

## **Brandon Select Board Meeting June 12, 2017**

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

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

**Others In Attendance:** Dave Atherton, Bernie Carr, Richard Baker, Arlen Bloodworth, Steve Bisette, Ray Jobst, Chris Brickell, Lee Kahrs, Dick Kirby, Bill Moore, Steve Cijka, Anna Scheck

### **1. Call to order**

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

**a) Agenda Adoption – Motion** by Devon Fuller/Brian Coolidge to adopt the agenda. **The motion passed unanimously.**

Addition of Executive Session Pursuant to 1V.S.A. 313(a)(3) – The Appointment or Employment or Evaluation of a Public Officer or Employee

Addition of second Executive Session Pursuant to 1V.S.A. 313(a)(3) – The Appointment or Employment or Evaluation of a Public Officer or Employee

### **2. Approval of Minutes**

**a) May 22, 2017 – Select Board Meeting Minutes**

**Motion** by Devon Fuller/Brian Coolidge to approve the Select Board minutes of May 22, 2017. **The motion passed – Devon Fuller abstained.**

### **3. Town Manager’s Report**

Dave Atherton reported a brochure should be complete by the end of the month that will be sent to all residents and businesses with an overview and timeline of the Segment 6 project. The first meeting with the engineers will be on Wednesday to obtain a construction status. The final construction meeting for the overflow culvert was held on June 7<sup>th</sup>. Markowski has a few punch list items to address. The fence for the headwall should be installed soon. The bat study for Bridge 114 started June 6<sup>th</sup> and a night observation will be conducted on June 12<sup>th</sup>. The 4F historical review was completed. VTrans has approved the temporary easements and waiver valuations for the Churchill Road Bridge project. Negotiation meetings will be scheduled for next week with the two property owners. The Town has signed an MOU with the U.S. Forest Service for their “in kind” engineering services for the bridge construction. The Champlain

Street Sewer Line project started last week and the line that comes from the Park Village area has been sleeved. The roadside mowing started last week and road grading continues.

Devon Fuller confirmed the contracts for Segment 6 are all signed and the Town is only waiting for the permanent schedule that is hoped to be obtained on Friday. Mr. Fuller also requested clarification of the Forest Service's in-kind engineering. Dave Atherton stated they will be doing the engineering on the bridge and the Town will not incur any cost for this item. Mr. Atherton noted the Forest Service has been very good to work with. On the overflow culvert, Doug Bailey thanked Markowski for their professional manner and timeliness in completing the overflow culvert project. He noted the communication with the merchants was very good. Mr. Bailey asked if the digging will be going down Pearl Street. Mr. Atherton advised that is part of the water line project.

Steve Bissette asked how it is determined where the roadside mowing is done because one side of Union Street was mowed but not the other and Barlow Avenue was also not mowed at the time they were doing Union Street. Dave Atherton stated he directs the crew as to where to do the mowing. Doug Bailey advised the mowing signs were still up when he came to the meeting this evening at the end of McConnell Road. Mr. Atherton stated the areas planned for this week are McConnell Road and Country Club Road.

Bill Moore thanked the Brandon community for its participation in the first Brandon Carnival. Mr. Moore thanked the following sponsors: Gold Level – Xfinity, Rutland Regional Medical Center, Same Sun, J & M Woodworking; Silver Level – Celebration Rentals, Naylor & Breen, Mae's Place, National Bank of Middlebury, Denton & Son Waste Services, Wyman's Event Center; Bronze Level – Heritage Family Credit Union, Brandon/Auto/Brandon RV, Brandon Motor Lodge; and Friends of the Carnival – Mike Russell, Bill Mills, Cummings & Son Landclearing.

Mr. Moore stated it was amazing to get a large event together in such a short time and he noted Colleen Wright was the major contributor in making this a successful event. Mr. Moore also wished to thank Colleen Wright, Bill Mills, John Capen and Patty Moore for all their help with the event. The Public Works Crew and many of the Town staff also provided assistance. Markowski had also donated two generators to assure safety in the parking area. Mr. Moore stated it was a free event for families and he thanked the community for supporting the event. Mr. Moore reported there is a net profit for the Brandon Area Toy Project and the Brandon Recreation Department. Mr. Hopkins also thanked Mr. Moore for organizing such a great event.

Dick Kirby stated it was a great carnival that was well run and the grounds were very clean. He noted it had something for everyone.

Devon Fuller wished to thank Bill Moore and Colleen Wright for their organization of this event and to all who worked to make the event a success. He also noted it was an excellent opportunity for the Brandon Chamber and Brandon Downtown Alliance to promote the Segment 6 project.

Doug Bailey stated it was a well-attended, good event and he hoped that the Rec Department can continue to get the volunteers to continue to event. Mr. Moore advised the Carnival will be held June 7<sup>th</sup> through the 10<sup>th</sup> next year.

#### **4. Zoning Administrator's Report**

Anna Scheck stated there were nine permits for the month of May. There was one appeal to a decision she made and a hearing was held; she is waiting results on that item. With regard to Rental and Health Codes, the revenues are \$9,750.00 and the estimated amount to be received was only \$6,000.00. Next year the amount to be received will be \$10,000.00. With the exception of five places, there will be good compliance. Ms. Scheck has received a complaint concerning a dog bite and that has been resolved. Ms. Scheck provided the Board budget information for her department. Currently the department is \$10,000.00 under budget for expenses and revenues are up due to changes in the fees. At the next meeting, Ms. Scheck will provide the Board information on hazard mitigation as this has to be updated. It is important that this be done as it keeps FEMA assistance upgraded. Ms. Scheck currently does not have all the information on this item. Devon Fuller questioned if there are regulations regarding junk issues. Anna Scheck stated there is a description of junk in the land use ordinance. She stated there is one issue on Newton Road that the occupant is working on. Ms. Scheck reported the Planning Commission will be having a special meeting on June 19<sup>th</sup> in the conference room of the Town Office that will be a training session to discuss the energy changes that the state will be requiring. Doug Bailey asked about the two properties on Maple Street and Walnut Street; Ms. Scheck noted the property on Walnut Street is a legal issue and out of her hands. She is hoping to obtain a real estate contact for the Maple Street property and she will send a letter to City Financial to advise that there are issues with the property that they will need attention. Dave Atherton advised that the Zoning Administrator has the authority to condemn only in the case of a disaster and the property on Maple Street is in foreclosure. Mr. Atherton spoke with a court clerk regarding the Walnut Street property and was advised the insurance company paid someone to clean the property, however it was never done. The Town does not want to take the property until everything is gone and the Town is waiting to see what is going to be done with regard to the contractor that was paid to do the job. Ms. Scheck stated her understanding is that she cannot condemn a property unless it is a disaster and it is not within the state's authority to condemn a property. This is an empty house and is not a health hazard to anyone. Seth Hopkins stated neighbors are considering it a problem. Bernie Carr asked if this would be considered an attractive nuisance. Ms. Scheck advised this does not fall under the zoning and one would have to have a separate ordinance for that. Ms. Scheck stated as long as the property owners are paying taxes, the Town has no recourse. Ray Jobst asked if this is a legal contractor or just a friend. Mr. Atherton stated the person that was hired did not do the job and it is the bank or insurance company that have to take recourse.

#### **5. Comments for Items Not on the Agenda**

Devon Fuller attended a Downtown and Historic Preservation conference in White River Junction. Mr. Fuller stated there was information on how to make zoning easier for people to start new businesses. Mr. Fuller stated it was an excellent conference and he hopes to sit down

with the other individuals from Brandon who attended the conference to discuss the information that was received during the various seminars that were held.

Seth Hopkins reported the Select Board and Town Manager received a letter from Helen Claridge from Brandon, Manitoba regarding the Select Board's proclamation of Helen Claridge Day in honor of her 100<sup>th</sup> birthday. The letter talked about where she lived in Brandon, Vermont and it was a very good summary of her memories of Brandon. There was also a letter from her family thanking the Town for their gesture.

Mr. Hopkins reported a letter was received for the High Street residents from Jack and Judith Schneider that included information on construction of a landscape center median down Park Street when reconstructing the street to comply with the new storm water management regulations. Dave Atherton stated this item has been previously discussed. Devon Fuller stated unless it was made a one-way street, there would need to be a separation for all driveways. Seth Hopkins noted there could possibly be one or two cutouts along the street. Mr. Hopkins stated Mr. Atherton and Mr. Burlett will be reviewing Park Street regarding the new storm water requirements. There are many options that could work, but a street with 50 feet of asphalt cannot continue. Mr. Atherton stated this project will get done, but the Town wants to do it right; noting it will likely get a lot worse before it gets better, but the Town wants to get it done.

Bill Moore also wished to thank Steve Cijka, Devon Fuller and Dave Atherton for their help with the Brandon Carnival.

Richard Baker noted the letters have been installed on the Estabrook Park sign.

Bernie Carr asked of White River Junction had form-based zoning. Devon Fuller advised there was discussion of form-based zoning, but that was not the type of zoning that White River Junction has.

Chris Brickell noted should the OV Baseball Team win the State Championship; there could be loud festivities late this evening through town.

## **6. Municipal Roads Grants-in-Aid Pilot Project**

Dave Atherton reported there is \$2.5 million in best management practices funds that the Rutland Regional Planning Commission (RRPC) is looking to give to municipalities for hydrologically connected roads. It is free money, as the Town can do its match "in-kind". The Town will have to comply with new state standards by 2020. Last year similar grant money was received for the Birch Hill drainage. The funds would be used to work on ditches and drainage for the roads. The RRPC is requesting approval of the project from the Town's legislative body. Mr. Atherton reported the Town has 30 to 35 miles of connected road miles that would be recipients of this project. Seth Hopkins noted of the 27 towns, Brandon is #4 as far as connected road miles and the Town has many roads with drainage issues according to their inventory.

**Motion** by Devon Fuller/Brian Coolidge to approve the Municipal Roads Grants-in-Aid Pilot Project. **The motion passed unanimously.**

## 7. Fiscal

### *a) General Fund Warrant – June 12, 2017 - \$118,022.70*

**Motion** by Brian Coolidge/Devon Fuller to approve the warrants of June 12, 2017 in the amount of \$118,022.70. **The motion passed unanimously.**

Dave Atherton advised that Brandon GLC Solar had not invoiced the Town for two months, which was the reason for three billings under this warrant. Doug Bailey requested the Town Manager provide information to the Board concerning the credits received from the solar project to confirm the savings to the Town. Mr. Atherton stated it is saving the Town money, noting that in the Wastewater Department, with the installation of the heaters and the solar, the cost is down 45% of the estimated expenses for heat and electricity. Seth Hopkins asked if the benefit of the solar is going to wastewater only. Mr. Atherton stated the Town purchases 15% of the solar array output and it covers all of the electric bills except the streetlights. The credits are covering everything that the Town owns which is saving on the overall operating costs. Devon Fuller noted the Town originally started the project to save on wastewater costs, but now everyone in the Town is benefiting from it. Mr. Atherton reiterated the Town is saving money on all the bills as the energy credits are being spread out over all energy costs.

Doug Bailey suggested having the vendors listed on the warrant report relating to the credit card charges. Dave Atherton stated the information is available and he can provide the information on any questions the Select Board has for specific charges, however, to include the entire billing would not be cost effective. Devon Fuller noted he requests clarification from the Town Manager if he feels that an invoice is out of proportion.

### *b. Route 7 Construction Warrant – June 12, 2017 - \$47,954.60*

**Motion** by Devon Fuller/Brian Coolidge to approve the Route 7 Construction warrant of June 12, 2017 in the amount of \$47,954.60. **The motion passed unanimously.**

Dave Atherton reported the Town is only responsible for 5% of the warrant.

The Board recessed at 7:48PM to convene as the Board of Sewer Commissioners.

The Board reconvened at 8:07PM.

**Motion** by Devon Fuller/Doug Bailey to enter into executive session at 8:08PM pursuant to 1VSA 313(a)(3) regarding the appointment or employment or evaluation of a public officer or employee with Dave Atherton and Anna Scheck in attendance. **The motion passed unanimously.**

## **8. Executive Session Pursuant to 1V.S.A. 313(a)(3) – The Appointment or Employment or Evaluation of a Public Officer or Employee**

The Board came out of Executive Session at 8:10PM.

**Motion** by Devon Fuller/Doug Bailey to approve the rollover of Anna Scheck's remaining vacation time for FY2017 into FY2018. **The motion passed unanimously.**

**Motion** by Devon Fuller/Brian Coolidge to enter into executive session at 8:23PM pursuant to 1VSA 313(a)(3) regarding the appointment or employment or evaluation of a public officer or employee. **The motion passed unanimously.**

**9. Executive Session Pursuant to 1V.S.A. 313(a)(3) – The Appointment or Employment or Evaluation of a Public Officer or Employee**

The Board came out of Executive Session at 8:39PM. There were no actions required.

**9. Adjournment**

**Motion** by Devon Fuller/Brian Coolidge to adjourn the Select Board meeting at 8:40PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary