

Brandon Select Board Meeting
May 9, 2016
7:00 p.m.

The Brandon Select Board will meet Monday, May 9, 2016 at 7:00 p.m. at the Brandon Town Hall located at 1 Conant Square expecting to consider the items noted on this agenda. Agendas shall be posted on the community bulletin board located at the Town Office at 49 Center Street and on the community bulletin board located between Dave's Grocery and the Forest Dale Post Office. The Select Board reserves the right to add additional items, if necessary, at the beginning of the meeting.

- 1) Call to Order
 - a) Agenda Adoption
- 2) Approval of Minutes
 - a) Select Board Minutes – April 25, 2016
- 3) Town Managers Report
- 4) Comments for Items not on the Agenda
- 5) Consider Independence Day Events for July 1st and 2nd
- 6) Consider Churchill Road Bridge Scope
- 7) Consider Mt. Pleasant Acres Request for Road and Sewer Take-Over for Maintenance
- 8) Consider Repeal of Brandon Bicycle Ordinance
- 9) Segment 6 / Bridge 114 / Overflow Culvert
- 10) Fiscal
 - a) Postage Warrant - April 20, 2016 - \$2,000.00
 - b) Warrant - May 9, 2016 - \$74,492.57
- 11) Executive Session Pursuant to 1 VSA § 313(a)(1):
Contracts
- 12) Executive Session Pursuant to 1 VSA § 313(a)(3):
The appointment or employment or evaluation of a public officer or employee
- 13) Adjournment

**Brandon Select Board Meeting
April 25, 2016**

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

In Attendance: Devon Fuller, Doug Bailey, Seth Hopkins, Tracy Wyman, Ethan Swift

Others In Attendance: Dave Atherton, Daryl Burlett, Richard Baker, Anna Scheck, Arlen Bloodworth, Lee Kahrs, Dick Kirby, Steven Sutton, Edna Sutton, Art Doty, Bernie Carr, Ann Chartrand, Sue Gage, Joe Whalen

1. Call to order

The meeting was called to order by Doug Bailey, Chair at 7:03PM.

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

Omit Item 5 – Consider Donation to the BACC Summer Concert Series

Move Item 7 - Short Term Financing to precede Item 3 – Town Manager's Report

Add Item 10 – Executive Session Pursuant to 1VSA SS 313(a)(3) – Appointment or Employment or Evaluation of a Public Officer or Employee

2. Approval of Minutes

Motion by Tracy Wyman/Devon Fuller to approve the minutes of the April 11, 2016 meeting as amended. **The motion passed with one abstention – Ethan Swift.**

Under Town Manager's Report, a correction that the grant Mr. Swift assisted Mr. Burlett with was not restricted to only Park Street.

3. Short-Term Financing Needs

Sue Gage provided financial information for the Board's review. She noted there are a lot of projects which will stress the cash flow. Some of the projects are still not flushed out, but she has begun securing some financing for the projects. Typically they are grant anticipation notes, as most of the money that is spent is reimbursed by state and federal funding. There are \$20 million of projects planned over the next few years. The Town will need to have grant anticipation loans in place to finance cash flow. These are notes that will not be drawn down unless the Town needs the funding for cash flow. Ms. Gage has talked to a couple of banks and the National Bank of Middlebury's rates are the lowest. She does not think that other banks would come close to the rate. The Town is still writing some of the grants and not everything is in place yet. Ms. Gage would

prefer to use the same bank for all needs once the financing structure is in place. Some of the projects will be happening relatively quickly, such as the overflow culvert, Route 7 utilities and Cobb Hill. Cobb Hill is ready and Ms. Gage is waiting to hear on information for the overflow culvert. Ms. Gage has done a 3-year cash flow report and knows what to consider. Seth Hopkins questioned if the far-right column is the estimated payments for this fiscal year. Ms. Gage advised that each of the three pages covers a fiscal year. Ms. Gage stated known costs, as well as some estimates are included in the report. The Route 7 construction figures are an estimate. Ms. Gage advised the report is for the Board's information and noted that the Board may need to act relatively soon. Ms. Gage advised that the Town will also need to have funding for interest payments. Ms. Gage tried to provide the worst case scenario. She does not know about the Route 7 Project financing, as it will be a three year rolling loan, but the Town needs to move forward with Cobb Hill and the Route 7 utilities as soon as the okay is received from the State. Since the projects will be starting at different times, it is not possible to obtain one loan, but the funding needs to be in place. The current rate provided by the bank will be good until mid-May. In a couple of weeks, she will have more solid information and resolutions on the projects. Devon Fuller stated the Board appreciates the advance work the Town Clerk has done. Ethan Swift stated the Board has always tried to include match funding in the budget, but it was something that was not included in the past and should be considered during the next budget cycle. Ms. Gage advised none of the other banks have come close to National Bank of Middlebury's rates, but with the Route 7 project it may be necessary for the Town to go to a different bank, as the Town's financing may be maxed out with them. The loans are basically like a one-year construction loan, but some of the near-term loans may still be out when the Route 7 project goes to bid, which may restrict the amount of money they can loan. Ms. Gage questioned if the Board is agreeable with not going out for bid. Seth Hopkins stated the process that Ms. Gage has already done has been an indirect type of bidding process. For Cobb Hill and the overflow culvert, Doug Bailey suggested going with the National Bank of Middlebury to determine if they are able to handle these types of projects. Dave Atherton state the time frame is that Cobb Hill will be done before fall and the Town should find out about the overflow culvert soon. Segment 6 will not be starting until this time next year and the Town should be caught up by then with the two projects being done. Mr. Bailey suggested getting the first two done and then discuss with National Bank of Middlebury the size of the project that Route 7 will be. Mr. Bailey stated the Town may have to go to a bank that has a government banking department for the Route 7 project. Mr. Atherton stated the project report with VTrans is getting better and their reimbursements are coming in quicker. Bridge 114 will not happen right away, but that will also be an additional \$1.58 million project. Mr. Bailey offered his assistance with the bank talks. Ms. Gage also provided the Board a quarterly budget report and suggested the Board email her with any questions.

3. Town Manager's Report

Dave Atherton reported the town office has acquired new office furniture from the State Surplus that included two new desks for the Town Clerk and Treasurer. Mr. Atherton thanked Bob Kilpeck for delivering them. The bids for the Cobb Hill project were opened

on April 13th. The lowest bid was rejected for numerous issues. The Town has offered the project to the next lowest bidder, G & N Excavating, for \$324,300.00. The town hall roof has been repaired with damaged slate replaced, a new ridge cap installed and a front fascia board replaced. The work was done by Spardella's. The furnace is being installed at the town hall this week. The Town Plan was approved on April 19th by the Rutland Regional Planning Commission. Mr. Atherton attended the meeting and Ranger Solar was also in attendance to do a presentation. Spring clean-up has started on the parks, Estabrook field and the cemetery. Mr. Moore has had dirt brought in for the ball fields. Mr. Atherton met with Occupational Health Partners to discuss the possibility of using them as a first-stop health provider for all worker compensation claims. This is being considered in an attempt to get the workers compensation fees down due to the numerous claims. The Town has been working closely with the Brandon Fire District on the waterline project. There have been unanticipated sewer line repairs associated with the project. Paving will begin around June 5th on this project. Mr. Atherton reported he was on vacation April 15th through the 19th. Mr. Atherton provided the Select Board an outline of the projects done by the Wastewater Department. Mr. Atherton reported there was a photo in the Rutland Herald of Mr. Burlett as he hosted a road foreman's meeting in Brandon last Friday. There were 70 people in attendance and is the second meeting that Brandon has hosted. Doug Bailey questioned if the sewer line repairs were costly and Mr. Atherton advised there were a few pipes that were broken and they have been fixed. For the most part, there have been relatively few repairs. Seth Hopkins asked if the bid award for Cobb Hill was within the construction budget and Mr. Atherton confirmed that it was within the scope of the project. There were three bids received for the project.

4. Comments for Items not on the Agenda

Joe Whalen, representing the Brandon Catholic Church, was present to request the Select Board provide a letter of support that is required for the Catholic Church to apply for a grant for repairs to the old Catholic cemetery on Maple Street. Mr. Whalen stated the cemetery is in need of repairs as the Church has been unable to maintain its upkeep due to financial constraints. Mr. Whalen advised there is a Vermont Old Cemetery Association that provides grants and the Church can get up to \$750.00 to assist in cleaning and resetting the gravestones. Mr. Whalen stated there is a requirement that the Select Board would have to acknowledge and approve of the project. The cemetery is owned by the Catholic Church, but will also enhance the town. Mr. Whalen stated the letter of support would need to be on the Town's letterhead to submit with the grant application. Devon Fuller questioned what the total cost for refurbishing the cemetery would be and Mr. Whalen advised that it will be around \$2,000.00.

Motion by Seth Hopkins/Tracy Wyman to direct the Town Manager to issue a letter of support on behalf of the Select Board regarding the Catholic cemetery on Maple Street. **The motion passed unanimously.**

Ethan Swift stated at one point there was a Vermont Youth Conservation group that assisted with these types of projects and suggested Mr. Whalen visit the Vermont Youth Conservation website for more information on this subject.

5. Park Village Signs

Edna Sutton, owner of the Compass Center, was present to discuss signage with the Select Board. She advised they have spent the last two and one-half years bringing the building to life and they have 5 resident artists and 8 businesses on site. Ms. Sutton advised that both the Compass Center and the Rutland County Child Center need assistance from the Town in helping people locate their businesses. This area was originally designed to be discrete, but now has a strong community life and is a strong enterprise center. There are not sufficient signs for locating the businesses and the local sign ordinance does not support places outside the norm. The Compass Center does advertising, but people are still expressing concern that they are difficult to find. Ms. Sutton had a signed petition for support and requested the Board's assistance. The biggest challenge is the businesses that are set back, as there is only one sign allowed. It was requested the Town help improve the signage around Park Village not only for the businesses, but also for the residents. Art Doty, a resident of Park Village, stated he realizes the matter of changing the town signage situation requires time, but there are things that could be done by the Town. Mr. Doty stated the Arnold District sign should say Arnold District Road, as many people do not realize that it is a road sign. The Town should also install a sign that indicates Mulcahy Drive. Dave Atherton stated there was a Mulcahy Drive sign that had been installed, but it was stolen and another one has been ordered and should be up by the end of the week. Mr. Doty noted once one turns off Mulcahy Drive, the other roads are not well outlined. He stated the roads are confusing as to where they start and change to other roads. He also noted the signs are too small. Mr. Doty stated wonderful things are going on at the Compass Center, but people cannot find it and suggested the Town place a high priority in getting signs up that should be up. Daryl Burlett stated this is the second Mulcahy sign that has been put up within a year and the Arnold District sign has also been replaced twice. Bernie Carr asked if GPS works in finding the business. Steven Sutton stated some people are able to find them with GPS. He stated the address of the building is 333 Jones Drive and because there are tight corners, the sign cannot be seen from both directions. Mr. Sutton has a concern that people are driving around looking for the sign and not watching where they are going and there could be a serious accident. The circle is half Jones Drive and half Mulcahy Drive and it was suggested to consolidate in having one name for the circle and one name for the road going down from the business. Mr. Sutton also expressed concern that if an emergency service that was not local wanted to find the business, they would have a difficult time doing so. Doug Bailey stated he has had conversations with Mr. Doty. In March, Mr. Atherton and he met with the Planning Commission to request they revise the sign ordinance for Brandon, as there have been numerous discussions with businesses in town regarding the ordinance. The Board realizes there is a problem and it will take some time to make changes. Mr. Bailey commended the owners on what has been done. Dave Atherton stated the Planning Commission will be the Board to make changes to the sign ordinance. He

noted this area was not built for retail space and is a unique situation, however, there are other businesses that are out of the way and it would be nice that people know where the businesses are. It was suggested that a discussion between the Select Board and Planning Commission take place to discuss the way business is changing in Brandon and provide suggestions for changes in the sign ordinance. Devon Fuller asked how the Board could go about changing the name of the circle. Daryl Burlett stated the Board has to be careful in changing road names, as this also changes 911 addresses and people's mailing addresses. Mr. Fuller suggested a name change could be done on the road that would have the least effect on residents and would include only the four businesses. Tracy Wyman noted it is a hard place to find and he sympathizes with their issue. Mr. Bailey suggested if an association was formed, a cluster sign could be used. Anna Scheck stated Act 250 would also be something that has to be dealt with. Bernie Carr stated a good example of a cluster sign is the Blue Seal/Naylor Breen sign, but for these businesses, a cluster sign would need to be out near Route 7 and one at the end of their businesses' road. There is currently a cluster sign that is difficult to see. Mr. Sutton stated it is clear that the ordinance was written when there were not businesses out of town. He stated he does not want to see ugly signs, but the regulation on cluster signs does not make sense and suggested a tweak in the wording would be helpful. Dave Atherton stated filing an application will start the process with zoning and suggested the Suttons and potentially a member of the Select Board go to the next Planning Commission meeting to discuss this item. He stated this is a problem that is affecting the way business is being done in Brandon. This is a unique situation and it seems people are not having a hard time getting from Route 7 to Mulcahy Drive, but rather once they are in the development. Mr. Bailey could see a large sign on Mulcahy Drive for the businesses. Mr. Doty stated more of a directional sign is what is being requested, not an advertising sign. Mr. Doty suggested the Board drive through Park Village and see if the current road signs could be turned or placed differently. Mr. Bailey stated the Board could direct the Town Manager and the Public Works Manager to be sure the signs are in the right place. Dave Atherton stated perhaps there are not enough town signs in the development and additional signs might be a way to get around the sign issue. Mr. Atherton will research some other forms of road signage and will discuss this issue with Mr. Burlett. Ms. Sutton has discussed this issue with the Planning Commission, but it did not help and noted if there could be support for directional signage, it would alleviate the problem with the ordinance. Mr. Atherton suggested it would be helpful to address the possibility of tweaking the ordinance. Mr. Fuller suggested it would be helpful if the owners would be agreeable to attending a Planning Commission meeting to express their concerns with the sign ordinance. Mr. Doty also suggested there could be a discussion with the state on the current sign laws, as things have changed. Ms. Sutton appreciated the Board taking the time to discuss this matter with them. Mr. Bailey stated with the activity in that area, the Town needs to assist people in locating the businesses. Anna Scheck noted the Planning Commission is working on changes in the sign ordinance.

8. Certification of Compliance for Town Road and Bridge Standards and Network Inventory

Dave Atherton stated the Town needs Board approval for this certification as it helps with grant possibilities.

Motion by Seth Hopkins/Devon Fuller to authorize the Town Manager to sign the Certification of Compliance for Town Road and Bridge Standards and Network Inventory. **The motion passed unanimously.**

9. FEMA Projects/Segment 6/Bridge 114/Overflow Culvert

Dave Atherton reported Cobb Hill bids were open and the Town is waiting for approval when work can begin in the river. The title search and title commitments have been done for the Newton Road buyout. The Phase 1 appraisal has been sent to Hazard Mitigation. With regard to Segment 6, there will be hearings with the land owners that did not sign deeds. The Right of Way people will be back in town to meet with businesses that have concerns. All is in place for Bridge 114 and Mr. Atherton had forwarded the scope of services from CLD to the Select Board. Dubois and King have sent designs to Hazard Mitigation and FEMA regarding the overflow culvert. The town can get bid documents together, but will have to wait to send until approval is received. Bernie Carr asked if the project is still planned for fall and Mr. Atherton advised that as long as FEMA comes through with the approval soon, it is hoped that it will be in the fall.

10. Fiscal

a) General Fund Warrant – April 25, 2016 - \$71,265.61

Motion by Devon Fuller/Tracy Wyman to approve the warrants of April 25, 2016 in the amount of \$71,265.61; an amendment to the motion was made by Devon Fuller/Tracy Wyman to change the amount of the warrant to \$71,958.16. **The motion passed unanimously.**

Dave Atherton reported the wastewater and general warrants have been combined.

Doug Bailey questioned the invoices for Shields Construction and Mr. Atherton reported one invoice was for the Sanderson Bridge repair and the other one is for the town hall. Mr. Bailey suggested putting descriptive comments in the report. There was a question concerning six invoices for Champlain Valley Plumbing. Mr. Atherton reported the Town purchases both gas and off-road diesel from this vendor. Seth Hopkins asked about debit card warrants and Mr. Atherton advised there have been purchases for the Rec Department. Mr. Hopkins also noted the total purchase amount of the warrants is larger than the amount paid. Mr. Atherton noted there is an error in the amount paid and should be the larger number. The amount of the invoice for Fay Road plowing was questioned. Mr. Atherton reported this plowing is contracted out to the Town of Goshen.

b) Warrant (Smalley) – April 25, 2016 - \$61,963.00

Motion by Devon Fuller/Tracy Wyman to approve the Smalley warrant of April 25, 2016 in the amount of \$61,963.00. **The motion passed unanimously.**

Dave Atherton stated there will be one more payment to Smalley Construction. He is meeting with them Wednesday afternoon and the final payment will be made after the punch list is completed.

Motion by Seth Hopkins/Tracy Wyman to recess the Select Board meeting at 8:25PM. **The motion passed unanimously.**

Motion by Seth Hopkins/Tracy Wyman to enter into executive session at 8:35PM pursuant to 1VSA SS 313(a)(3) for an appointment or employment or evaluation of a public officer or employee. **The motion passed unanimously.**

11. Executive Session – Pursuant to 1VSA SS 313(a)(3) – Appointment or Employment or Evaluation of a Public Officer or Employee

The Board came out of executive session at 9:13PM.

Motion by Devon Fuller/Ethan Swift to approve a request to roll over 32 hours of unused vacation time from last year for the Town Manager. Time will be used by July 1, 2016. **The motion passed unanimously.**

12. Adjournment

Motion by Devon Fuller/Ethan Swift to adjourn the Select Board meeting at 9:15PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary

Town Manager Report for the weeks of April 25 and May 2, 2016

4/26 Met with State Auditors to review our outstanding grant financials

4/27 Attended a FEMA procurement process training with Public Works Director at the Mendon VTrans office

4/27 Met with Steve Hall from Smalley Construction to review the punch list for the Town Office

The Town Hall furnace has been installed for the main floor.

Spring clean-up and mowing on Town properties has started.

The 1% Option Tax has been approved.

The 14-15 Tax Sale notice will be advertised in the Brandon Reporter for the next three weeks. At this point all payments must be made to the Town Attorney's office.

Segment Six negotiations are coming to a close. We are waiting for approval from VTrans on a handful of deed changes.

Other Items will be discussed in the agenda

David Atherton

From: Debbie Boyce <debbieboyce09@yahoo.com>
Sent: Sunday, May 1, 2016 8:41 PM
To: datherton@townofbrandon.com; Chris Brickell; brandonfdno1@myfairpoint.net
Cc: Susan Stone; Bill Moore; Mary Cliver; neptunesuze@yahoo.com; Marie Bradbury; nicole.lopinto@gmail.com; Bobbie Torstenson; Derrick Cram; Debbie Boyce; Bidcc
Subject: Select board meeting agenda

hello David,

I would like to put the Independence Day Events July 1st and 2nd on the agenda for May 9th.

To be discussed:

Road closure for Street Dance July 1, 2016

5:30 - 11:00pm

cross street between Congregation Church and Main Street Park

Garbage dumpsters are available on the rite aid parking corner with porta potties around town

July 2

BPD marks roads---- They have it under control starting around 5:30 am

cross street between Congregation Church and Main Street Park at 7am

till 4pm

QUESTION regarding a person with training to direct the traffic by the Post Office, Pearl Street intersection during the parade and the end of the parade.

Hunter North man Route 7 intersecting CountryClub Rd. and Rt 73 intersecting countryclub RD.

Park Street extension to be closed to traffic east at 12:30 Only one way traffic heading west entering from Country club road.

High street will have the rescue vehicles entering from RT to Park street. They line up at the fire station.

Ball Race will be over the falls unless water level is to high.

Fireworks at Park Village

We are looking for parking people to do the job the Fire Dept did from 5pm to 11pm. . They will be bringing their large light truck for the closing of the fireworks. Fire Dept. will have a truck and crew on site per fireworks regulations.

**TOWN OF BRANDON, VT
CHURCHILL ROAD OVER NESHOBE RIVER
BRIDGE No. 22
BRIDGE REPLACEMENT**

DRAFT DETAILED SCOPE OF SERVICES

May XX, 2016

A. PROJECT DESCRIPTION

The project involves the replacement of the Churchill Road Bridge (Bridge No. 22) over the Neshobe River in Brandon, VT. After evaluating multiple bridge types during a project study phase, the Town selected a preferred alternative to advance to Contract Plans. Contract Plans and Specifications for the bridge replacement were prepared and approved in 2009, but the project was not constructed. The scope of services includes repackaging the contract documents and environmental permits, as required to meet current standards, and advertising the project for construction.

B. SCOPE OF SERVICES

PROJECT WIDE

Task 1 Project Administration: This task includes general administration of the project, including email and phone communications, as well as preparing monthly progress reports, and routine schedule updates.

Task 2 Project Meetings & Site Visits: MJ will prepare for, attend, and document two (2) general project meetings with Town staff and/or other project stakeholders. This task includes time for MJ staff to travel to the project site and review the existing features.

CONTRACT PLAN REVISIONS

Task 3 Survey Coordination: New survey will be obtained to verify the existing ground surface, as it is anticipated that the original project ground surface, particularly at the stream banks and existing bridge structure, was significantly altered during Tropical Storm Irene. MJ will coordinate with our survey subconsultant to obtain updated data for the development of a revised existing condition plan, and compare it to the pre-Irene survey. MJ will review the revised plan, and immediately notify the Town if it is determined that the previously laid out structure may not be retained as currently detailed.

Task 4 Right of Way Plans: MJ will prepare Right of Way (ROW) worksheets based on electronic right-of-way limits provided by the Town and the revised project limits. Easements and takings, as necessary, will be generally described on the ROW worksheets for the Town's use in securing project rights with affected property owners. ROW worksheets do not require stamping by a Licensed Land Surveyor (LLS).

Task 5 Structural Design Review: MJ will confirm whether the existing abutment and wingwall designs meet current AASHTO and VTrans requirements, and update the primary design elements accordingly. Since the prestressed beam superstructure will be designed by the precast fabricator, notes and design guidelines will be updated to current standards.

**TOWN OF BRANDON, VT
CHURCHILL ROAD OVER NESHOBE RIVER
BRIDGE No. 22
BRIDGE REPLACEMENT**

Task 6 Plan Review: MJ will review of the existing plan set dated March 2009 for conformity with updated calculations, notes, and current standards, as required. This task also includes submission of Final Plans to VTrans for review and subsequent revisions and re-submission, as necessary, based on comments to the Final Plans.

Task 7 Quantities and Estimate: MJ will update the quantities and associated construction estimate consistent with the updated plan set.

Task 8 Specifications: MJ will update the project specifications consistent with the updated plan set.

Task 9 Project Advertising and Bid Services: MJ will generally assist the Town during the project advertisement, as well as tabulate and review the bids, and offer advice for awarding the project, as described in the original Exhibit A – Basic Scope of Services.

ENVIRONMENTAL RESOURCE ID / PERMITTING

Task 10 Identify Resources: Identify existing resources, including the following:

- Wetlands and Ordinary High Water: The delineation was completed over 10 years ago and a new delineation is necessary. MJ will field-delineate wetlands and ordinary high water according to state and federal criteria. Boundaries will be flagged and surveyed with a GPS unit with sub-meter accuracy. Datapoints will be collected to document the delineation and support an assessment of wetland functions and values.
- Important farmland soils will be based on existing soil mapping.
- Stream impairments, hazardous materials sites, and rare species records will be obtained from on-line databases and, if necessary, agency correspondence.
- The project is within the range of federally listed rare bat species, Indiana bat and northern long-eared bat. During wetland delineation fieldwork, the bridge and adjacent trees will be reviewed for potential signs of bat usage or habitat. It is assumed that no formal bat surveys or studies will be needed.
- It is assumed no further review of historic or archeological resources is necessary.

Task 11 NEPA Categorical Exclusion: MJ will develop a Categorical Exclusion that satisfies the requirements of the National Environmental Policy Act (NEPA). The CE will include a cover letter to FHWA, an Environmental Analysis Sheet summarizing resource impacts, location map, environmental constraints map, agency correspondence, historic and archeological studies and clearance letter, public coordination information, site photographs, and plans. Resource impacts will be updated based on plans and existing resource information, but it is assumed that no formal air quality, noise, water quality, rare species, or floodplain impact analyses are needed. It is assumed no Farmland Conversion Impact Rating form and no formal hazardous materials investigations are necessary. It is also assumed that historic and archeological resource issues, which were previously cleared, do not require further work.

**TOWN OF BRANDON, VT
CHURCHILL ROAD OVER NESHOBE RIVER
BRIDGE No. 22
BRIDGE REPLACEMENT**

Task 12 Stream Alteration Permit: A Stream Alteration Permit was previously obtained for the project, but expired in 2009. Stream Alteration Rules were revised and reissued in 2013, after the original permit was obtained. Recent correspondence with the regional River Management Engineer indicates that certain plan changes are necessary to meet the newer requirements. It is assumed the effort to obtain a new or amended permit will be less than that required for a new permit application.

Task 13 State Wetland Permit: The river channel has changed since the previous delineation and it is not known whether jurisdictional wetlands will be present. At this time it is assumed no Vermont Class II wetlands will be impacted and no state wetland permit needed.

Task 14 Army Corps Section 404 Permit: Impacts to the river and any adjacent wetlands will necessitate a Section 404 permit, which will likely qualify for the General Permit (GP). The project previously was classified and approved as a Category 2 project under the GP, although the GP was revised and reissued since that time. MJ will coordinate with the Army Corps Vermont office to determine whether the project is a Category 1 (Self-Verification) or Category 2 (formal application and approval required) project under the GP. Because the bridge spans less than the bankfull width, it appears that the project will fall under Category 2 and an application will be required. MJ will prepare the application form and supplementary narrative and submit it with project plans.

It is assumed Act 250 and the Vermont Stormwater Discharge Permit will not be required for a project of this type. It is also assumed that the recently implemented Flood Hazard and River Corridor Protection program will not require any additional effort for this project.

C. SCOPE ASSUMPTIONS

The following additional scope assumptions are provided to clarify the work proposed under this assignment.

1. The details provided on the Contract Plans dated March 2009 can be retained for construction, including, but not limited to, the current abutment and wingwall geometry, design, and reinforcement layout, as well as the voided slab superstructure. If the plans cannot be re-used and a new structure design is required this scope is not valid.
2. Current approach and channel limits within the existing right-of-way will be generally retained.
3. The graphical and electronic format of the current CADD files is acceptable and will not require revisions to any current standard.
4. VTrans will provide one review of a final plans submission. Plans will be updated accordingly and submitted for final review and acceptance.
5. The Town of Brandon will provide surveyed boundary within project limits in an electronic format suitable for upload into project plans.
6. The Town of Brandon will be responsible for negotiating any easements or takings with abutting property owners.

**TOWN OF BRANDON, VT
CHURCHILL ROAD OVER NESHOBIE RIVER
BRIDGE No. 22
BRIDGE REPLACEMENT**

7. No additional hydraulic evaluation or analysis will be performed.
8. Original Construction tasks are no longer included in this contract.

MOUNT PLEASANT ACRES, INC.

BRANDON, VERMONT 05733
P. O. BOX 157
(802) 247-6633

3 May, 2016

Mr. David Atherton, Twn Mgr.
Brandon Board of Selectmen
Brandon, VT 05733

SUBJ: Request for road and sewer take-over for maintenance


I hereby request that Brandon assume ownership and maintenance responsibilities for the section of road and sewer line as indicated on the accompanying map. For the purpose of clarification, a drawing is attached depicting the road and utility area as well as easement areas for sewer and drainage system lines. I will furnish you with a mylar depicting a metes and bounds survey of all areas to be conveyed.. I also request that Brandon take over the maintenance and ownership of the drainage system to include the piping, catch basins and pond. This system also incorporates future house footing drains however there will be language in all deeds exempting the Town from any liability for the function of those systems. All utilities have services extended from the respective main lines to each lot terminating out of the Town right of way.

Mt. Pleasant Acres, Inc. acquired title to the land by warranty deed which is recorded as follows:

BK 109 / Page 42

A fact sheet is attached to familiarize you with some of the history pertaining to this request.

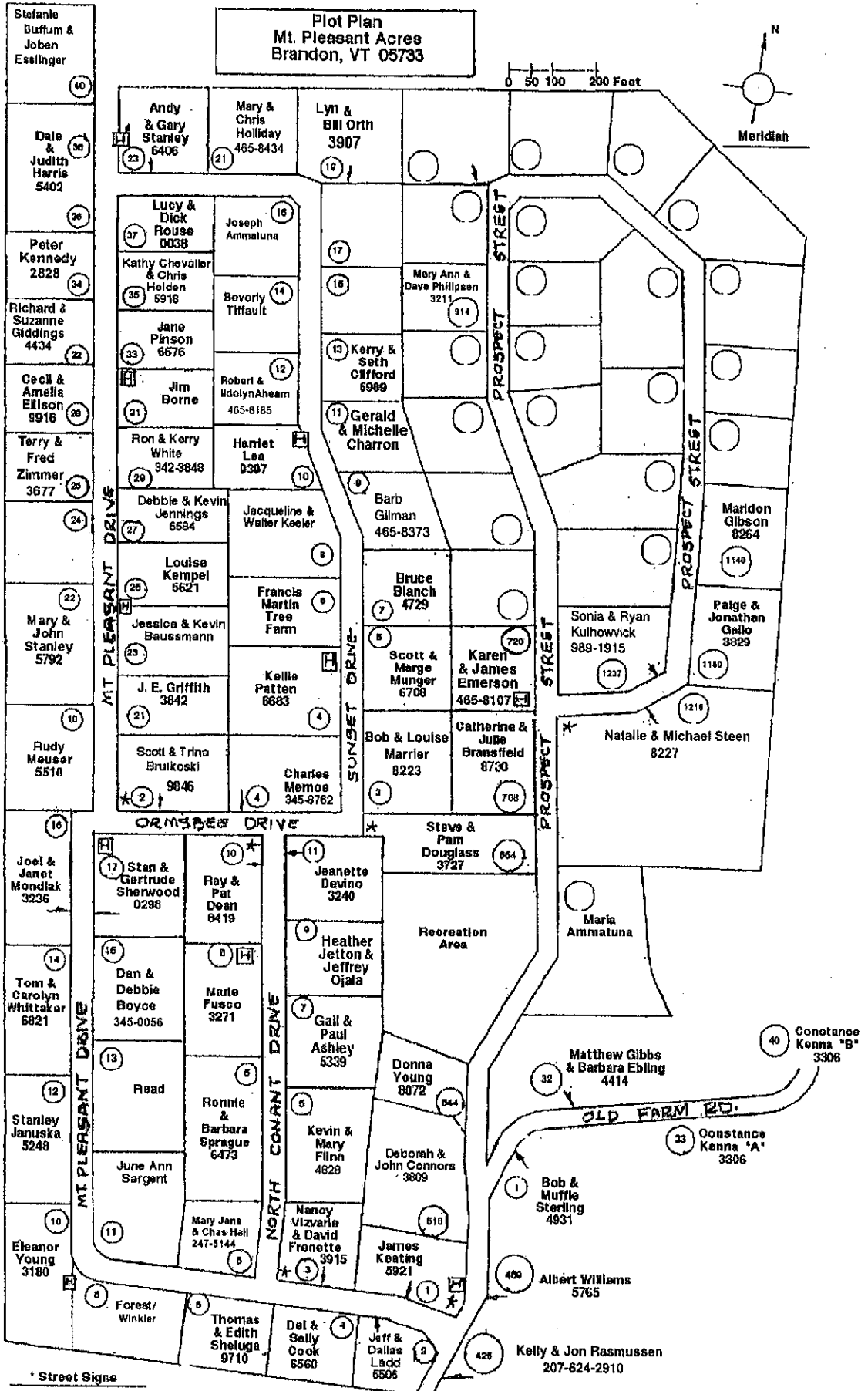
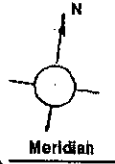
Sincerely,



Tom S. Whittaker
President

**Plot Plan
Mt. Pleasant Acres
Brandon, VT 05733**

0 50 100 200 Feet



* Street Signs

(10) Fire Hydrants (10) Please NOTE: 4 digit phone #s all start with 247-

Revised 10/12/14

FACTS and COMMENTS REF MOUNT PLEASANT ACRES ROAD TURNOVER REQUEST

There are 65 homes in Mount Pleasant Acres presently.

There are 21 vacant lots developed and 1 house nearing completion.

Sections of road most recently turned over in 1994 (120/378) and 2006 (185/170-172)

I requested the road be accepted in 2009. denied because there were no houses built.

Oct 2013 - I requested acceptance by the Town. Site visit in November by Devon, Ethan, Town Mgr Robin, Also present Dave Markowski and Nicole Kesselring, (Engineer). Nothing occurred until approximately Spring of 2015 when I discussed with Doug Bailey and Public Utilities Superintendent Daryl Burlett. Daryl looked at the road and explained what was required for the Town to be able to accept the road. Since that time 3 - 15" culverts have been replaced with 18" culverts in order to comply with state "Standards". The road has had additional gravel added and been properly graded and rolled.

Length of road is a little over .3 mile long. Constructed in 2007 and 2008 to comply with A-76 standards. Designed by Enman Engineering and Constructed by Markowski Excavating.

Considerable effort and expense were employed to manage storm water and drainage.

The existing houses generate annual tax revenue in the range of \$290,000.

Sewer capacity fees (impact fees) average \$1400 per house since initiated. Approx. \$30,000.

Future tax revenue potential approx \$88,000 annually. Mt Pleasant Acres, Inc currently pays \$7896 in taxes annually.

As far as I am aware there has never been any issues with the quality of the roads in Mount Pleasant Acres and this section was constructed to a higher standard than those previously accepted.

BICYCLE ORDINANCE

SECTION 1. REGISTRATION OF BICYCLES

- a. The Chief of Police, or such member of his Department as he may appoint, is hereby designated as the person to whom all applications for registration are to be made.
- b. No bicycle shall be registered unless it is in good mechanical condition and equipped with an adequate braking device, and a bell or other warning signal, audible for a distance of one hundred feet.
- c. No bicycle shall be registered unless it shall permanently cut, impressed or embossed on some portion thereof, a factory serial number of identification number or markings.
- d. Any person who shall have in his or her possession any bicycle from which such serial number or mark shall have been removed, defaced, obliterated or changed, shall forthwith file with the Chief of Police a sworn statement describing such bicycle, showing the source of the title, and if known, the reason for such removal, defacement, obliteration or change.
- e. If satisfied as to the facts, the Chief of Police may grant permission to cut, impress or emboss permanently on to the bicycle, a serial number or special identification number or mark which shall thereafter be deemed sufficient for the purpose of registration only.
- f. It shall be unlawful for any reason to remove, deface, change or cause to be removed, obliterated, defaced or changed, any factory serial number or mark on or from any bicycle that is not their rightful property.

SECTION 2. REGISTRATION FEES

- a. The fee for registration of a bicycle shall be fixed at 50 cents to be paid at the time of registration.
- b. The hours for registration of all bicycles shall be from eight in the morning until four in the afternoon (8:00 a.m. - 4:00 p.m.)

**TOWN OF BRANDON
BICYCLE ORDINANCE**

- c. All bicycles will be viewed by an officer for registration. No bicycles will be registered from supplied information without this viewing.

SECTION 3. IT SHALL BE UNLAWFUL

- a. For any person to operate a bicycle on any way within the limits of the Town of Brandon during the period from one-half hour after sunset to one-half hour before sunrise unless said bicycle shall be equipped with a lamp on the front exhibiting a white light visible from a distance of a least five hundred (500) feet to the front and with a red reflector on the rear.
- b. To operate a bicycle on the sidewalks in the area of the following locations: from the Brandon Inn to the Town Office on both sides of the road. Where a bicycle is allowed to be operated on a sidewalk, pedestrians shall have the right-of-way.
- c. For more than one person to ride on a bicycle unless it be a tandem equipped bike with two sets of handlebars and two sprockets, and two seats.
- d. To operate a bicycle belonging to another, without the consent of the owner of said bicycle.
- e. To attach a bicycle while the same is being operated in any manner to any motor vehicle upon the highway.
- f. To violate any of the traffic ordinances and regulations of said Town of Brandon that may be applicable to bicycles.

SECTION 4. PARENTAL RESPONSIBILITY

- a. The parents of a child under sixteen years of age and the guardian of a ward under sixteen, shall not permit any such child or ward to violate any of the provisions of the bicycle ordinance.

**TOWN OF BRANDON
BICYCLE ORDINANCE**

SECTION 5. BICYCLE PATROLS

The Chief of Police may make recommendations to the Town Manager for approval by the Board of Selectmen for further rules and/or regulations in regard to bicycles as he or she may deem necessary for the safety of the public. He or she shall have the authority to establish bicycle patrols in the various schools within the Town of Brandon.

SECTION 6. SCHEDULE OF FINES

Any person violating any provisions of this ordinance shall be fined not more than twenty-five nor less than five dollars, using the State of Vermont fine schedule as applicable.

SECTION 7. SEPARATION OF ORDINANCE

If any provisions of this ordinance of the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application and to this end the provisions of this ordinance are declared separable.

SECTION 8. AUTHORITY FOR ORDINANCE

Any and all ordinances heretofore adopted by the Selectmen or Selectpersons of the Town of Brandon, relating to Bicycles or the operation thereof are hereby repealed.

SECTION 9. RECOGNITION OF STATE STATUTES

Any and all State Laws relating to the safe operation and/or specifically relating to bicycles within the State of Vermont shall be applicable at all times

*Adopted by Selectman
3/26/84
effective 3/25/84
Rec. BK of P. 22
filed 3/27/84*

NAME Postage
DATE 4-20-16
INVOICE# Req. #16-4
VENDOR# _____
AMOUNT \$2,000.
FISCAL YEAR 15-16
ORG/OBJ 10510/30132

Funds added to the postage machine via telephone line. Entry only Board signature required.

	DR	CR
10100/01110		2000.00
10510/30132	1500.00	
20555/30132	500.00	

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
200263	ALDRICH & ELLIOTT, PC 76229	Cobb Hill Engineering	5052.12	0.00	5052.12	41946	05/09/16
100015	ALLEN ENGINEERING & CHEMICAL C 11150722301	chlorine	567.60	0.00	567.60	41947	05/09/16
310573	AMAZON.COM INC 1997031	bat, bat caddy, rolodex	78.86	0.00	78.86	50516	05/05/16
300541	ASSOCIATION FOR RETARDED CITIZ MAY 2016	APPROPRIATION	875.00	0.00	875.00	41948	05/09/16
330468	ATHERTON, DAVID J 4/21/16	Meeting in Waterbury	81.00	0.00	81.00	41949	05/09/16
100598	AUBUCHON HARDWARE 461057	WIND WASH,TAPE,CABLE	41.83	0.00	41.83	41950	05/09/16
100598	AUBUCHON HARDWARE 461090/102	WASTE BASKET/HANGERS	15.98	0.00	15.98	41951	05/09/16
100598	AUBUCHON HARDWARE 461176		23.85	0.00	23.85	41952	05/09/16
310527	AUDET, NICHOLAS C-298	Refund of damage deposit	250.00	0.00	250.00	41953	05/09/16
310531	B-B CHAIN INC 7101	hard hats	39.00	0.00	39.00	41954	05/09/16
310531	B-B CHAIN INC 7121	shackles, straps, gloves	205.00	0.00	205.00	41954	05/09/16
100655	BLSG INSECT CONTROL DISTRICT MAY 2016	appropriation	7375.00	0.00	7375.00	41955	05/09/16
100190	BLUE SEAL FEEDS 329-1036	trash bags	44.95	0.00	44.95	41956	05/09/16
100190	BLUE SEAL FEEDS 329-2501	trash bags	49.94	0.00	49.94	41956	05/09/16
310095	BOYS & GIRLS CLUB OF BRANDON MAY 2016	APPROPRIATION	2500.00	0.00	2500.00	41957	05/09/16
100245	BRANDON AREA CHAMBER OF COMMER MAY 2016	appropriation	250.00	0.00	250.00	41958	05/09/16
100305	BRANDON AREA RESCUE SQUAD MAY 2016	APPROPRIATION	5183.74	0.00	5183.74	41959	05/09/16
100275	BRANDON FREE PUBLIC LIBRARY MAY 2016	APPROPRIATION	7125.00	0.00	7125.00	41960	05/09/16
100625	BRANDON INDEPENDENCE DAY CELEB MAY 2016	APPROPRIATION	1500.00	0.00	1500.00	41961	05/09/16
100280	BRANDON LUMBER & MILLWORK CO. 503036/3	washers , screws	4.09	0.00	4.09	41962	05/09/16
100280	BRANDON LUMBER & MILLWORK CO. 503705/3	tie-down ratchet	43.98	0.00	43.98	41962	05/09/16
100280	BRANDON LUMBER & MILLWORK CO. 504032/3	PVC	25.32	0.00	25.32	41962	05/09/16
100280	BRANDON LUMBER & MILLWORK CO. 504282/3	cement - fountain repair	53.16	0.00	53.16	41962	05/09/16
100280	BRANDON LUMBER & MILLWORK CO. K04309/3	silicone	24.95	0.00	24.95	41962	05/09/16
100310	BRANDON SENIOR CITIZENS CENTER MAY 2016	appropriation	1125.00	0.00	1125.00	41963	05/09/16
310449	BSN SPORTS 97858311	BASEBALL EQUIPMENT	1709.91	0.00	1709.91	41964	05/09/16
310390	BTS, INC 11627	Install phones new offic	455.00	0.00	455.00	41965	05/09/16
310501	BURLETT, DARYL MAY2016	mileage UVM meeting	69.12	0.00	69.12	41966	05/09/16
301503	CHAMPLAIN VALLEY PLUMBING 918298	diesel fuel	362.50	0.00	362.50	41967	05/09/16
310387	CHART POOL USA INC 1215908-01	flow charts	137.66	0.00	137.66	41968	05/09/16
310097	COMCAST TH 4/10/16	th phone/int april	145.14	0.00	145.14	41969	05/09/16
310097	COMCAST WW 4/21/16	ww phone april	118.63	0.00	118.63	41970	05/09/16
310177	COTT SYSTEMS, INC. 109164	MAY HOST FEE	227.00	0.00	227.00	41971	05/09/16
330426	CVC PAGING 10319839	ww and hw pagers	23.90	0.00	23.90	41972	05/09/16
100494	ENDYNE INC 199467	testing	22.00	0.00	22.00	41973	05/09/16
100494	ENDYNE INC 200380	testing	68.00	0.00	68.00	41973	05/09/16
300492	FASTENAL COMPANY VTRUTS1752	windshield cleaner	32.18	0.00	32.18	41974	05/09/16
330422	FERGUSON WATERWORKS #590 0400953	PVC coups & clamps	229.02	0.00	229.02	41975	05/09/16
330422	FERGUSON WATERWORKS #590 0401600	couplings and pipe	469.90	0.00	469.90	41975	05/09/16
100615	FISHER SCIENTIFIC COMPANY LLC 2928890	buffers, filter pads	113.58	0.00	113.58	41976	05/09/16
100925	FOLEY SERVICES INC 1019032	uniforms	44.83	0.00	44.83	41977	05/09/16
100925	FOLEY SERVICES INC 1020318	uniforms	20.64	0.00	20.64	41977	05/09/16
100925	FOLEY SERVICES INC 1020320	uniforms	47.58	0.00	47.58	41977	05/09/16
100925	FOLEY SERVICES INC 1021608	uniforms	20.64	0.00	20.64	41977	05/09/16
310445	FOXCROFT FARM HARVEST PROGRAM MAY 2016	appropriation	3750.00	0.00	3750.00	41978	05/09/16
310288	G.H. BERLIN WINDWARD 5705600	engine oil	80.90	0.00	80.90	41979	05/09/16
100725	GREEN MOUNTAIN GARAGE 085592	tire repair kit	7.92	0.00	7.92	41980	05/09/16
100725	GREEN MOUNTAIN GARAGE 086132	diesel exhaust fluid	12.84	0.00	12.84	41980	05/09/16
100215	HADEKA STONE CORP. 24671	BASEBALL DIRT	2340.00	0.00	2340.00	41981	05/09/16
300600	HOLLAND COMPANY INC 103358	sodium aluminate	5037.50	0.00	5037.50	41982	05/09/16

TOWN OF BRANDON Accounts Payable
Check Warrant Report # 61646 Current Prior Next FY Invoices
All Invoices For Check Acct 01(10 General Fund) 05/09/2016 To 05/09/2016

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
100792	HULBERT SUPPLY CO INC	81771671.001 threaded nipple	2.93	0.00	2.93	41983	05/09/16
100026	INTERNATIONAL ASSOCIATION OF	256215 IACP Conference	350.00	0.00	350.00	50916	05/09/16
310587	KILPECK, ROBERT	APR2016 mileage reimb / trucking	184.68	0.00	184.68	41984	05/09/16
310259	KOFILE PRESERVATION INC	215146 land records binder#231	190.69	0.00	190.69	41985	05/09/16
310406	LINSTAR	74323 ID cards	12.80	0.00	12.80	41986	05/09/16
310564	MAGEE OFFICE PRODUCTS	868078 legal paper/storage boxe	253.65	0.00	253.65	41987	05/09/16
310564	MAGEE OFFICE PRODUCTS	869448 paper, trash bags, tacks	149.25	0.00	149.25	41967	05/09/16
310586	MARTIN, DAVID J	C-305 refund sewer tap deposit	250.00	0.00	250.00	41988	05/09/16
310238	MCDONOUGH, HEATHER	MAY2016 PiYo	122.40	0.00	122.40	41989	05/09/16
310389	MOBILE MINI, INC	157908 last days of use	34.98	0.00	34.98	41990	05/09/16
100149	MODERN CLEANERS & TAILORS, INC	APR2016 uniform maint	34.00	0.00	34.00	41991	05/09/16
100788	NEW ENGLAND MUNICIPAL RESOURCE	36632 MAY ASSESSMENT	1416.66	0.00	1416.66	41992	05/09/16
310588	OKEMO MOUNTAIN RESORT	DC 5/3/16 2016 VTCMA SPRING CONF	150.80	0.00	150.80	50316	05/03/16
100261	PETTY CASH - POLICE DEPT	MAY 2016 postage & batteries	42.64	0.00	42.64	41993	05/09/16
310494	PRORIDER INC	69065 BIKE HELMETS	620.00	0.00	620.00	41994	05/09/16
100430	REYNOLDS & SON INC	3274838 rake for gravel	54.99	0.00	54.99	41995	05/09/16
100743	RON'S PLUMBING & HEATING INC	9856 service call	101.92	0.00	101.92	41996	05/09/16
200179	ROOTX	44822 root killer	469.00	0.00	469.00	41997	05/09/16
100485	RUTLAND AREA VISITING NURSE AS	MAY 2016 appropriation	2550.00	0.00	2550.00	41998	05/09/16
300375	RUTLAND CITY	16224SLUDG March sludge processing	4095.00	0.00	4095.00	41999	05/09/16
100492	RUTLAND MENTAL HEALTH SERVICES	MAY 2016 appropriation	1656.00	0.00	1656.00	42000	05/09/16
100714	SCHECK, ANNA	05-16 Mileage expense	30.00	0.00	30.00	42001	05/09/16
310099	STEPHEN A DOUGLAS BIRTHPLACE	MAY 2016 appropriation	625.00	0.00	625.00	42002	05/09/16
100617	TEDDY TIRE SALES & SERVICE, INC	39041 repair of tractor tire	200.00	0.00	200.00	42003	05/09/16
300652	UNIVERSITY PRODUCTS, INC.	1239636-00 VITAL BOOKS AND SLEEVES	283.79	0.00	283.79	42004	05/09/16
330348	VERIZON WIRELESS	9764216008 PD Mar 23 - Apr 22	240.08	0.00	240.08	42005	05/09/16
300024	VERMONT DIGITAL	41316TJ MULTIPLE ISSUES	345.00	0.00	345.00	42006	05/09/16
300024	VERMONT DIGITAL	4187V sues monitor etc/cr mach	569.00	0.00	569.00	42006	05/09/16
300024	VERMONT DIGITAL	4257TJ COTTS ISSUE	133.75	0.00	133.75	42006	05/09/16
300024	VERMONT DIGITAL	4262TJ public laptop	95.00	0.00	95.00	42006	05/09/16
300194	VERMONT POLICE ACADEMY	160411672 VACOP meeting	10.50	0.00	10.50	42007	05/09/16
100454	VERMONT SPECIAL OLYMPICS	10533 T-shirts	640.00	0.00	640.00	42008	05/09/16
100317	VERMONT STATE TREASUER-DOG LIC	MAY 2016 LICENSES JAN-APR	2106.00	0.00	2106.00	42009	05/09/16
310555	VERMONT WINDOW RESTORATION	109 Town Hall window repair	7327.50	0.00	7327.50	42010	05/09/16
100067	VLCT	17417 5/10 prop tax workshop	300.00	0.00	300.00	42011	05/09/16
100648	VTCMA	MAY 2016 2016 Spring Conference	95.00	0.00	95.00	42012	05/09/16
100577	WILK PAVING, INC	WW16-205 cold patch	667.80	0.00	667.80	42013	05/09/16

05/06/2016
12:09 pm

TOWN OF BRANDON Accounts Payable
Check Warrant Report # 61646 Current Prior Next FY Invoices
All Invoices For Check Acct 01(10 General Fund) 05/09/2016 To 05/09/2016

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
Report Total			74,492.57	0.00	74,492.57		

Selectboard

To the Treasurer of TOWN OF BRANDON, We Heraby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ ****74,492.57
Let this be your order for the payments of these amounts.
