive session in accordance with Title 1, Section 313(a)(1) with regard to a pending litigation.

**Motion** by Devon Fuller/Tracy Wyman to enter into executive session at 7:40PM in accordance with 1VSA 313(3)(a)(3) – Appointment or Employment of a Public Officer or Employee to include the Town Manager. **The motion passed unanimously.**

Seth Hopkins recused himself from the energy committee discussion and appointments.

#### **14. Executive Session: 1VSA 313(3)(a)(3) - Appointment or Employment or Evaluation of a Public Officer or Employee**

The Board came out of executive session at 7:48PM.

**Motion** by Devon Fuller/Brian Coolidge to appoint Michael Shank, Lowell Rasmussen, Edna Sutton, Daniel Schmitz and Jack Schneider as the Planning Commission’s Energy Sub-Committee. **The motion passed unanimously**

The Board Chair thanked all who submitted letters of interest in serving on the Energy Committee.

The Board recessed the meeting at 7:49PM to convene as the Board of Sewer Commissioners.

The Board reconvened at 7:57PM.

**Motion** by Brian Coolidge/Tracy Wyman to find that the premature general public knowledge of the pending mediation with AFSCME93 will clearly place the Town at a substantial disadvantage by discussing its strategy. **The motion passed unanimously.**

**Motion** by Brian Coolidge/Tracy Wyman to enter into executive session at 7:57PM to discuss the pending mediation with AFSCME 93 under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes with the session to include the Town Attorney and Town Manager. **The motion passed unanimously.**

#### **15. Executive Session: 1VSeA 313(a)(1)**

**Motion** by Doug Bailey/Brian Coolidge to come out of executive session at 8:19PM. **The motion passed unanimously.**

There were no actions required.

**Motion** by Doug Bailey/Brian Coolidge to find that the premature general public knowledge of a pending litigation will clearly place the Town at a substantial disadvantage. **The motion passed unanimously.**

**Motion** by Doug Bailey/Brian Coolidge that the Select Board enter into executive session at 8:20PM to discuss a pending litigation under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes with the session to include the Town Attorney and Town Manager. **The motion passed unanimously.**

**16. Executive Session: 1VSA 313(a)(1)**

**Motion** by Brian Coolidge/Tracy Wyman to come out of executive session at 8:39PM. **The motion passed unanimously.**

There were no actions required.

**17. Adjournment**

**Motion** by Brian Coolidge/Tracy Wyman to adjourn the Select Board meeting at 8:39PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary