

Brandon Select Board Meeting
June 10,2019

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

Board Members in Attendance: Seth Hopkins, Brian Coolidge, Tim Guiles, Doug Bailey and Tracy Wyman

Others in Attendance: Dave Atherton, Wayne Rausenberger, Barry Varian, Brent Buehler, Charles Powell, Ben Lawton, Dick Kirby, Russell Jones.

The meeting was called to order by Seth Hopkins-Chair at 7:00pm.

1. Call to order

a) *Agenda Adoption-* Motion by Tracy Wyman/Brian Coolidge to approve the agenda.

Tim Guiles asked to add a transfer station update between agenda items 5 and 6.

Seth Hopkins asked for an addition of an Executive Session for the appointment or employment or evaluation of a public officer or employee 1 V.S.A 313 (a)(3). After the fiscal items.

The motion passed unanimously.

2. Approval of Minutes-

a) *Approval of Minutes-May 27, 2019-Select Board Meeting*

Motion by Tracy Wyman/Doug Bailey to approve the meeting minutes from May 17, 2019. **The motion passed unanimously.**

3. Town Manager's Report

Dave Atherton provided a written report for the Weeks of May 27th and June 3rd

Doug Bailey stated that Segment 6 is starting to look good and there seems to be less complaining. Tim Guiles asked about the underground utilities and where they were going to be placed. The underground utilities will be from the Library through the center of town. Tracy Wyman asked about paving on Park Street. Dave Atherton stated the paving will not be done until next spring with the Route 73 paving.

4. Public Comment and Participation

Doug Bailey wanted to thank Tracy Wyman for repairing the Basin Road potholes.

Brent Beuhler wanted to know if there as been any concerns on the Upper Falls (dam) in regards to the condition it is in. Seth has spoken with Darrell Burlett and there is no harm posed to the back parking lot or deck as the flow goes towards the corner and the ledge. It is on the Town's radar for future repairs.

Brent Beuhler also spoke about Middlebury also having problems with their covered bridges and have placed overhead signage on the covered bridges for height requirements. Dave Atherton stated that there has been talks about different signage being used on the covered bridge to stop trucks from going through. It is more a State concern with trucks using their GPS attempting to go through the covered bridges. Tim Guiles asked if the town could look into using an electric eye that would bring something down if a vehicle was deemed too tall to go through the covered bridge.

Brent Beuhler also asked if there were any updates from Bill Moore on the Smith Block parking. Dave Atherton stated there were no new updates on the Smith Street parking.

5. Wetlands Discussion

Tim Guiles gave an updated on the reclassification of the wetlands. There will be letters sent out to any landowner in the wetland corridor sometime this week to invite them to a public comment session in regards to reclassifying the wetlands to a Class 1. The class 2 wetlands already have requirements for permits, the class 1 wetlands have more restrictions to them. The wetlands are an important piece to the health of the community and the region. We are the largest wetlands in New England. This wetland help to save Middlebury from more damage in Hurricane Irene. There are two reasons to support the reclassification of the Wetlands. The first is an insurance basis. This will not cost the town anything to support the endeavour to preserve the wetlands. The second is that people will want to come and see the space since it is the largest wetland in New England. The group that is interested in reclassifying the wetlands is from Cornwall and Salisbury and they are receiving support from the State Biologists.

Doug Bailey stated that the presentation left him with the question of why this reclassification needed to be done. Will they come back later on and say that we cannot spray for mosquitoes and that the wetlands need to be left alone and they did not let us know to begin with. Tim stated that this will not effect the Mosquito. They do not have the authority to stop the spraying from mosquitoes. They only thing that this will do is create the 50 foot buffer.

Tim Guiles stated if the wetlands are being used for agriculture, logging or hunting camps currently, it will still be allowed if the reclassification happens. New uses for the wetlands will not be allowed if the reclassification to a Class 1 Wetland happens.

David Atherton stated that the town is in the process of revising the River Corridor requirements to be back 50 feet from the river. We are already restricting our development in those areas due to the flood restrictions. The Swamp would be a high flood area and there would not be development allowed in the swamps.

The board has received a letter from the BLSG district-attached

Wayne Rausenberger stated that they have a harder time with mosquito control within the wetlands when Vermont Fish and Wildlife are involved in the land. The National Wildlife Refuges do not allow for mosquito control and this would be the next step after moving to a Class 1 Wetlands. The mosquito control district has not had any contact with or from the steering committee.

The current owners will hold on to their property and will be able to say yes or no to mosquito control spraying. Tracy Wyman stated that the individuals who did not want the road to be closed on Pearl Street are against the reclassification of the wetlands as well.

Wayne Rausenberger also wanted to know when did the project start? What is the rush in doing this? Tim stated that it started 6 to 8 months ago. They have some free labor from AmeriCorps and they are hoping to get most of that work done by August. After the request is made by the steering committee, it goes through a long chain before it being approved by the State.

Seth Hopkins asked if they are they looking for votes of Select Boards or do they want people in the community involved in the process? Tim Guiles stated that the process does not require the Select Board to vote, they are looking for open communication in what is going on in the process on moving it to a Class 1 wetlands. Dave Atherton stated that the landowners should be the ones that have the majority of the vote as to their property being converted to a Class 1 wetland, and having the changes being made to the way they can use their property.

The presentation on the reclassification from Class 2 to Class 1 wetlands will be added to the town website and a one page paper that shows the changes that will be made when moved from a Class 2 to a Class 1 wetland.

6. Transfer Station Update

Tim and Doug stated that they will be putting together a tentative contract for the transfer station and will hopefully have it for the next meeting. They would like to see if this is something the board would like to continue with. There have been many creative solutions brought up in these meetings. We have been looking into portable scales to be used at the transfer station and other places in town that they maybe needed.

7. Hildreth Landon Fund Request

Seth had an interest in the request and recused himself from the table.

The Brandon Chamber/Brandon Designated alliance have been doing the concerts in the park/Brandon Inn. This is the 3rd year and has not cost the town any money. The Brandon Rec department has also helped with the concerts. The Brandon Chamber/Brandon Designated would like to build pavilion behind the Brandon Inn. The balance in the Hildreth Landon fund is \$8,000 and they would like to see the board allow the \$8,000 to be used to build the new pavilion. The funds were designated for sidewalk improvements but due to segment 6 they would like to see the funds used for the building of the new concert space.

The pavilion would cost about \$18,000 total, \$5,000 has been obtained in fundraising and some grants have also been applied for.

Motion by Tim Guiles/Tracy Wyman to approve the requested use of the funds and to close the fund out.

Doug Bailey asked for an Amendment to have the pavilion be called the Hildreth Landon Pavilion.

Louie and Sarah will be paying the taxes, the electricity and the maintenance of the pavilion.

The motion was passed unanimously.

8. Fiscal

A) *Warrant-June 10, 2019-\$131,077.34*

Motion by Tracy Wyman/Doug Bailey to approve the Warrant-June 10, 2019 for \$131,077.34

The motion was passed unanimously.

B) *Route 7 Constructions Warrant-June 10, 2019-\$532,575.62*

Motion by Brian Coolidge/Doug Bailey to approve the Route 7 Construction Warrant-June 10, 2019 for \$532,575.62

The motion was passed with one abstention-Tracy Wyman

C) *Bridge 114 Warrant-June 10, 2019-\$230,004.37*

Motion by Tracy Wyman/Doug Baily to approve the Bridge 114 Warrant June 10, 2019 for \$230,004.37

The motion was passed unanimously.

The meeting was recessed at 7:55pm.

9. Executive Session

At 8:14pm Seth made a motion to go into executive session, this was seconded by Brian Coolidge. **The motion passed unanimously.**

Members present were Tim Guiles, Seth Hopkins, Brian Coolidge and Tracy Wyman.

At 8:25pm the board came out of executive session with no action required.

10. Adjournment

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

Respectfully submitted,

Hillary Knapp

Recording Secretary