

## **Brandon Select Board Meeting May 14, 2018**

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

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

**Others In Attendance:** Dave Atherton, Richard Baker, Lee Kahrs, Stephanie Jerome, Bernie Carr, Michael Shank, Chris Brickell

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

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

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

Addition of two Executive Sessions - Appointment or employment or evaluation of a public officer or employee under the provisions of Title 1, Section 313(3)(a)(3) with the first executive session to include the Police Chief and Town Manager

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

**a) Approval of Minutes – April 23, 2018 - Select Board Meeting**

**Motion** by Brian Coolidge/Devon Fuller to approve the April 23, 2018 Select Board Meeting minutes, as amended. **The motion passed unanimously.**

Addition of time meeting called to order at 7:00PM.

**b) Approval of Minutes – May 2, 2018 Special Select Board Meeting**

**Motion** by Tracy Wyman/Brian Coolidge to approve the May 2, 2018 Special Select Board Meeting minutes. **The motion passed with one abstention – Devon Fuller.**

### **3. Town Manager's Report**

Dave Atherton reported he received a letter from the State of Vermont advising there is an open position for a Vermont Municipal Retirees Board rep. Mr. Atherton also received a letter from Conti Solar advising they have sent a request to the Public Utility Board to try to change their site. Mr. Atherton read the following paragraph from Conti Solar's letter: "We therefore ask the Board to allow us for a specific exception to their site relocation standard and permit us to relocate the Project to a new site that will be received more favorably by the local

community. We also ask the Board to grant us adequate schedule relief under our PPA to account for the additional time required to fully develop a project on such new site. We believe that the Board's concurrence on this matter is consistent with the intent of the Standard Offer Program and promotes proper community engagement with the Town of Brandon." Mr. Atherton noted Conti Solar has been very good to work with.

Mr. Atherton reported the contractor for Segment 6 has continued with mobilization of equipment and personnel for construction of the proposed infrastructure near 30 Conant Square and the Post Office. There will be installation of underground duct banks (conduits) near the former Mobil Station leading to near the municipal office as well as Union Street near the Hannaford's entrance in preparation for relocation of the overhead lines to underground. Underground utility installations with Segment "B" are inclusive of Park Street, upper Carver Street, Union Street, West Seminary Street and pavement widening within the Route 7 corridor. There is initiation of pavement and concrete base removal near the intersection on Park Street and Route 7 South and drainage within Route 7 near Brandon Auto Sales. Upcoming events include sewer installation on Park Street, duct bank installation on Union Street, utility installations on Union and Park Streets, water service at various locations, complete installation of storm water treatment structure #3 near the post office, pavement and underlying concrete base removal on Route 7 near Park Street and the Route 7 intersection extending south, drainage installation within Route 7 near Brandon Auto Sales and traffic control at each of the above locations. Alpine Construction has started demolition of Bridge 114 and the railing on the south side has been removed. The bid opening for Churchill Road Bridge was held on May 9<sup>th</sup> and Alpine Construction was the low bidder. The Town will be getting a schedule from Alpine Construction. It is anticipated the end date of the project to be November 16<sup>th</sup>. An RFP for the annual audit was sent out and the deadline for bid submissions is May 25<sup>th</sup>. The Walnut Street property has been sold and the new owner has one year to clean up the property. In the Rec Department, baseball season has started with 182 participants of which 36 paid the non-residential fee. The Gettysburg trip has been postponed until 2019 with the trip to be scheduled after school is dismissed for the summer. Sign-up for the trip will be available in August. The first Red Sox trip is planned for July 15<sup>th</sup>. Tickets are available at \$128.00 to see a Red Sox/Toronto Blue Jays game. The Summer Programming Guide has been released that includes swimming lessons, sports camps and art camps. The Brandon Carnival is scheduled for June 7<sup>th</sup> through the 10<sup>th</sup> with sponsorships, vendor booths and registration for Battle of the Bands still available. The spring soccer development started last Saturday under the direction of John White.

Devon Fuller questioned how Alpine Construction has been to work with and Mr. Atherton reported their communication is very open. He also advised Alpine Construction is supporting the economy with renting rooms at the Brandon Motor Lodge when they are working in this area. Mr. Fuller asked if the Town received enough funding for the Churchill Bridge to do the culvert work. Mr. Atherton reported the project has enough funding for the culvert work, parking lot and bridge to be done; noting VTrans had provided an additional \$190,000.00 of funding for this project. Seth Hopkins asked if there is a plan to bring the grader in to repair the road. Mr. Atherton advised this would still be a Class 4 road that is about  $\frac{3}{4}$  of a mile long. There will be some maintenance done on the road, but it will need to be determined if the grader can be brought up the road. The bridge and culvert will be wide enough to take those types of vehicles. Mr. Hopkins had a request from a Brandon resident to wet down the road construction to reduce

the amount of dust. Mr. Atherton reported both water and chloride is being placed on the road. The Town is also watering and placing chloride on Lover's Lane because that has become the by-pass during construction. Bernie Carr stated this had been discussed during one of the meetings and watering began immediately following the meeting. Lee Kahrs requested information on the bids for the Churchill Road Bridge. Mr. Atherton will provide Ms. Kahrs the information on the six bids received. Doug Bailey noted he has driven through the construction to see how long the wait time is and noted he is amazed at the job they are doing and requested this be passed on to the contractor. Mr. Bailey noted they are doing a good job at the intersection points and he was impressed with the hours they are working, as they are working late into the day and are working hard to get this job done. Mr. Atherton stated they have been working later Monday through Thursday. Tracy Wyman questioned what the weight limit would be on the Churchill Bridge. Mr. Atherton reported it would have to hold emergency vehicles because it is a federally funded bridge and it will be possible to get a log truck over it.

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

Doug Bailey recognized Jim Leary, who spearheaded Green-Up Day, and all volunteers who did a great job in cleaning up the roadsides.

#### **5. Approve Annual Financial Plan – Town Highways**

Dave Atherton advised this is an annual report the Town submits to VTrans concerning the financial plan for the highways.

**Motion** by Devon Fuller/Tracy Wyman to approve the TA-60 Annual Financial Plan – Town Highways with an estimated income of \$797,510.00 and estimated expenses of \$897,510.00 as presented. **The motion passed unanimously.**

#### **6. Approve Certification of Compliance for Town Road and Bridge Standards and Network Inventory**

Dave Atherton advised this is the certification that the Town adopts the Town Road and Bridge Standards.

**Motion** by Tracy Wyman/Brian Coolidge to approve the Certification of Compliance for Town Road and Bridge Standards and Network Inventory as presented. **The motion passed unanimously.**

#### **7. Approve Purchase and Sales Contract for Real Estate Conveyance**

Dave Atherton reported the purchase and sales contract is for two landlocked parcels the Town has owned since the 1940 that abuts the Lonergan's property. Mr. Atherton advised the Town will not be doing anything with this property and the Lonergans came to the Town with an offer. Mr. Atherton recommended the sale of the property to get it back on the tax roll and noted the offer was accepted, but it requires a valid purchase and sales agreement. The notice will go into

the paper next week. The parcels are contiguous, landlocked and have no lumber on them. One of the lots is wet and the other has ledge.

**Motion** by Tracy Wyman/Devon Fuller to approve the Purchase and Sales Contract with the Lonergans for the two lots noted. **The motion passed unanimously.**

## **8. Consider Formation of Energy Committee**

Stephanie Jerome reported there is a state mandate for towns to create an energy plan, which will be an addendum to the Town Plan. The Planning Commission requests the development of an Energy Planning sub-committee that would be chaired by Planning Commissioner, Michael Shank. From recommendations of the Energy Committee, there would be an Energy Plan developed. One of the tasks will be to review the town maps and determine preferred sites for future solar, wind and hydro projects. It will also be necessary to assure that the Energy Plan is consistent with the State's goals, as the Town is mandated to contribute to the state's goals for renewable energy. Devon Fuller noted the Town changed all downtown lights to LED and has contracted to have a solar array placed on town property that generates income for the Town. Mr. Fuller thought that Brandon is above the curve in this area. Seth Hopkins asked what would be the charge of the Energy Committee. Michael Shank advised the Planning Commission has received recommendations from the RRPC with regard to the development of an energy plan. It is thought the Energy Committee would create a criteria list of preferences with regard to renewable energy so that vendors will have this information of preferred sites in the town. Currently there is a draft energy plan that the RRPC had created as a template. Ideally, it will streamline information for potential vendors. The goal would be to change from the current plan to actively identifying preferred sites for future projects. Mr. Shank stated there is information available on how the Town is moving forward with renewable energy. Mr. Hopkins asked what would happen if a Brandon landowner wants to develop solar on their property and the property is not on the list of preferred sites. Mr. Shank noted the preferences would not be legally binding, but it would provide information to the Public Utility Board regarding project applications. Ms. Jerome noted the criteria would be helpful with the future development of renewable energy because the Town needs to do its part, but also wants to be sure that the projects are in the best locations for the Town. Doug Bailey asked if the Energy Committee would be looking at town maps to determine sites or whether it will be developing a tentative list of descriptions. Mr. Shank reported the Committee would be doing an inventory of what is ideal locations and criteria of the Town's preferences. The Planning Commission has received from three people letters of interest in serving on the Energy Committee. The Planning Commission envisions the Committee to have 5 or 6 members. An ad will be placed in the newspaper requesting letters of interest in serving on the Energy Committee. Ms. Jerome and Mr. Shank also plan to serve on the Committee. Dave Atherton advised the Select Board would have to approve the formation of the committee first and then invite those interested in serving on the committee to the May 29<sup>th</sup> Select Board meeting. Mr. Hopkins summarized the Select Board would be authorizing the formation of the sub-committee to provide recommendations to the Planning Commission regarding the development of an Energy Plan, with the Select Board having the final approval. Mr. Shank advised the recommendations would be for an amendment to the current Energy Plan that is in the Town Plan. Mr. Fuller noted there have been prior forums held with regard to renewable energy. Ms. Jerome advised there are experts that could be invited to Town to assist

homeowners with energy projects. Mr. Hopkins questioned the reason for a sub-committee to do the updates and Ms. Jerome advised this is a large project and the RRPC suggested additional townspeople be brought in to work on this project. Ms. Jerome noted it is helpful to obtain assistance from individuals that have expertise in this area.

**Motion** by Doug Bailey/Devon Fuller to approve the formation of an Energy Committee, with not more than five members, to work jointly with and answer to the Brandon Planning Commission. **The motion passed unanimously.**

## **9. Set Public Hearing Dates re: Brandon Land Use Ordinance (BLUO) Amendments**

Dave Atherton advised the Select Board has been provided the proposed changes to the BLUO and there is a requirement to hold two hearings regarding the proposed changes. Mr. Atherton suggested warning the hearings for 6:30PM on Tuesday, May 29<sup>th</sup> and 6:30PM on Monday, June 25<sup>th</sup> prior to the Select Board meetings.

**Motion** by Tracy Wyman/Brian Coolidge to schedule Select Board hearings beginning at 6:30PM on 5/29/18 and 6/25/18 for the Brandon Land Use Ordinance amendments. **The motion passed unanimously.**

## **10. Fiscal**

Dave Atherton reported there are capital funds for the cruiser. Mr. Atherton noted the Town has had good success with the Ford cruisers and requested the Select Board consider the quote received from G. Stone Motors for \$31,782.00. Devon Fuller stated it is good to have money set aside for these types of purchases.

### ***a) Approval of Minutes – P.O. 23472 to G. Stone Motors for 2018 Ford Cruiser - \$31,782.00***

**Motion** by Tracy Wyman/Devon Fuller to approve P.O. 23472 to G. Stone Motors for an amount not to exceed \$31,782.00 for a 2018 Ford Cruiser. **The motion passed unanimously.**

### ***b) General Fund Warrant – May 14, 2018 - \$335,780.15***

**Motion** by Devon Fuller/Brian Coolidge to approve the General Fund warrant of May 14, 2018 in the amount of \$335,780.15. **The motion passed unanimously.**

Dave Atherton reported about half of the warrant was for Alpine Construction and the Fire District appropriation. Doug Bailey asked if the Town has received any information from FEMA concerning Newton Road. Mr. Atherton advised this is going through the process in Boston and the Town has good connections with both Senator Leahy's office and the FEMA office. The Town has received word the Cobb Hill project is final and funding will be received for this project. It is hoped that the funding for Newton Road will be received before the end of the year. Seth Hopkins questioned whether the funds go into the General Fund and Mr. Atherton confirmed that both the Newton Road and Irene funds would go into the General Fund.

***b) Route 7 Construction Warrant – May 14, 2018 - \$334,230.60***

**Motion** by Devon Fuller/Brian Coolidge to approve the Route 7 Construction warrant in the amount of \$334,230.60. **The motion passed with one abstention – Tracy Wyman.**

The Board recessed at 7:49PM to convene as the Board of Liquor Commissioners.

The Select Board reconvened at 7:59PM.

**Motion** by Doug Bailey/Tracy Wyman that the Select Board enter into executive session at 8:00PM to discuss the appointment or employment or evaluation of a public officer or employee under the provisions of Title 1, Section 313(3)(a)(3) of the Vermont Statutes with the session to include the Town Manager and Police Chief. **The motion passed unanimously.**

**10. Executive Session: 1VSA 313(3)(a)(3)**

**Motion** by Brian Coolidge/Tracy Wyman to come out of executive session at 8:48PM. **The motion passed unanimously.**

There were no actions required.

**Motion** by Tracy Wyman/Doug Bailey that the Select Board enter into executive session at 8:48PM to discuss the appointment or employment or evaluation of a public officer or employee under the provisions of Title 1, Section 313(3)(a)(3) of the Vermont Statutes. **The motion passed unanimously.**

**11. Executive Session: 1VSA 313(3)(a)(3)**

**Motion** by Doug Bailey/Brian Coolidge to come out of executive session at 8:52PM. **The motion passed unanimously.**

There were no actions required.

**11. Adjournment**

**Motion** by Tracy Wyman/Doug Bailey to adjourn the Select Board meeting at 8:53PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary