

**Brandon Select Board Meeting  
July 8, 2013**

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

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

**Also in Attendance:** Richard Baker, Brian Sanderson, Wayne Rausenberger, Kathleen Rausenberger, Jeff Stewart, Phyllis Reed, Lucinda Bell, Priscilla McKeighan, Anna Scheck, Robert Black, Bernie Carr

**1. Call to order**

The meeting was called to order by Board Chair, Devon Fuller, at 6:03PM.

**a) Agenda Adoption – Motion** by Maria Ammatuna/Dave Atherton to adopt the agenda, with an addition to Fiscal, Item 3(c) – Loan Payoff in the amount of \$505,000.00 and a change to Fiscal, Item 3(a) reducing the amount by \$816.00. **The motion passed unanimously – 3 to zero.**

**2. Consent Agenda**

**a) Approval of Minutes – June 24, 2013 - Select Board**

The June 24<sup>th</sup> select board minutes were not available for approval.

**3. Fiscal**

**a) Warrant – June 30, 2013 – \$35,818.86**

**Motion** by Dave Atherton/Blaine Cliver to approve the warrant of June 30, 2013 for an amount not to exceed \$35,002.86. **The motion passed unanimously – 3 to zero.**

Richard Baker advised an invoice for Stadium System, Inc. in the amount of \$816.00 was included in the warrants; however, this has not been invoiced yet and will be included in a warrant in the next fiscal year.

**b) Warrant – July 8, 2013 - \$47,939.95**

**Motion** by Blaine Cliver/Maria Ammatuna to approve the warrant of July 8, 2013 for an amount not to exceed \$47,939.95. **The motion passed unanimously – 4 to zero.**

**c) Payoff of Tax Anticipation Note to the National Bank of Middlebury for \$505,238.86**

Richard Baker advised this is the tax anticipation note that was taken out a year ago.

**Motion** by Dave Atherton/Blaine Cliver to approve the payoff of the tax anticipation note for last year in the amount of \$505,238.86. **The motion passed unanimously – 3 to zero.**

***d) Tax Anticipation Note (TAN) for \$540,000.00***

Richard Baker advised the interest rate is .95% on the average daily balance and this note will not be drawn on unless needed. Maria Ammatuna noted there will be a deposit account opened and the funds will be placed in that account prior to use.

**Motion** by Maria Ammatuna/Blaine Cliver to approve a tax anticipation note for an amount not to exceed \$540,000.00. **The motion passed unanimously – 3 to zero.**

***d) Deposit Account Resolution***

Richard Baker advised the funds requested from the tax anticipation note would be placed in this account and drawn down from this account.

**Motion** by Maria Ammatuna/Dave Atherton to approve the National Bank of Middlebury deposit account resolution. **The motion passed unanimously – 3 to zero.**

***e) July 1<sup>st</sup> Pay Raise***

Richard Baker advised the union contract calls for a 2.27% pay increase and Mr. Baker recommended the select board grant the raise.

**Motion** by Dave Atherton/Maria Ammatuna to approve the staff pay increase for purposes of discussion.

Blaine Cliver stated it is nothing against the employees, but if the budget were to fail, the town would be going more into debt. Maria Ammatuna stated the select board has a right to renew the agreement. Dave Atherton stated the line of credit just approved is to cover these types of issues and to neglect the employees is not right. He noted that is why most businesses have a line of credit. Devon Fuller stated it is fiscally prudent at this time to freeze expenses. Richard Baker advised the contract automatically renewed on July 1<sup>st</sup> and there are some items that need to be negotiated, such as the health insurance. The pay increase had been established in the ground rules and is a five-year contract. Mr. Baker thought it is important for the select board to understand the increases and that is why it was put on the agenda. Mr. Fuller stated the town does not have an approved budget and the \$540,000.00 is to run the entire town. The payroll is about \$50,000.00 every 2 weeks and this would be an additional \$1,000.00. Anna Scheck stated the contract indicates it will automatically renew as of July 1<sup>st</sup> and it does not specify whether a budget is approved. Mr. Baker advised the union has agreed to extend one more year, which is the most prudent approach, but the final health insurance program is unknown at this time.

**Devon Fuller called for a vote on the motion. The motion failed – 3 to 1.**

**4. Schedule Reports from Committees and Officials**

There was no discussion held.

## 5. Interim Town Manager's Report

Richard Baker reported CLD has made the change to the deeds of the property owners to what the town believes they should be and this will be forwarded to the property owners. It was noted that CLD had decided they needed a stockpile area of 2300 square feet, which had not been discussed with anyone, and were directed to change this item. It was questioned whether there has been discussion with the Lis and it was noted this has not happened. Mr. Baker advised he also has an item for discussion during executive session.

## 6. Public Works Report

### *a. Grant application through better back roads for culvert inventory*

Brian Sanderson stated there was nothing to report above routine operations and maintenance. The department is attempting to keep up with the rain events, with the intention to keep all ditches and culverts open. They will be doing a thorough grading of all roads. Mr. Sanderson provided the select board information regarding a grant through the Better Back Roads program to assist with completing a culvert inventory. The town would work with Rutland Regional Planning Commission (RRPC) on this effort. Mr. Sanderson requested approval from the select board to proceed with the grant application, with the town's match being Mr. Sanderson's time in working to locate and flag the culverts. The RRPC would then transfer the data to a topo map that would provide information on size, condition and length of the culverts. This information could be incorporated into the capital plan to determine which culverts require upgrading. Mr. Sanderson has a letter of support from RRPC for the project. The grant application is due Monday, July 15<sup>th</sup>. Devon Fuller asked if a culvert inventory has ever been done. Brian Sanderson stated there have been sign, equipment and road inventories completed, but not a culvert inventory. Mr. Sanderson advised this would include catch basins and drop inverts, not just culverts. Maria Ammatuna questioned the \$50/hour billing noted in the document and Mr. Sanderson advised this figure was provided by the Better Back Roads program for the project worksheet to determine what the match would be for Mr. Sanderson's time. Mr. Sanderson reiterated there would be no additional expenses other than his time. The grant is for \$4,000.00 and this will enable the RRPC to compile and interpret the information for use in the town's capital plan.

**Motion** by Blaine Cliver/Maria Ammatuna to approve the grant application through the Better Back Roads program for a culvert inventory. **The motion passed unanimously – 3 to zero.**

Brian Sanderson requested the select board sign the grant and in Ethan Swift's absence, indicate absent. The codes and standards the town adopts will address some of the undersized culverts in the main roads. Devon Fuller asked if there are fines for having undersized culverts. Mr. Sanderson stated no fines are assessed, but when replacing culverts; they should meet the codes. Mr. Sanderson advised the town is supposed to do an inventory update every three years and this

will be a very useful tool, as it will provide information on the most problematic areas when building the future budgets.

### ***b. Consider Paving of Barlow Avenue***

Brian Sanderson stated the water department will be doing a water project on Barlow Avenue and will be digging certain sections of the road. He noted considering the current condition of the road, patch paving would deteriorate the road even more. The contractor for the water department would be doing the removal of the current pavement and completion of the base. Mr. Sanderson stated this would be a viable option for the town, considering the condition of the road. It would cost around \$35,000.00 to have the road paved.

**Motion** by Blaine Cliver/Dave Atherton to approve the paving of Barlow Avenue, pending approval of the budget. **The motion passed unanimously – 3 to zero.**

Richard Baker stated Barlow Avenue has suffered over the years and the waterline is in poor shape. Brian Sanderson is trying to coordinate efforts with the water department projects. The paving project would require an RFP. Devon Fuller confirmed the water department would be paying to have the road removed and a base installed. Mr. Baker advised this is a FEMA alternate and they have indicated it can be done. Mr. Sanderson noted if it is not paved, it will revert to a gravel road and if the pavement is not done until next June, there may be some touchup work required before it can be paved.

Devon Fuller thanked Mr. Sanderson for the excellent job in repairing Smalley Road. Mr. Sanderson advised the line striping will be done before school starts.

## **7. Budget Update**

An informational meeting will be held immediately following the select board meeting this evening.

## **8. Town Infrastructure**

Richard Baker reported the hazard mitigation grant application for Newton Road is just about complete. The grant application for the overflow culvert is a struggle and both are due on Friday. There needs to be a benefit cost analysis done and though the events of 1921, 1938 and 2011 are included, the flood cost is still a relatively small value compared to the cost of the culvert. This total project cost is believed to be about \$1.3 million. This figure does not include the cost of the abutting properties. It was noted there is a lien on one of the properties and this issue will have to be dealt with, but it is not in the estimate. Mr. Baker noted now that it has been determined the town does not own as much of the Green Park, the other party is not sure they want to grant a right of way for the exit of the culvert. The culvert is part of the bridge, which is part of the Segment 6 project. There has been \$490,000.00 spent for the cleanup of Irene and added costs would be paid if there are more storms. Mr. Baker advised Tina Wiles is working with individuals from the state on this grant. It was questioned whether the overflow could be brought through the cement abutment and Mr. Baker advised the foundation for the Green Block is an

impediment to that. Devon Fuller noted this would also require re-engineering, which would increase the cost of the project. Mr. Fuller encouraged the grants be submitted as they would provide options for the town. Mr. Baker noted the Newton Road grant application is just about complete and looks good.

With regard to the town office renovation, Richard Baker noted he was asked to contact the people who chose not to bid and he will discuss this item during executive session. Maria Ammatuna stated the town currently has about \$153,000.00 in insurance payments that was based on the estimate prior to the RFP and there is potential for another \$50,000.00 from insurance. Mr. Baker noted that part of the insurance payment was for other areas that include the Champlain Street pump station. It is unlikely that the town could recoup the full \$338,000.00. Mr. Baker stated there will be more funds received, as the bid was more than the estimate and the contents are separate. Mr. Baker stated in replacing the contents, there is consideration to replace the contents with cabinets and countertops similar to what New England Woodcraft had donated for the new police station. Maria Ammatuna asked, as a cost savings measure, if anything would be serviceable from the previous contents. Mr. Baker stated everything on the ground floor was removed. Ms. Ammatuna requested a copy of the 2006 air quality report to be sure the architects are reviewing those findings to be sure the mitigation of that is done. Richard Baker stated the conditions have changed a lot in the building since then. Devon Fuller questioned when the project could begin. Mr. Baker advised the contractor was prepared to start today. Blaine Cliver stated nothing has been specified and there should be advice obtained before continuing with the project. Robert Black advised he will be preparing a response. Mr. Black stated the design team has construction experience to assist with ADA compliance and fire and air quality mitigation. He encouraged the next meeting have the entire team present. Devon Fuller questioned when the next meeting will be held. Mr. Baker advised currently the right of way for the water line is the number one priority. Maria Ammatuna stated she would like to move towards opening the first floor of the town office by the anniversary of Irene. Mr. Baker advised this could not happen as the contract will be basically completed in 90 days. Dave Atherton suggested, at minimum, doing a clean-up of the building. A suggestion was made to get volunteers together to do a clean-up. Devon Fuller requested Mr. Baker contact the insurance company for a more definitive answer.

## **9. Communications**

There was no discussion held.

## **10. Citizen's Public Forum**

Priscilla McKeighan suggested the individuals from the correctional center who mow the parks could also do the clean-up at the town office.

## **11. Old/Other Business**

Dave Atherton questioned the status of the rock pile on Newton Road. Brian Sanderson will contact the person who is supposed to take the material to get an update.

**Motion** by Maria Ammatuna/Blaine Cliver to recess as the select board at 6:57PM to convene as the board of liquor commissioners. **The motion passed unanimously – 4 to zero.**

The select board reconvened at 7:00PM.

**Motion** by Dave Atherton/Blaine Cliver to recess the select board at 7:00PM. **The motion passed unanimously – 4 to zero.**

Chair Devon Fuller reconvened the Brandon select board's meeting at 9:03PM.

**Motion** by Maria Ammatuna/Blaine Cliver to enter into executive session, including Interim Town Manager Richard Baker, at 9:04PM to discuss a contract regarding renovation of the Town Offices at 49 Center Street. **The motion passed unanimously – 4 to zero.**

## **12. Possible Executive Session (Contracts/Personnel)**

The board came out of executive session at 9:11PM. There were no actions required.

## **13. Adjournment**

**Motion** by Dave Atherton/Ethan Swift to adjourn the Select Board meeting at 9:12PM. **The motion passed unanimously - 4 to zero.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary