

Brandon Select Board Meeting January 14, 2019

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

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

Others In Attendance: Dave Atherton, Steve Bissette, Dick Kirby, Arlen Bloodworth, Mickeen Hogan, Mike Frankiewicz, Russell Jones, Jeff Stewart, Blaine Cliver, Dennis Reisenweaver, Richard Baker, Judy Bunde, Tim Guiles, Helyn Anderson, Mary Ann Hodges, Bill Moore, Chris Brickell, Joan Rowe, Jason Booth, Sam Glaser, Janet Coolidge, Bernie Carr, Michael Shank, Jackie Savela, David Roberts, Jean Somerset, Harold Somerset, Karl Fjeld

1. Call to order

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

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

After Item 7 – Add Approval of Loan Agreement for Park Street Engineering from VT Drinking Water State Revolving Loan Fund

2. Approval of Minutes

a) Approval of Minutes – December 18, 2018 - Select Board Regular Meeting

b) Select Board Budget Workshop Minutes – January 9, 2019

Motion by Tracy Wyman/Brian Coolidge to approve the minutes of the December 18, 2018 Select Board meeting. **The motion passed unanimously.**

Motion by Doug Bailey/Tracy Wyman to approve the minutes of the January 9, 2019 budget workshop meeting. **The motion passed with one abstention – Devon Fuller.**

3. Town Manager's Report

Dave Atherton provided the following Town Manager's Report for the weeks of December 31st and January 7th:

Segment 6:

Weeks of (12/31/18 -01/11/19)

. Equipment demobilization and project cleanup.

- . Installation of traffic control signage.
- . Temporary pavement markings placement.
- . Modification to installation of traffic control signals near Central Park, (Segment 'B'), for improved clarity to Infrastructure users.
- . Installation of the storm water treatment structure No. 2 located adjacent to 8 Conant Square.
- . Initiation of storm water drainage piping installation associated with Storm water Treatment Structure No, 2.

Upcoming Two Weeks

- . Continuation of the structural components installation associated with the Storm water Treatment Structure No. 2 adjacent to 8 Conant Square.
- . Continuation of storm water drainage piping installation associated with Storm water Treatment Structure No. 2.
- . In-house review and compiling of previous season's documentation.
- . Review of installed traffic control signage and pavement markings for determination on degree of improvements.
- . Maintenance of erosion control measures should areas be identified following review.
- . Continued equipment demobilization and project clean up as required.

Bridge 114:

The bridge construction is shut down for winter.

Union Street Sidewalk:

The Town is hoping to have the project out to bid in February for summer construction.

Park Street:

There will be a public hearing and comments on the final plans during this evening's meeting. Mr. Atherton has set up a meeting with VTrans and Historic Preservation in Montpelier on January 17th to discuss the project concerns.

Newton Road Property Buyouts:

Mr. Atherton has received news that the Town does not have to continue the archeological survey on the first three approved buyout properties. The other two properties will still have to go through review to determine if a survey is required. FEMA had requested more information on 250 and 477 Newton Road, which was submitted to them last week.

Doug Bailey asked if there were changes in the lights. Dave Atherton advised that the Town had to request more funding from the State to do the changes and Casella will move forward with this. The Town does not want to take control until there is assurance they are 100% functional, as

the timing is off currently. Seth Hopkins asked if the project is still responsible for delivering in a functional state and Mr. Atherton confirmed that is the case. Mr. Atherton advised this request was sent out last week and there is currently no timeline available when this will be completed. Mike Frankiewicz asked if the traffic lines part of the traffic light system. Mr. Atherton advised the paint is not sticking due to the late timing of the line painting, but this is part of the project. He noted this is not the top coat for paving before ownership is taken next November.

4. Comments for Items Not on the Agenda

Bill Moore reported the first Brandon Idol event was a success with 23 performers and 200 people in attendance. Mr. Moore stated this is another Colleen Wright idea. The judging chose 9 performers that will be performing once per month in the coming months of Broadway, Rock and Roll and Country genres, with completion of the competition at the Brandon Carnival. The winner will be awarded \$1,000.00.

5. Park Street final Design and Public Comment

Seth Hopkins turned the floor over to Jason Booth, engineer for the Park Street project for comments and questions from the public. Mr. Booth stated there are a number of elements to the project that will start at Park Street where Segment 6 left off and run 1300 feet to the intersection of Marble Street, that will include subsurface work for sewer lines that will tie into Segment 6 from Marble Street. Currently there are two existing water lines that will be consolidated to a 16-inch line and will tie into the Segment 6 line, completing the loop and eliminating redundant water lines. There will be lines to each home and new curb stops. The curbing will be picked up where Segment 6 ends and the roadway will be resurfaced, with the grade taken down to a 2% grade to eliminate the high crown. In addition, the existing storm water system will be upgraded with catch basins, including bioswales for managing the storm waters that will accept and treat up to a one-inch storm and the combination of the storm water elements will treat the storm. In an event, they will infiltrate prior to distributing to the Neshobe River. There are a number of funding sources for the project, with \$409,000.00 provided by VTrans and other subsidies the Town will qualify for. The Drinking Water Loan Fund will fund the water and there will be subsidies for that as well. The project is at a point where it is under review by Vtrans and VEC for drinking water, piping, sewer and the water mains. Currently, the project is scheduled to be out to bid within the next couple of months. The driving force is to enable paving in conjunction with the State's Route 73 resurfacing. It is the desire to complete the subsurface work before VTrans comes through to pave the road. Dave Atherton advised VTrans contacted the Town after it had been awarded the storm water grant and because of rebuild of Route 73 up the mountain to resurface the Class 1 roads, that include Marble Street, Park Street and a small portion of Champlain Street. The Town will receive the last two final coats of paving at no cost and it was thought this is an offer the Town should consider. The State highway ends at the beginning of Wheeler Road, but VTrans will do the top two layers of paving between Wheeler Road and Park Street.

David Roberts of 74 Park Street advised the residents of Park Street met and developed a list of questions. Mr. Roberts asked what other options there are for the bioswales. Mr. Booth advised there was a Storm Water Master Plan created and a number of locations were determined for

storm water hot spots. Those locations were prioritized and the bioswales were reviewed. There was an option of a centerline median, but that had complications due to a reverse crown to collect storm water, plus traffic implications. Other alternatives were subsurface catchments that are open bottom that have concerns due to potential for settlement. The bioswales bring in treatment, aesthetics, and a traffic calming effect. It is important from a storm water point due to the State's storm water requirements for tier one infiltration for municipalities. The Town is locked into an infiltration practice, and bioswales are the higher practice. Karl Fjeld asked if there is potential to infiltrate basements. Mr. Booth stated the area is relatively flat and the road will be the lower point and the water will generally flow back to the low point or the swamp. The change will not be significant enough to affect basements. In the soil testing that was done, there is no evidence of high water.

Mr. Roberts asked if there is a requirement to receive approval from Historic Preservation for the project. Mr. Atherton advised there will be a meeting with VTrans Historic Preservation on January 17th to discuss and go over the concerns that they have had. Mr. Booth reported the plans have been submitted to VTrans a number of times for their review and they review them through the environmental process and the historic preservation piece. There has been no final determination made at this point. There have been a number of discussions with VTrans historic preservation and there have been some adjustments made with the bioswales. There was also a request for plantings to be a lower provide and it is being looked at to accommodate this request.

Blaine Cliver stated as far as he knows, VTrans has not requested a formal determination from the State Historic Preservation. Mr. Booth stated VTrans has been in touch with Historic Preservation. Mr. Cliver stated VTrans' Historic Preservation cannot make the determination and this has to be done before they can proceed. Mr. Booth stated there has not been anything received back, which is the reason for the meeting on the 17th. Mr. Cliver suggested involving the State Historic Preservation Officer. Mr. Atherton advised that conversations have been with Historic Preservation, VTrans and VTrans Historic Preservation and the meeting on the 17th was requested to work out any issues with the plans. Mr. Booth advised the project follows the VTrans process. Mr. Roberts noted this is a hot button and suggested coming up with a process for historical approvals and timely communications. Mr. Atherton reported the Town has had a few meetings and a bond vote the voters approved for moving forward with the project. Mr. Atherton encouraged anyone interested in viewing the documents relating to the project to visit the Town Office. He also noted that Park Street has been an agenda item at the Select Board meetings. Mr. Atherton felt that communication works both ways and the Town has many projects going on and staff at the Town Office are more than willing to share this information. As things change with the historical preservation issues, ongoing discussion is worthwhile. Mr. Hopkins stated Mr. Atherton will provide a report at the next Select Board meeting concerning the meeting with VTrans.

Mr. Roberts asked how the markers, such as the hitching posts and slabs, will be identified and protected. Mr. Booth advised the area has been surveyed and the monuments are identified. There is a section on the drawings that provides identification by station numbers. For each of the locations identified by a station number, the contractor will be required to locate them via GPS that will provide coordinates. Once they are located, they will be inventoried and any preexisting deficiencies will be identified, such as cracks. They will be removed and placed in a

secure location where they will not be damaged. At the end of the project, they will be returned via the GPS. They are within the public right of way and unless stated in a deed, they are considered to be owned by the Town. Mr. Cliver stated they need to be preserved for the historic nature and he thought they were owned by the residents, as individuals put them in.

Judy Bunde stated she has a slab in front of her property that has been hit by the town plow and has requested it be flipped over to preserve it. She would like to request this be done when it is returned at the end of the project. Mr. Booth stated the contractor will be inventorying the monuments in their current condition and it is the intent to place them back the same way. Mr. Atherton suggested Ms. Bunde call the Town Office and they would be more than happy to send someone out to do this, or it can be done as part of the project. Bernie Carr suggested anyone with current problems should discuss them with either Mr. Atherton or Mr. Burlett.

Mr. Roberts asked how the residents could consult and advise on the placement of bioswales. Mr. Atherton advised this has been in the planning for at least a year and they have been moved around and is a design based on watershed management, which is the reason they are placed where they are. Ms. Bunde asked why they have to protrude into the street as she has seen others that were not. Mr. Booth stated if they go outside the curb line, it would be getting into undisturbed areas and would affect archeological areas. In a number of locations, it would start impacting trees that would require the removal of some trees that are historic in nature. The bioswales are a collection feature and are where current catchments are right now. Mr. Booth stated this is more of a storm water volume reduction than a reduction in impervious areas. From Marble Street, there is about 600 feet of piping on both sides of the road that will be replaced and consolidated mostly on the north side of the street. These infiltrate the surface runoff and there is a catch basin with 6 – 9 inches of storage water that is designed to infiltrate. This will be a new drainage system and it will go between property locations 52 and 54 to the swamp. It was asked if there is an easement or right of way and Mr. Booth advised this will be tied into the pipe that is currently in the right of way. It was questioned if there is a long-term maintenance plan. Mr. Booth stated there have been some alternatives for the Town to determine. There have been discussions about planting heights and all will be native species that will be low planting in the two-foot range. Mr. Booth had a list of plantings available for review that will have to be approved by VTrans. Mr. Atherton advised that the operating maintenance plan will come out of the Town's budget and noted there is a new DPW staff and he does not see a problem with maintaining the bioswales.

Jean Somerset stated there are two people on Park Street that know plants, Ellen Waters and Mary Cliver, and asked if they can be consulted. Mr. Atherton noted the Town has consulted with Ms. Waters and Mary Shields in the past and could consider this option. It was questioned how the bioswales are affected by the winter. Mr. Booth stated the Tier 1 manual requires infiltration. In the winter, it will not infiltrate and as the ground thaws, the runoff will go down the road. These are designed with the infiltration capacity to drain within a 24-hour period. Judy Bunde asked how the sandy soil stacks up against the coarseness necessary for a good swale. She stated the salty residue will affect the plans due to it being concentrated. She noted there are a lot of issues to be aware of and steps to be mitigated. Mr. Booth reported there has been infiltration testing and a soil profile done and they are comfortable with the soil profile and the ability to infiltrate. Consideration is being made to use plantings that are salt tolerable. Mr. Booth noted

there were 12 soil probes done that went down 12 feet and no ground water or ledge was hit. Excavation will go down about 2 ½ feet with 2 feet being bioswale media and the top will be native soil. It was questioned who is responsible for the parking spaces and Mr. Atherton advised the Town will be taking care of them, with the parking spaces being delineated spaces. Mr. Atherton noted the Town has a new piece of equipment that allows the Town to blow snow into a truck. It was questioned what trees will be removed and whether they will be replaced. Mr. Booth stated there has been an effort to remove as few trees as possible and there are only three trees affected near the intersection of Marble Street. Ms. Bunde questioned the location of the bioswale near her house and Mr. Booth advised that this one will be 20 feet east of Ms. Bunde's driveway and was one of the bioswales that the location had been requested to be changed.

Mr. Roberts asked if there will be another public meeting with Historic Preservation, as there is concern about the approval status and the residents wanting more communication. Mr. Atherton advised once the information is received, there will be a report provided at a Select Board meeting, with the meeting minutes posted within five days of the meeting.

Mary Ann Hodges asked if there is something more official that indicates the Town will maintain the bioswales. Mr. Atherton stated there is extensive tree and planting plans for Segment 6 and this is something that will need to be budgeted. Devon Fuller stated once all renovations are completed, the Select Board will have to build more maintenance funding into the budget. It was noted it will cost less to maintain plants than to dig up sewer lines, which is where a lot of money is being spent. Mr. Atherton advised there will be trees planted to replace the three trees that will be removed.

Mr. Roberts asked when the final plan will be provided. Mr. Booth stated it will depend on what is heard back from VTrans. Mr. Booth noted there is a prime time for bidding out projects and from a pricing perspective, there is a short window for obtaining a contractor for paving on the back end. Mr. Atherton stated the bid documents will be available on line for people to view.

Judy Bunde stated the property owners could consider replacing their water line while everything is open, as it would be less expensive to do at that time. Ms. Bunde asked if it is known where their water lines are to determine what part of their yard would be dug up. She asked whether there could be some kind of coordination with the general contractor or would the residents have to hire subcontractors. Mr. Booth stated the individual surface taps have been located where the service lines tie in and based on basement inspections, they are shown on the drawings, which should provide a general idea of where the water and sewer lines are. The best course of action for replacement of sewer lines would be for homeowners to contact the contractor, once one is chosen. He noted some of the lines could be as old as the house. Harold Somerset stated Terry Kline had to replace his line, which had been terra cotta, and in order for the contractor to tie into the sewer line, they would have to come across the town's land. Mr. Booth stated the Town owns the main line sewer and the property owner owns the sewer laterals. The Town would be replacing within the road to the outside of the laterals. The individual service lines for water are identified and the water services will be tied in and all will be on the roadside of the sidewalk with nothing crossing the sidewalk. Mr. Roberts advised a list of the residents who would want to replace their piping will be developed to present to the contractor to assist in managing some of the construction, as it would be more efficient to go with the same contractor.

Blaine Cliver asked to add the information where the mounting blocks are on the drawings. Mr. Booth was requested to remove the labels by VTrans. It was asked if there will be something done with the river crossing between property locations 44 and 46. Dave Atherton advised that it has been on Mr. Burlett's radar and Mr. Atherton will follow-up with him.

Seth Hopkins advised the meeting on Thursday requires Select Board input. Mr. Hopkins read the following Park Street Resolution:

“WHEREAS the Brandon Selectboard is directed by Title 19 of the Vermont statutes to lay out, alter, classify, and discontinue town highways in the best interests of the public, AND

WHEREAS Park Street is a town highway within the Town of Brandon, AND

WHEREAS public comment was solicited and accepted at a duly warned public meeting exclusively concerning Park Street planning and design, held on January 23, 2018, AND

WHEREAS, the voters of Brandon authorized the reconstruction of Park Street in their positive bond vote by a tally of 489 in favor to 123 opposed on March 6, 2018, AND

WHEREAS, the Town's public works director and town manager have secured grant funding and obtained the engineering required for the project, AND

WHEREAS a public hearing was held on January 14, 2019, to receive further public comment on the design as it has been developed over the past year, incorporating previous public input, AND

WHEREAS all work proposed, including bioswales/rain gardens in the gutters, is within the present curb-to-curb width of the street, preserving the greenswards, historic hitching posts, and stepping blocks in situ, NOW, THEREFORE

BE IT RESOLVED that the Brandon Selectboard finds that current plans represent the best interests of the public including Park Street residents; Brandon families traveling to and from Forest Dale where our public elementary school is situated; the many pedestrians, dog-walkers, and tourists who frequent Park Street; and through traffic using Park Street as an element of Vermont Route 73, AND

BE IT FURTHER RESOLVED that the Brandon Selectboard finds the current proposal will make a positive contribution to the economic vitality; quality of life, mitigation of runoff into a tributary of Lake Champlain; and safety of pedestrians, bicyclists, and motorists, without adverse impact on the historic nature of the streetscape, AND

BE IT FURTHER RESOLVED that the Brandon Selectboard undertakes to proceed with the reconstruction of Park Street as detailed in plans presented to the board on this date.

ADOPTED BY THE BRANDON SELECTBOARD AT BRANDON, VERMONT, JANUARY 14, 2019”

Motion by Brian Coolidge/Devon Fuller to approve the Select Board's Park Street Resolution. **The motion passed unanimously.**

Sam Glaser thanked the Select Board for this project. Seth Hopkins stated there are many pieces of grant fund and the project will provide a much-improved experience for those who live and use the street. Mr. Hopkins stated the Town owes the Town Manager, Public Works Director and Engineer gratitude for what they have done with the plan the Town can move forward.

Doug Bailey stated this street was highlighted as one of the main things that needed to be done and needed improving as it is one of the main access points. There were figures of \$250,000.00 up to \$1 million to do the project and Daryl Burlett has worked hard to get funding through various sources to improve Park Street. The Select Board needs to look at what is the best for all people in Town and with the different forms of funding; it will be a very low dollar cost to the taxpayers. With all work being contained within the road, there will be all new water and sewer lines. The Town has worked hard to get this together and for what little bit everyone sacrifices, it is for the best of the Town.

The motion passed unanimously.

6. Approval of FY2019/2020 Budget

Seth Hopkins reported the Select Board, Budget Committee and Town Manager have developed the FY2019/2020 budget. There have been five meetings held with considerable deliberation and the current proposed budget is unchanged from the last budget meeting. The revenues total \$538,330.00, with expenditures totaling \$3,190,885.00 and the amount to be raised by taxes of \$2,652,055.00. Doug Bailey stated, in conjunction with the budget, there would be a \$50,000.00 appropriation for paving that is a decrease from last year's request.

Motion by Doug Bailey/Tracy Wyman to approve the FY2019/2020 budget as presented. **The motion passed unanimously.**

Motion by Doug Bailey/Devon Fuller to approve the paving appropriation request of \$50,000.00 for paving at the discretion of the DPW Manager. **The motion passed unanimously.**

Mr. Hopkins noted the plan is to continue to move some paving dollars from appropriations into the operating budget. Last year there was \$125,000.00 appropriated and this year there is \$50,000.00 in the budget and \$50,000.00 in appropriations, with a \$25,000.00 decrease.

Janet Coolidge was impressed with the due diligence of the Department Managers and Town Office Staff in getting information to the Budget Committee that consisted of Ms. Coolidge, Tony Peduto and Doug Sawyer.

Mr. Hopkins advised the combined increase asking from taxpayers is 0.92% over last year.

7. Approve of Grant Anticipation Loan

Dave Atherton advised this is the Segment 6 cash flow loan that needs to be approved.

Motion by Devon Fuller/Tracy Wyman to approve the Grant Anticipation Loan. **The motion passed unanimously.**

It was noted this is money the Town uses to float for the Segment 6 project only. The Town pays the contractors' invoices and submits them to the State for 95% reimbursement. The Town has to conform to the Federal Prompt Pay requirement, which is the reason for the loan for a cash flow float.

8. Approval of Loan Agreement for Park Street Engineering from VT Drinking Water State Revolving Loan Fund

Motion by Devon Fuller/Brian Coolidge to approve the Engineering Loan Agreement for Park Street, not to exceed \$28,375.00. **The motion passed unanimously.**

Dave Atherton reported this is the engineering part for continuation of the final design. The Town applies for the funding, but is related to the Water District activities. The sewer and water design will be \$57,000.00 and this will be used for continued engineering.

Bill Moore advised he will be bringing forward a Revolving Loan Fund application for the Board's consideration at the next meeting. He will also be providing evidence for the Board's consideration in dissolving the Economic Development Committee, due to the inactivity of the committee. It was noted the Revolving Loan Fund Committee is a separate committee from the Economic Development Committee.

8. Fiscal

a) General Fund Warrant – January 14, 2019 - \$1,085,140.48

Motion by Tracy Wyman/Devon Fuller to approve the General Fund warrant of January 14, 2019 in the amount of \$1,085,140.48. **The motion passed unanimously.**

It was noted that \$976,000.00 of the warrant was to pay off the loan that was just endorsed.

b) Route 7 Construction Warrant – January 14, 2019 - \$676,281.49

Motion by Doug Bailey/Brian Coolidge to approve the Route 7 Construction warrant of January 14, 2019 in the amount of \$676,281.49. **The motion passed with one abstention – Tracy Wyman.**

c) Bridge 114 Warrant – January 14, 2019 - \$55,932.70

Motion by Brian Coolidge/Tracy Wyman to approve the Bridge 114 warrant of January 14, 2019 in the amount of \$55,932.70. **The motion passed unanimously.**

d) Churchill Road Bridge Warrant – January 14, 2019 - \$51,639.54

Motion by Devon Fuller/Brian Coolidge to approve the Churchill Road Bridge warrant of January 14, 2019 in the amount of \$51,639.54. **The motion passed unanimously.**

Dave Atherton reported this should be the final payment on Churchill Road Bridge.

9. Adjournment

Motion by Brian Coolidge/Devon Fuller to adjourn the Select Board meeting at 8:31PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary