

**Brandon Select Board Meeting  
December 23, 2013**

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

**In Attendance:** Devon Fuller, Ethan Swift, Blaine Cliver, Dave Atherton

**Also in Attendance:** Robin Bennett, Wayne Rausenberger, Kathleen Rausenberger, Richard Baker

**1. Call to order**

The meeting was called to order by Devon Fuller - Chair at 5:00PM.

**a) Agenda Adoption – Motion** by Dave Atherton/Ethan Swift to adopt the agenda with a modification to add Item 7c – Vermont Municipal Bond Bank and Item 7d – HRA/FSA Modifications. **The motion passed unanimously - 3 to zero.**

**2. Consent Agenda**

**a) Approval of Minutes – December 9, 2013 – Select Board Meeting**

**Motion** by Dave Atherton/Blaine Cliver to approve the minutes of the December 9, 2013 Select Board meeting, as corrected. **The motion passed unanimously – 3 to zero.**

A correction to the motion in Section 7 - Town Office Renovation to read: **Motion** by Blaine Cliver/Maria Ammatuna to authorize the renovation of 49 Center Street for the purpose of occupancy. The renovation would include fixing what is wrong with flood repairs, building improvements, including the deferred maintenance. **The motion passed unanimously – 4 to zero.**

**3. Public Comments for Items not on the Agenda**

Kathy Rausenberger questioned who is supposed to take the town office trash from the town hall, as it is not the responsibility of the Friends of the Town Hall and Mr. Rausenberger has been removing it recently. Robin Bennett will look into this item.

Richard Baker reported the LED lights are being installed in town.

**4. O'Brien & Kaffenberger, Inc. Agreement**

Blaine Cliver stated the document does not come across as a contract. The proposal was made over a year ago and he does not think it will be a valid, legal contract. Robin Bennett will ask VBH for clarification. It was Ms. Bennett's understanding that when this

project went out to bid, this vendor was the only one who bid on the project. Mr. Cliver stated the dates are from last year and it would be best for VHB to put this out to bid again. Ms. Bennett stated this process would start to impact the timing of the project. Ethan Swift questioned if VHB has confirmed the agreement with the vendor and suggested they could be requested to update the dates of the agreement. Mr. Cliver questioned who did the Segment 5 project and it was noted there were two other firms that completed the Segment 5 assessments.

Devon Fuller asked if a new bid is required since the agreement is over a year old and suggested that Ms. Bennett contact VHB to determine whether the firm is still agreeable with doing the project and whether it would require a new bid. Ms. Swift noted VHB has been paid for doing the bidding process and a new bid would add cost to the project.

Blaine Cliver stated the proposal is not good for the town and taking the interest of the taxpayers at heart, the town should request a flat rate for the project rather than an hourly rate. Mr. Cliver asked what the difference between a full appraisal and a warranted appraisal was. Richard Baker stated there are around 31 or 32 parcels that do not need appraisals and only require a disconnection and reconnection of the utilities. Mr. Cliver stated the town should obtain a flat rate pricing for some of this. Mr. Baker stated it would make sense to obtain another bid, since this agreement is 14 months old. It is not known whether there are other suitable firms available to bid now; that had chosen not to bid at that time. Ethan Swift stated according to the Procurement Policy, he has concerns there has been an assumption that this firm has the project. Mr. Swift is concerned with delaying the project further and incurring additional cost for VHB to do another bidding process. Dave Atherton stated this should start with a phone call to the vendor to see whether they think they already have the contract. It was noted a contract has not been signed and there may be some areas of negotiations. Mr. Cliver stated there should be room for some negotiations. Mr. Fuller expressed concern with the cost of the project with an hourly rate of \$125.00/hour. Ms. Bennett was requested to go back to VHB to determine whether the vendor is still interested in the project, to determine if it is the norm to charge an hourly rate and to determine when VHB wants the contract signed. It was noted that 1/3 of the project should have no issues, 1/3 will require some work and 1/3 of the properties will have some negotiations. The budgeted amount of project was not known at the meeting and Ms. Bennett will research this item. Mr. Swift noted with the Waterline project, the rights of ways were the largest part of the project.

**Motion** by Ethan Swift/David Atherton to table the approval of the contract until the next meeting and authorize Ms. Bennett to contact VHB to confirm that the contract with O'Brien and Kaffenberger is still valid and to request an update of the agreement. **The motion passed unanimously – 3 to zero.**

## **5. Authorized Representative Application**

Robin Bennett requested authorization from the Select Board to remove Keith Arlund and add Robin Bennett for the loan that the Sewer Department has for a study that is being done.

**Motion** by Blaine Cliver/Dave Atherton to appoint and authorize Robin Bennett as the Town of Brandon's representative for the Sewer Department's loan. **The motion passed unanimously – 3 to zero.**

## **6. Other Business**

There was no other business discussed.

## **7. Fiscal**

### ***a) General Fund Warrant – December 23, 2013***

**Motion** by Blaine Cliver/Dave Atherton to approve the warrant of December 23, 2013 for an amount not to exceed \$97,554.49. **The motion passed unanimously – 3 to zero.**

Ethan Swift questioned the invoice for Champlain Construction for the Wheeler Road demolition. Robin Bennett reported this is the construction portion and the town will be receiving additional monies for this project.

It was suggested that once all streetlights have been replaced to LED, it would be good to track the difference in the Green Mountain Power invoices. Robin Bennett stated she will take a six-month period and compare to the same time last year.

Ethan Swift questioned whether the invoice for work on the Brandon Based Code was going to be partially paid through the MPG. Robin Bennett reported the MPG cannot be used for Brandy Saxton's work. Ms. Bennett and Anne Bransfield have met and funds have been determined to complete the three-phase plan. An agreement has been signed to complete this work.

There was a question as to the break out of insurances by department. Robin Bennett reported there are many itemized invoices from VLCT for quarterly insurance and departments have different types of insurance depending upon the type of liabilities the departments have. Richard Baker noted the insurance has been split by department in the past.

### ***b) Wastewater Fund Warrant – December 23, 2013 - \$18,556.89***

**Motion** by Ethan Swift/Blaine Cliver to approve the wastewater warrant in the amount of \$18,556.89. **The motion passed unanimously – 3 to zero.**

### ***c) Vermont Municipal Bond Bank***

Robin Bennett stated there is routine paperwork for the Police Department financing that includes a Post-issuance Tax Compliance and a Certificate of Project Completion that requires Select Board approval and authorization for the town manager to executive the documents.

**Motion** by Ethan Swift/Blaine Cliver to approve the Post Issuance Tax Compliance and the Certificate of Project Completion and to authorize the town manager to execute the documents on behalf of the Town of Brandon. **The motion passed unanimously – 3 to zero.**

***c) HRA/FSA Modifications***

Robin Bennett stated the HRA/FSA Modifications is routine paperwork relating to the recent changes in health care. There has to be a change to the Flexible Spending and the Cafeteria Plan.

**Motion** by Dave Atherton/Blaine Cliver to authorize the town manager to sign and execute documents on behalf of the Town of Brandon and for the Select Board to adopt the resolutions to the HRA/FSA modifications. **The motion passed unanimously – 3 to zero.**

**17. Executive Session 1 V.S.A.313 (a) (1)**

There was no executive session held.

**20. Adjournment**

**Motion** by Dave Atherton/Blaine Cliver to adjourn the Select Board meeting at 5:39PM. **The motion passed unanimously - 3 to zero.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary