

**Brandon Select Board Meeting
March 9, 2020**

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

In Attendance: Seth Hopkins, Doug Bailey, Tracy Wyman, Brian Coolidge, Tim Guiles

Others In Attendance: Dave Atherton, Chris Brickell, Bernie Carr, Jeff Stewart, Brent Buehler, Charles Powell, Wayne Rausenberger, Tony Vaccarella, Shari Vaccarella, Dick Kirby

1. Call to order

The meeting was called to order by Dave Atherton at 7:00PM.

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

2. Election of Select Board Officers

a) Election of Chair

Motion by Brian Coolidge/Tracy Wyman to appoint Seth Hopkins as the Chairperson of the Brandon Select Board. **The motion passed unanimously.**

a) Election of Vice-Chair

Motion by Brian Coolidge/Tracy Wyman to appoint Doug Bailey as the Vice-Chair of the Brandon Select Board. **The motion passed unanimously.**

a) Election of Clerk

Motion by Brian Coolidge/Tim Guiles to appoint Tracy Wyman as the Clerk of the Brandon Select Board. **The motion passed with one abstention – Tracy Wyman.**

Seth Hopkins thanked the Board for electing him as the Chair and thanked the Community for support of the budget and election of Select Board members. Mr. Hopkins requested all present observe a moment of silence to honor Doug Sawyer who recently passed. Mr. Sawyer served the Town as a member of the Budget Committee.

3. Consent Agenda

Motion by Seth Hopkins/Tracy Wyman to approve the Consent Agenda - Items a through f. **The motion passed unanimously.**

- a) *Designation of Select Board as Other Statutory Bodies*
 - a) *Board of Liquor Control (Title 7, Section 166)*
 - b) *Board of Health, (Title 18, Section 604)*
 - c) *Board of Sewer Commissioners*
 - *(aka) Board of Sewage System Commissioners (Title 24, Section 3506)*
 - *(aka) Board of Sewage Disposal Commissioners (Title 24, Section 3614)*
 - d) *Housing Board of Review (Title 24, Section 5005)*

- b) *Establish Meeting Schedule, Time and Location*
 - a) *Second and fourth Mondays*
 - b) *7:00PM*
 - c) *Brandon Town Hall*

- c) *Adopt Meeting Rules and Procedures*
 - a) *Rules of Procedure for Select Board of the Town of Brandon, Vermont*
 - b) *Reports of Appointed Boards, Commission and Officials to the Select Board*

- d) *Designate Official Newspaper*
 - a) *Official – The Reporter*
 - b) *Alternate – The Rutland Herald*

- e) *Approval of Minutes*
 - a) *Select Board Minutes – February 24, 2020*
 - b) *Special Select Board Minutes – March 2, 2020*

- f) *Appointments*
 - a) *Tree Warden - Wayne Kingsley*
 - b) *Fence Viewers (3 members) - Seth Clifford, Cindy Bell and John Reynolds*
 - c) *Inspector of Lumber, Shingles and Wood – Bob Kilpeck*
 - d) *Weighers of Coal – Lou Faivre and Olga Hopkins*
 - e) *BLSG Insect Control District (2 reps) - Wayne Rausenberger and Richard Russ*
 - f) *Budget Committee (4 members) - Cindy Bell, Jan Coolidge, Anthony Paduto and Barry Varian*
 - g) *Rutland County Solid Waste District (1 rep) - Gabe McGuigan*

Seth Hopkins noted for the record that he has a personal relationship with one of the Weighers of Coal.

4. Town Manager's Report

Dave Atherton provided a report for the weeks of February 24th and March 2nd, 2020.

Segment 6:

Mr. Atherton had a meeting with Casella, Dubois & King and VTrans to discuss the schedule and cost for the bridge slab replacement and discuss solutions for the sidewalk and lamppost

issues. The cost estimate from Casella for the bridge slab repair is much higher than the design engineer's estimate and the construction timeline was pushed out to August. He will be meeting again with Casella to discuss these unanticipated changes. The contractor's estimate is about \$250,000 higher than the engineers' estimate and VTrans has to determine if this will be approved. Mr. Atherton will have more information from VTrans and the Federal Highway by March 16th. Casella and Dubois & King are currently researching the options for the sidewalk issue. There is a product that can be skim-coated to try prior to committing to this correction. It is thought the issue with the lampposts is due to faulty plugs that will be replaced.

Other Happenings:

The grant application for the parking area has been submitted to VTrans.

The Town Hall sidewalk roof plans are under a redesign due to concerns by the neighbors.

There will be a preconstruction meeting with Markowski, and A & E for the Park Street rebuild on March 10th at 10AM in the Town Office. There will be a public meeting scheduled prior to construction to provide information on the project.

The Union Street sidewalk project will resume the week of April 27th and will be completed by May 8th.

Rec Department News:

Wildlife Encounters was in town on February 28th. Over 400 people came to the 2 showings at the Town Hall including 111 kids from the Rutland Intermediate School to see the crazy critters the animal expert brought for a fun educational experience.

March 1st marked the beginning of another Brandon/Pittsford collaboration with skiing at the Middlebury Snow Bowl. 17 Brandon kids joining 12 Pittsford kids for the first 4 Sundays in March to tune up and rock out on skis and snowboards for the ½ day program.

Brandon Rec basketball season is ending. Thank you to all of our volunteer coaches: U6 – Chad Disorda, Patrick Foley, Ron Coble, U8 – Tanner Romano, Jamie Buzzell, Chad Disorda, U10 Boys – Chad Hayes, Chris Barnhardt, U10 Girls – Tanner Romano, DJ Keith, Alia Dick, U12 Boys – Mike Howe, Fred Pockette, Gabe McGuigan, U12 Girls – Kristle Humiston, Joe Desabrais, Paul Desabrais. Special thanks to Scoreboard Operator & Commissioner – Oren Rhodes.

March 13th the Brandon Town Hall will host “The Local Scene” at 7PM. This teen centric band showcase will feature: Last Minute, SweetSphinx and will be headlined by Squig Heart. Tickets are \$5 at the door.

The 80's are back for a night at the Brandon Idol “80's Explosion” concert being held on March 21st. Doors open at 6:45, show starts at 7:00PM. \$5 per person and you will want to get there

early as this will sell out. 9 Brandon Idol finalists, guest performers, a group number and adult libations for sale courtesy of the folks at Mae's Place.

Baseball & lacrosse seasons are coming: if you are interested in supporting our kids by way of coaching or sponsoring a team, please reach out to the Brandon Rec. Spring is nearly here!

Seth Hopkins asked what the issue was with the lampposts. Dave Atherton reported there have been some issues with the lampposts on Park Street and in front of the Whittaker building intermittently coming on. There was no electrical issue found and it is thought that one of the plugs may have a moisture issue and will be replaced.

Doug Bailey thought there were three options for the bridge project. Mr. Atherton advised the figures were received from the engineers and VTrans wanted to do this as a change order to keep the funding mechanism in place. A change order was done, however, when Casella provided their figures, it was quite a bit higher. It is not known what percentage the Town will be responsible for. Mr. Atherton noted the Town may have to look at other options.

Barry Varian likes the new sidewalks and thought they are the signature piece of the work that was done. Mr. Varian noted the problem is very widespread but did not think it is a severe problem and asked if the Town has considered grinding the surfaces. Mr. Atherton advised this was discussed. There are some areas that will have to be worked on extensively, but the smaller spots will be able to be ground down. The Town is waiting to see what Casella wants to do.

Tony Vaccarella thanked the Select Board for allowing Mr. Thompson to represent the 3 Conant Square property and requested they allow him to continue. Dave Atherton reported the town hall roof repair is being reviewed to possibly pitch towards the back side of the building. Mr. Vaccarella requested more than one email be sent in contacting them and as far as the design, they spoke to the architect who was concerned the Town was given consent for the water to run off on their property. Mr. Atherton stated that was never the conversation and was the reason that he emailed the Vaccarella's to get input to come up with a good solution. Mr. Vaccarella stated when there was discussion, there was concern noted about the snow falling from the roof and damaging their vehicles or injuring people walking on the sidewalk. Shari Vaccarella stated Mr. Vaccarella does not regularly check his email and having one email is not enough for keeping them involved, and they would have liked to be a part of the discussion. Mr. Atherton noted he did not have Mrs. Vaccarella's email until just recently. Mr. Atherton understands the issue and the close proximity to the door, but he does not know of another solution except putting the door on the front of the building. Mr. Vaccarella asked why the design was the go-to option instead of the other two options. Mr. Vaccarella stated if there is a lot of snow that falls from the roof, it will bounce and take out their car windows. He noted the snow carries a lot of weight and their suggestion would be to pitch everything towards the back of the property. Mr. Atherton advised that is what the new design will be. Mr. Vaccarella suggested for everyone's safety when snow or ice is on the roof that the side entrance not be open. It was noted that this entrance is the only ADA compliant entrance. Mr. Vaccarella suggested cancelling events to avoid a health issue. Seth Hopkins thanked the Town Manager for pursuing another option with Wright Engineering. Mr. Hopkins noted there have been many people that have worked to rejuvenate the town hall after a lot of effort, and it is a tough building to access for all members of the community but is a

requirement of the law to be ADA compliant. The Town wants to keep the building in use, but the basement entrance on the other side cannot be retrofitted for an ADA compliant entrance. The Select Board and the Town Manager are trying to do their bests for everyone concerned and are trying to come up with a plan that will work for everyone. Mr. Hopkins stated everyone shares the Vaccarella's concern and noted the project will not adversely impact their property.

Bernie Carr asked if Casella was aware of the light that is out on the monument. Mr. Atherton will advise them of this issue.

Brent Buehler thought the issue with opening the road up was due to the concrete slab being a timing element. Seth Hopkins stated they did not recommend opening it back up because of the trucks. Mr. Atherton noted the trucks are being sent up Prospect Street and there does not seem to be any issues. Mr. Atherton noted there were three estimates received for this project that had a difference of \$107,000 between the higher option and the middle option. It was not recommended to go with the least expensive one. Mr. Atherton stated in the discussion today, if the area was to be opened back up, it would still prevent any large vehicles from making the turn because of the bump out. There would have to be restrictions with no left turns coming down the hill and no right turns going up. Mr. Hopkins noted it was not a timing issue, rather maintaining a wide turn for trucks.

5. Public Comment and Participation

There was no discussion held.

6. Road Posting

Dave Atherton advised the Road Posting Notice reflects the changes made last year to keep Newton Road and the portion of Town Farm Road open so the trucks can get into the gravel pits, with everything else remaining the same. Tim Guiles questioned why the Syndicate Road was not included and Mr. Atherton advised it is considered to be in Pittsford and there is not usually an issue with Carver Street. Mr. Guiles thought Carver Street from Nickerson Road south would be a section that should be posted. Mr. Atherton noted this may be considered a Class 4 highway and the Road Posting Notice is for Class 1, Class 2 and Class 3 highways.

Motion by Tim Guiles/Tracy Wyman to add the segment of Carver Street south of Nickerson Road to the Pittsford town line to the Road Posting Notice if it is a Class 3 road south of Nickerson Road. **The motion passed unanimously.**

Motion by Tracy Wyman/Doug Bailey to approve the Road Posting Notice as amended. **The motion passed unanimously.**

7. Discuss Draft Policy for Selling a Town Asset

Doug Bailey agreed with most of the draft policy provided, however, suggested providing more clarification in the second paragraph under Item B. Background. Tim Guiles stated the 5% requirement is to stop the sale and noted transparency is key, which was the rational for the

Background information. The Item C. Policy is the implementable portion of the policy. Mr. Bailey stated the Board has previously discussed a proposed policy during one meeting and acted upon it at a subsequent meeting. Mr. Guiles noted he will clarify the paragraph. Tracy Wyman did not object to a policy but noted the selling of equipment would go out for bid and with the sale of property, the Town cannot sell it for more than what is owed for taxes. Mr. Wyman expressed concern that the Town will be spending more money in time for the Town Manager to do research on the requests to purchase Town properties, citing an example of the swamp property that has been off the tax roll since 1939 that was discussed at the last meeting. Mr. Wyman also noted a property on Birch Hill that was sold for back taxes of \$2,500 that could have potentially had a much higher resale value, however, any additional amount obtained in the sale has to go back to the previous owner. Mr. Wyman was concerned the Town would spend more money researching the sales than what the Town is going to get out of it. Mr. Guiles stated all the policy does is require a two week wait from the time someone makes an offer before accepting the offer. Seth Hopkins suggested expanding the policy to include the buyer be responsible for legal and advertising fees, that had been previously discussed by the Board. Mr. Guiles was agreeable to adding this item, however, thought that it already existed. Mr. Atherton advised the Town has not required buyers to pay for this previously. Mr. Guiles noted assuming there will be enough value received for the land, it would likely cover the legal advertising costs. Mr. Hopkins thought it should be a single policy to cover all items. In the case of a land sale, the person making the offer will be required to pay the statutory legal advertising fees. Mr. Hopkins questioned how equipment would be handled. Mr. Guiles stated it was his intent to be broad and inclusive as possible to include land and equipment. The policy's intent is for a two-week waiting period when selling a town-owned asset. Mr. Guiles sees this as being a low requirement and a transparent process. It is meant to assure that there will not be a side deal giving something away at a low value and an effort to be transparent and allow community members to bid on something they may want. Mr. Atherton stated equipment is auctioned off and all of what the Town has now are trade ins. Usually, the vendors the Town purchases from are looking for older vehicles. Mr. Guiles suggested rather than a trade-in, the Town could potentially receive a higher offer from someone who would like to purchase the vehicle.

Charles Powell suggested under Paragraph 2 under Background, a notice be sent via mail (return, receipt, requested) to the bordering landowners. Tim Guiles did not intend the policy to be that strong and suggested leaving it to the Town Manager to contact the adjoining landowners. Mr. Atherton stated the Town could send letters to the adjoining landowners, however, would prefer to send regular mail due to the cost of specialized mailings. Doug Bailey suggested placing the lots the Town has available for sale in next year's Town Report, as suggested by Mr. Carr at the last meeting. Mr. Guiles stated there could be a note in the policy indicating a listing will be posted once per year. Mr. Bailey stated the intent is to sell the properties and get them back on the tax roll. Seth Hopkins stated policy governance is something the Board should do to provide parameters for the Town Manager to work by. Brent Buehler suggested legal expenses could be included to cover the cost of the Town's attorney's fee with the sale. Mr. Atherton stated usually the swamp lot sales do not require an attorney present. Mr. Bailey stated there are some lots the Town is better owning and if it is going to cost the Town to sell certain lots, they could be kept. Mr. Atherton stated there are lots the Board has decided not to sell. Seth Hopkins requested Mr. Guiles make the revisions for consideration of the policy at a subsequent meeting.

8. Fiscal

a) General Fund Warrant – March 9, 2020 - \$129,390.24

Motion by Brian Coolidge/Tracy Wyman to approve the warrants of March 9, 2020 in the amount of \$129,390.24. **The motion passed with one abstention – Doug Bailey.**

b) Route 7 Construction Warrant – March 9, 2020 - \$16,352.42

Motion by Tracy Wyman/Brian Coolidge to approve the Route 7 Construction warrant of March 9, 2020 in the amount of \$16,352.42. **The motion passed unanimously.**

The Town Manager confirmed he has reviewed the warrants.

9. Adjournment

Motion by Brian Coolidge/Tracy Wyman to adjourn the Select Board meeting at 8:01PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary