

Brandon Select Board Meeting October 8, 2018

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

Board Members In Attendance: Doug Bailey, Seth Hopkins, Tracy Wyman

Others In Attendance: Dave Atherton, Steve Bissette, Matthew Ricket, Miranda Ricket, Mickeen Hogan, Dick Kirby, Ray Jobst, Bob Clark, Kathryn Clark, Marianne Wildgust, Stephanie Jerome

1. Call to order

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

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

Add Conti Solar discussion after Item 5 – Road Discussion.

Omit Tracy Wyman warrant under Fiscal

2. Approval of Minutes

a) Approval of Minutes – September 24, 2018 - Select Board Regular Meeting

Motion by Doug Bailey/Tracy Wyman to approve the September 24, 2018 Select Board meeting minutes. **The motion passed unanimously.**

3. Town Manager's Report

Dave Atherton provided the following update for the Segment 6 Project:

Last Two Weeks:

- Installation of water main within Grove and Pearl Streets – Munson Earthworks.
- Underdrain, box cut, sand and subbase placement adjacent to former Brandon Auto preceding South.
- Concrete placement for headwall at former Brandon Auto culvert.
- Curb installation within Park Street and Lot A, Rite Aid areas.
- Sidewalk preparation at various locations, (Segment B).
- Continued ornamental light installations, (Segment B).
- Water main elevation adjustment within Grove Street.
- Storm water piping and structures' elevation adjustments within Grove Street.
- Installation of sample brick edging for review/approval.

- Water services within Grove Street – Munson Earthworks.
- Installation of 450mm CPEPSL near Route 7 and Pearl Street intersection.
- Installation of 375mm CPEPSL within Pearl Street.
- 600 CPEPSL
- Installation of landscape back fill within Segment B.
- Placement of base pavement Route 7, Jiffy Mart headed South.

Two Week Outlook:

- Sidewalk grading at various locations within Segment B.
- Sidewalk installation within Segment B.
- Continued roadway box cut, (subbase preparation) and underdrain installation within Route 7 Jiffy Mart, (South).
- Continued installation of traffic signals and street lighting installations within Segment B.
- Continued installation of water services within Grove Street.
- Water installation Route 7 South to Prospect Street.
- Storm drain installation from Crescent Park to Prospect Street.
- Sewer, water, drain installation Prospect Street.
- Installation of brick sidewalks Segment B.
- Gazebo foundation/initiate construction.

For Bridge 114, Alpine Construction will be replacing the arch stones in the east arch for the next few days. The large stones are lifted by crane, test fit, cut if needed and finally grouted into place. Alpine will work to complete the east arch and then move to the west arch face. They will dewater that side again with another cofferdam and construct the shoring to support the arch, remove old concrete and then replace the needed stones. One or two stones a day can be expected. Alpine will be pouring the retaining walls, weather permitting; a small wall of 1 cubic yard of concrete in front of 4 Conant Square and the large wall that will run along the park. After cure time, they will be moving to the Texas wall and steel rail installation. Alpine's schedule indicates the installation of the drainage structures will start at this time as well.

For the Churchill Road Bridge, the North and South abutments are done. The subbase for the bridge is on and they will be pouring the rest this week.

For the Route 73 Project, J. Hutchins continues to replace and install culverts in Goshen and are working westward towards Brandon. Please use caution while traveling over the gravel pipe trenches until the crossings are paved. Kubricky will be paving the culvert crossings from the last two weeks of work in Goshen until the middle of November.

Other news; Mr. Atherton attended the VLCT Town Fair on October 3rd and 4th. The easements for the Union Street sidewalk are 75% completed. Mr. Atherton hopes to have the last one completed this week and will then send them to VTrans for approval and RFP preparation for spring construction. The Town has hired Dan Snow, a resident of Brandon, in the Highway Department who will be starting next week.

Doug Bailey asked if all sidewalks in the park will be brick. Dave Atherton reported the sidewalks within the park will be brick, with the sidewalk on the outside being concrete. Mr. Bailey asked if the Highway Department is now fully staffed. Mr. Atherton advised the Department is still one person short.

4. Comments for Items Not on the Agenda

Doug Bailey asked if there has been any feedback from the Police Department with regard to the truck concerns on Town Farm Road. Mr. Atherton advised this will be discussed in the next agenda item.

Tracy Wyman advised there has been an inquiry as to whether there has been action on the residence on Newton Road with all of the cars. Dave Atherton reported the Zoning Administrator has sent another letter. Mr. Atherton and Mr. Biasuzzi have visited the site and the Town is addressing the issue. The Town would like to work with the resident prior to issuing a ticket and going to court.

Seth Hopkins advised there will be a VLCT workshop on Municipal Employment Law on November 14th if any Board members were interested in attending. Mr. Hopkins received the certificate from the Department of Public Health naming Dave Atherton as the Town's Deputy Health Officer. Mr. Hopkins wished to thank Dolores Furnari for her years of service as the Deputy Health Officer. Mr. Hopkins reported he received a notice of hearing that will take place on October 17th in Montpelier concerning the Babcock Solar Farm, LLC (Conti Solar). Dave Atherton has arranged with the Town's attorney to be present for the hearing. Mr. Hopkins advised that he met with the Town Treasurer concerning the additions to the Town Report that were previously discussed by the Select Board and noted she is amenable to including more substance, as identified.

Mr. Hopkins read the following email received from Lisa Kenyon, member of the OVUU District Planning Task Force: *"The mission of the OVUU district is to provide high quality equitable education to all OVUU students at the most effective cost amidst federal mandates, legislative changes and budgetary prioritization. In order to connect with the community and understand their needs, we are conducting a brief survey to gain insight on what the community wants for the future of our district. To better reach the community members, we are looking to connect with potential community partners that can help educate the public regarding the OVUU Planning Task Force and encourage people to complete our online survey. The Select Board meetings are one of them. Other places are town offices and libraries. Community members are encouraged to go to rnesu.org to take the survey. It only takes about 2 minutes to complete. Thank you so much for your time and we look forward to your input."*

Dick Kirby noted the contractor is doing a great job with the bridge construction. He stated a couple of keystones had been broken and they have built a form and replaced the stones. Mr. Kirby asked the engineer why the wall comes back into the park so far and was advised that federal regulations require this size.

5. Road Discussion

a) Town Farm Road Posting

Dave Atherton advised the Town has received letters regarding truck concerns on Town Farm Road. The Select Board asked the Police Chief to research this subject. Mr. Atherton noted Chief Brickell reviewed this area and noted the big concern is the trucks are coming down the middle of the road due to the width of the road, but he did not witness excessive speeds. The Town Manager has received at least four complaints about truck traffic and behavior of the truckers on the road, which also seems to be trickling on to adjoining roads as well. Seth Hopkins and Tracy Wyman discussed the Town Farm Road with Mr. Burlett. Mr. Burlett would like to see the road posted. Mr. Atherton advised that trucks, such as delivery or trash haulers, can travel posted roads as long as it is not for thru travel and has stops on the road. If a posting indicates no thru trucks, it means that they cannot just pass through the road. Mr. Wyman noted the Hathaway gravel pit has been in existence for 50 years, with trucks traveling that road for that length of time. All of the construction in Town is causing heavier truck traffic and Mr. Wyman does not think a decision should be made without the full board present. Mr. Atherton advised if vehicles can be slowed down, it will be safer for the residents and will cut down on the maintenance of the roads. Mr. Wyman expressed concern with the Hathaway and Mohan gravel pits, due to the length of time they have been in operation. Mr. Atherton stated the Town is trying to keep the trucks on the paved roads. He noted there has been truck traffic on the road for many years, but it is becoming unsafe for the residents on the road. Doug Bailey suggested the speed limit is something that can be changed and also noted that the situation is worse due to the construction. Mr. Bailey suggested the Town think outside the box and perhaps place some extra signage on both ends of the roads that people are shortcutting through. Mr. Atherton stated the current speed limit is 35mph. He is concerned that the residents cannot walk the roads because there is no room for them. Mr. Hopkins suggested Mr. Burlett have a discussion with the trucking companies. Mr. Atherton reported he has spoken with some of the truckers. He agreed with Mr. Bailey there has to be something done. Mr. Bailey reiterated that he would like to see a change in the speed limit and some sort of signage be done. Mr. Wyman noted now that farm season is over, there may be less traffic.

Motion by Tracy Wyman/Doug Bailey to table this item for discussion at the next Select Board meeting. **The motion passed unanimously.**

Motion by Doug Bailey/Tracy Wyman to add a friendly amendment to request the Police Chief continue a police presence on the road and ask the Town Manager and/or Public Works Manager to investigate some form of signage. **The motion passed unanimously.**

b) Richmond Road Speed Limit and Road Posting

Marianne Wildgust suggested 35mph is too fast for Richmond Road and Lover's Lane, as these roads are not wide and there are blind hills and corners. Ms. Wildgust had asked years ago that the speed limit be decreased, without success, and is coming back to submit the request to reduce the speed in these areas. Dave Atherton advised the Town would have to do a traffic study on these roads. Mr. Atherton will ask if the RRPC has funds to do a traffic study on Town Farm

Road, Lovers Lane and Richmond Road. Tracy Wyman noted all of these roads will have reduced traffic once the construction is completed. Stephanie Jerome asked if the Town could work with Waze or Google Map in determining the routes that vehicles are being sent. Seth Hopkins advised the Town can report this to the sites, but the municipality will not have any standing beyond what an individual person requests to the sites. Mr. Atherton noted the sites are helping people get through the Town during the construction season. Doug Bailey stated the key is more traffic enforcement in those areas during this time. Ms. Wildgust also suggested vehicles keep their lights on. Mr. Atherton stated the Town can patrol the roads more effective tomorrow, which he thought would be a good start. Mr. Hopkins suggested asking the RRPC to partner in doing a traffic study in these areas.

Motion by Doug Bailey/Tracy Wyman to request the Town Manager to work with the RRPC for a traffic study on Richmond Road, Town Farm Road and Lovers' Lane. **The motion passed unanimously.**

The Town Manager will ask Chief Brickell to place the speed machine on Wheeler Road. Steve Bissette asked if a temporary reduction in speed could be implemented until the construction is completed. Mr. Atherton will research if this is an option.

With regard to the "No Trucks" road posting on Richmond Road, a resident of that road who owns a pick-up truck indicated the sign should indicate it does not apply to pick-up trucks. Seth Hopkins noted that nationwide, it is understood that truck postings do not include pick-up trucks. Doug Bailey did not think a special sign is needed. Mr. Hopkins noted the Select Board has considered the complaint and the Public Works Manager and Town Manager gave the correct answer that the resident can drive his pick-up truck on the road and the signage is there to keep thru trucks off the road.

c) Franklin Street

Seth Hopkins reported a letter has been received from a resident of Franklin Street requesting a skim coat be done on their street, similar to the Park Street skim coat.

Motion by Doug Bailey/Tracy Wyman to decline the request to place a skim coat on Franklin Street due to the full reconstruction next summer.

Doug Bailey stated the reason for doing the skim coat on Park Street was due to the maintenance issues for the snowplows in its prior condition. To do a skim coat on the section of Franklin Street would not be a prudent use of the Town's money and the Select Board would be criticized for spending the funds, as it may not solve the problem. Seth Hopkins noted there are not a lot of potholes; however, some residents do not think the road is wide enough. Dave Atherton noted the reason Park Street was done was due to the condition causing repairs to the municipal equipment. The Park Street skim coat will be reclaimed next year and it would have cost more to maintain the equipment over the winter rather than do a skim coat.

The motion passed unanimously.

6. Conti Solar Discussion

Bob Clark presented a copy of a letter to the Select Board members and Town Manager that he had received from his attorney written by the Rutland Regional Planning Commission addressed to Babcock Solar Farm, LLC. It was noted the RRPC could intervene on the Town's behalf concerning this project.

Motion by Seth Hopkins/Doug Bailey to request the Rutland Regional Planning Commission intervene on the Town's behalf in opposing the Babcock Solar Farm project. **The motion passed unanimously.**

Mr. Clark appreciated the Board's action on this item.

Dave Atherton advised the Town received a letter from Brandon Fire District #1 concerning the items that have been overlooked regarding water in relationship to this project.

7. Land Purchase Discussion

Seth Hopkins advised the Town has received an offer to purchase a lot the Town owns behind the American Legion. Dave Atherton reported the lot has been logged and the Town has received around \$7,000.00 from this effort. Mr. Atherton thought it would be more beneficial for the Town to maintain this piece of property to potentially log it again sometime in the future. The taxes are less than \$200/year, but is not currently assessed because it is a town-owned lot. It is not a buildable lot and has no water or sewer. Tracy Wyman advised it would be about 15 years before another cut could be done and questioned if it would better to sell the property to make it a taxable piece of property. Mr. Atherton noted previous parcels that have been sold were swamp lots and were not of any use to the Town; however, the Town could realize more money from this parcel in the long run. Doug Bailey thought the offer was low and would be hesitant to act on this item without the full board present. Mr. Atherton noted this parcel could be leased to sugar on it and it could be a piece of property that can be regenerated for future logging potential. Mr. Wyman advised 15 years from now; there should be a nice cut of decent hardwood where the Town could realize money, noting he has not seen the price of timber drop. It was noted the property is ledge and would only be buildable with a pad, with sewer and water being difficult to obtain.

Motion by Doug Bailey/Tracy Wyman to table this item to a subsequent meeting for further discussion. **The motion passed unanimously.**

8. Consider BRAVO Appointment

Dave Atherton received a letter from June Sargent expressing interest in being appointed Coordinator of the BRAVO Board, due to Art Doty's need to step down as Coordinator. It was noted Lance Mead, Arty Doty and Doug Bailey also serve on the Board. Mr. Atherton stated she would be a very good addition to the Board and recommended Ms. Sargent be appointed as Coordinator.

Motion by Tracy Wyman/Doug Bailey to accept the Town Manager's recommendation to appoint June Sargent as the BRAVO (Brandon Restorative Action for Victims and Offenders) Coordinator. **The motion passed unanimously.**

9. Fiscal

a) P.O. 52089 to Cargill, Inc. for Road Salt - \$64,816.95

Motion by Doug Bailey/Tracy Wyman to approve P.O. 52089 to Cargill, Inc. for road salt for an amount not to exceed \$64,816.95. **The motion passed unanimously.**

b) General Fund Warrant – October 8, 2018 - \$331,316.91

Motion by Tracy Wyman/Doug Bailey to approve the General Fund warrant of October 8, 2018 in the amount of \$331, 316.91, removing Invoice 20180930-1G and tabling approval of this invoice to the next meeting. **The motion passed unanimously.**

b) Route 7 Construction Warrant – October 8, 2018 - \$577,983.25

Motion by Doug Bailey/Seth Hopkins to approve the Route 7 Construction warrant of October 8, 2018 in the amount of \$577,983.25. **The motion passed unanimously.**

Tracy Wyman noted he could have a potential business relationship with Casella; however, there are no invoices in the current Route 7 warrant.

c) Bridge 114 Warrant – October 8, 2018 - \$105,263.10

Motion by Doug Bailey/Tracy Wyman to approve the Bridge 114 warrant of October 8, 2018 in the amount of \$105,263.10. **The motion passed unanimously.**

d) Churchill Road Bridge Warrant – October 8, 2018 - \$57,784.05

Motion by Doug Bailey/Tracy Wyman to approve the Churchill Road Bridge warrant of October 8, 2018 in the amount of \$57,784.05. **The motion passed unanimously.**

10. Adjournment

Motion by Tracy Wyman/Doug Bailey to adjourn the Select Board meeting at 8:22PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary