

## **Brandon Select Board Meeting April 13, 2020**

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

**All in Attendance via Zoom.**

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

**Others In Attendance:** Dave Atherton, Brent Buehler, Sue Gage, Bernie Carr, Butch Shaw, Barry Varian, Tony Vaccarella, Shari Vaccarella, Chris Brickell, Charles Powell

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

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

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

Add Item 9: Executive Session regarding the appointment or reemployment or evaluation of a public officer or employee under the provisions of 1 V.S.A. 313(a)(3).

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

**a) Select Board Meeting – March 23, 2020**

**Motion** by Brian Coolidge/Tracy Wyman to approve the minutes of the March 23<sup>rd</sup> Select Board meeting, as amended. **The motion passed unanimously.**

Correction to last motion of Item 8 on Page 7, vote on original motion was 3 yes votes and 2 no votes.

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

Dave Atherton provided a report for the weeks of March 23<sup>rd</sup> and April 6<sup>th</sup>, 2020.

#### ***Segment 6:***

Mr. Atherton attended a few video conferences with VTrans, Casella, Dubois & King and Fuss & O'Neil to discuss the bridge slab repair cost and if there can be any value engineering to decrease the cost. Everything is still on hold and efforts are being made to try to work out the bugs on this project.

### ***Other happenings:***

Mr. Atherton submitted another application for a property buyout on Newton Road. It is the property located at 389 Newton Road. The deadline is June 13<sup>th</sup>.

Mr. Atherton has updated the local Emergency Management Plan for 2020 that is in the Board packet for adoption.

Mr. Atherton had a video call with Jim Pease at DEC Clean Water Initiative Program to discuss a few sites in Town that fall in the 3+ acre impervious surface regulations. There will be further discussions on how the Town can assist these property owners in complying with the new stormwater runoff regulations. There is a meeting set up with New England Woodcraft regarding this subject.

### ***COVID-19:***

The Town has established the following protocol for keeping employees safe from possible contamination:

- . Town Office staff has been asked to work from home as much as possible. However, there are a good number of tasks that we still need to be in the office to perform.

- . The Town Office remains locked and we have asked the public to either call, email or fax to contact us.

- . The Highway Department is not working as of 6PM tonight. The Town has received a notice that this department is to only work on emergency situations.

- . The two wastewater employees have been alternating weeks at the plant.

- . The Police Department unfortunately has to continue operations as normal. We are trying to stock up on masks, gloves and suits as well as sanitizer to help keep them safe.

- . The Town Hall remains locked and all of our recreational parks have been closed and will not be used during the Stay Home, Stay Safe order.

- . Bill Moore continues to get information out to businesses for the financing and compensation offered by the State.

Tracy Wyman asked how long for the town crew would be out of work. Dave Atherton stated it is not known, however, the current Stay at Home requirement is until May 15<sup>th</sup>.

Seth Hopkins asked if Mr. Atherton and Ray Counter spoke about the water and sewer billings. Dave Atherton reported there was a phone conversation held between Mr. Counter, Mr. Atherton and Chip Stearns at NEMRC. Mr. Counter has had computer issues that have

affected the last readings. There was discussion about doing a combined water/sewer billing and it hoped to get this process up and running by June or July. All information will be in the cloud and there will be the ability to have quicker results. Mr. Hopkins also wished to thank Colleen Wright for all of the work she has been doing during this crisis. Bill Moore advised that much of the work she has been doing was on behalf of the Town, in addition to work she is doing for the Brandon Area Toy Project. Mr. Hopkins noted that the people that are getting the delivery service that Ms. Wright is doing really appreciate this effort.

Bernie Carr asked if there were any updates on when construction can start again with the May 15<sup>th</sup> Stay Home date. Butch Shaw reported the Governor held a press conference today and last Friday and noted he is encouraged with the State's numbers that are stabilizing. He made the statement that he will continually review the numbers and make decisions when to open, possibly starting with people who work outside such as landscapers and town workers. The cases are going up, but the State is testing more and expects to see some increases in people that are infected. They are looking at large populations to test, such as the Veteran's Home in Bennington and another nursing home in Burlington. There is optimism of loosening up some of the Stay at Home order, as long as people currently now continue to stay home and stay safe. Representative Shaw stated this situation is real and noted that he lost a friend to the virus last week. Brandon is one of the last towns where the Public Works staff has been working. In Pittsford, the foreman is only doing repairs and State highway workers and all construction trades have been put on hold. Mr. Shaw was optimistic that people are doing the right things. Dave Atherton noted he is getting questioned by the contractors and has been checking with VTrans as they all want to get back to work and get the projects done. Mr. Shaw noted we are social animals and it is hard to social distance under working conditions and he realizes that the contractors need cash flow. It is understood that the pipeline is getting backed up on construction projects. Mr. Atherton was advised by VTrans that the completion date does not matter until the clock starts ticking again. Mr. Atherton requested Representative Shaw advise him as soon as he hears anything about opening up the projects.

#### **4. Public Comment and Participation**

Representative Shaw provided an update on the State's unemployment insurance compensation. He noted the Department of Labor is currently overwhelmed. They have hired more personnel that will be going through two weeks of training, but some cannot do the technical work due to security clearance. They have had other State agencies that have offered to help, and it hoped there will be a better response time this week. He also noted the computer system is ancient, which has added to the difficulty. On a good note for self-employed people, there is a new platform and the application process will start sometime this week where they can apply and receive unemployment benefits. Mr. Shaw asked that people have patience and anything that is owed to them will be paid retroactive. Bill Moore questioned if self-employed people have already applied whether they will have to reapply. Mr. Shaw suggested they should reapply as it is a new portal. It is his understanding though that the two systems will talk to one another.

Bernie Carr advised that he has spoken with Representative Jerome concerning the small businesses in Brandon that have gone through 2 ½ years of construction and noted the figures that are reported would be skewed. Mr. Carr asked if the Department of Labor could be advised that there may be some unusual situations that Brandon may fall into and possibly consider using data from a normal year. Mr. Shaw stated some of the loans through the SBA will go back further. Mr. Shaw will discuss this subject with the Agency of Commerce and Community Development tomorrow. Mr. Carr will be in contact with Mr. Shaw.

Brent Buehler asked Representative Shaw the reasoning behind checks going to social security recipients. Mr. Shaw stated the COVID19 payments passed by the Federal government were for all people within a certain income range that will contribute to the restart of the economy

It was asked if the tax grievances scheduled for the proposed June dates still stand. Seth Hopkins has not heard anything from any tax grievances to date. Dave Atherton stated the Town is trying to obtain this information however no one is coming to the Town Office for reappraisals and no home visits are being done. Sue Gage stated she received an email last week indicating at this point, they are going to try to have something distributed by the end of May, so that grievances will be held in June and July.

Brent Buehler stated he is confused by the budget process and in reviewing the budget, the Rec Department for the past two years has been over budget by \$50,000 and he is trying to understand how the process works. Seth Hopkins stated when the Town approves a budget, it is approving a bottom-line spending, which is what drives the tax rate. Beyond that control, it is the Town Manager's decision if a department needs to over or under spend. Many department heads are in a trend to regularly underspend in one line and use another line to cover the expenses. There are departments that underspend and can take care of unforeseen expenses for another department. During the budget building process, there are meetings with department heads and the town manager to provide their spending requests and the Select Board reviews the requests in public meetings. There is a lot of input and the process has been good. The Rec Department has had some new programs started, such as the Brandon Carnival in the past couple of years. Bill Moore stated the Rec Department's program expenses have exceeded the program revenues, but he has tried to not ask business owners to help offset the costs due to the Segment 6 project. It was discussed during the budget meeting that the Department will be pursuing more sponsorship money but now is a difficult time to do that. Mr. Moore noted he would be glad to go over the budget with Mr. Buehler and discuss programs with him. Mr. Buehler stated from what he could see the expenses are going up, but the revenues are not matching and according to the Town Plan the Rec Department is supposed to be self-sustainable. Mr. Buehler will send an outline of questions to Mr. Moore for a response. Mr. Moore stated he will be glad to talk about the process and the various programs and can also be reached via email at [bmooore@townofbrandon.com](mailto:bmooore@townofbrandon.com).

## **5. Adopt 2020 Local Emergency Plan**

Dave Atherton advised the Local Emergency Management Plan is done annually. Mr. Atherton is the Emergency Management Director and he puts the book together that provides information and funding options in the case of disasters. Mr. Atherton noted there is no substantial change, except the Mutual Aid Agreement with the RRPC and double-checking of contact information

for the Rescue and Fire Departments. Tim Guiles asked if the book was available electronically and Mr. Atherton advised that it is a large book and is available for review at the Town Office. Mr. Atherton noted the Plan has to be sent to the RRPC for their approval and then to the State for approval. Seth Hopkins noted the Plan has been brought to Board meetings and the Select Board has gone through it from time to time. Mr. Hopkins did not have a problem approving it, as the only changes are the updates of contact information and the new Mutual Aid Agreement that had been approved by the Select Board. Mr. Guiles noted he has complete trust in the Town Manager in making an emergency plan and he would like to see it at some point, as a board member approving the document. Mr. Atherton noted there are certain requirements to the Plan and the Town also chose to add other items such as a Hazard Mitigation plan after Irene. There is ERAF information, grant standards, an emergency management ordinance and the new hazard mitigation plan in the document. Mr. Hopkins questioned whether a future change could be made if the Plan was approved at the meeting. Mr. Atherton noted as the Emergency Management Director, it is the document that he developed, and it is the same thing every year. There is protocol of what has to be included in the Plan and it is not necessarily the entire Select Board that takes a role in this because there is an Emergency Management Director. Mr. Guiles stated he will find time to review it at some point.

**Motion** by Brian Coolidge/Tracy Wyman to approve the 2020 Local Emergency Plan as presented. **The motion passed – 4 yes votes (Doug Bailey, Brian Coolidge, Seth Hopkins, Tracy Wyman) and 1 abstention (Tim Guiles).**

## **6. Appoint Green Up Coordinator**

Dave Atherton stated Jim Leary has indicated he will continue as the Green Up Coordinator. Seth Hopkins thanked Mr. Leary for his service. This year's Green Up Day is scheduled for May 30<sup>th</sup>.

**Motion** by Doug Bailey/Tim Guiles to appoint Jim Leary as the 2020 Green Up Coordinator. **The motion passed unanimously.**

## **7. Schedule Public Hearings re: Proposed Brandon Land Use Ordinance (BLUO) Amendments**

Seth Hopkins stated the Board received an email from the Zoning Administrator regarding the Planning Commission's proposed changes to the BLUO. Dave Atherton stated some of the changes relate to the River Corridor and suggested postponing the hearing as long as possible as there could be some controversy and would be better for people to be able to attend a hearing, rather than a zoom meeting. The Select Board has up to 120 days to hold their hearings from the time the Planning Commission had submitted the proposed changes to the Select Board. Mr. Hopkins suggested putting it off until the emergency health crisis has ended. The Board members were in consensus with this suggestion. Mr. Hopkins stated the Board will revisit the idea of planning a face to face meeting at a subsequent meeting and if there is still a health emergency in June, a decision will be made when to hold a virtual hearing.

## **8. Fiscal**

***a) Warrant – April 13, 2020 - \$182,342.40***

**Motion** by Tracy Wyman/Brian Coolidge to approve the April 13, 2020 warrant in the amount of \$182,342.40. **The motion passed unanimously.**

Tracy Wyman questioned if the warrant for Celebration Rentals would be refundable if the Brandon Carnival is cancelled and Mr. Moore confirmed it would be refundable. Mr. Wyman questioned the warrant for Southworth-Milton for repairs on hydraulics. Mr. Atherton advised the boom would not lift and it was about \$1,000 in parts plus labor and there was no warranty on this repair as the Town has had the equipment for about 6 years. Mr. Wyman also questioned the Markowski warrant for mobilization for Park Street. Mr. Atherton advised that there is a mobilization charge for the start of the project and then a demobilization when they have completed the project.

Doug Bailey questioned the warrant for the Brandon Area Food Shelf. Mr. Atherton advised this money came in for donations that included a Foley Brother's match and all money is pass-through funding. Mr. Bailey questioned the warrant for Wright Construction for the town hall roof design. Mr. Atherton stated there is a redesign and he will be having a discussion with the Zoning Administrator about this subject.

Brent Buehler questioned the warrant for the Royal Group for the inspection of the fire alarms. Mr. Atherton advised that this is an annual test that is very extensive due to it being a public building which is the reason it is expensive.

Mr. Atherton suggested rather than appointing one Select Board member to sign the warrants that it might be easier to place the warrants on the town office porch for Board members to stop and sign the warrants. All Board members agreed with signing the warrants tomorrow at the town office porch.

***b) Route 7 Construction Warrant – April 13, 2020 - \$129,521.25***

**Motion** by Brian Coolidge/Doug Bailey to approve the April 13, 2020 Route 7 Construction warrant in the amount of \$129,521.25. **The motion passed unanimously.**

The Town Manager confirmed he has reviewed the warrants.

Bernie Carr reported Eric Mallory has advised that car inspections now have a 60-day grace period. Bill Moore thanked Representatives Shaw and Jerome for helping to make this happen.

Bill Moore advised that the Brandon Area Toy Project will be setting up a drive-through food drive this weekend from 2 to 3:30PM at the Bar Harbor Bank that will then be brought to the Senior Center. There is also be a drive for masks for essential workers and Mr. Moore thanked Colleen Wright for her work on these efforts.

Representative Shaw noted that Mr. Atherton had contacted him about relief on paying education property tax and advised this item is being taken up with the Ways and Means Committee and he is not sure of the outcome. Mr. Shaw stated the Education Fund is up to \$130 million in the hole and everyone is stressed right now. Mr. Hopkins noted it is good that the State is considering this matter.

Chris Brickell reported the Police Department continues to work and have been getting some needed supplies such as face mask and face shields but are lacking in hand sanitizer. Things have been good and they are trying to keep people out of their office, however, there have been some incidents where people have required transporting and cars then have to be disinfected, but most people are abiding by the Governor's orders.

The Select Board recessed at 8:02PM.

The Select Board reconvened at 8:05PM.

**Motion** by Brian Coolidge/Doug Bailey to enter into executive session at 8:05PM regarding the appointment or reemployment or evaluation of a public officer or employee under the provisions of 1 V.S.A. 313(a)(3). **The motion passed unanimously.**

## **9. Executive Session**

**Motion** by Brian Coolidge/Doug Bailey to leave executive session at 8:15PM. **The motion passed unanimously.**

**Motion** by Brian Coolidge/Doug Bailey to appoint Alexandra Brier to the Brandon Planning Commission. **The motion passed unanimously.**

## **10. Adjournment**

**Motion** by Brian Coolidge/Tim Guiles to adjourn the Select Board meeting at 8:18PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary