

## **Brandon Select Board Meeting October 26, 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, Brian Coolidge, Doug Bailey, Tracy Wyman

**Others In Attendance:** Dave Atherton, Brent Buehler, Bill Moore, Shari Vaccarella, Butch Shaw, Chris Brickell, Lee Kahrs, Jan Coolidge, Tom Kilpeck

The meeting was called to order by Seth Hopkins – Chair at 7:02PM.

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

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

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

*a) Select Board Meeting – September 28, 2020 (Revised)*

**Motion** by Doug Bailey/Tim Guiles to approve the minutes of the September 28<sup>th</sup> Select Board meeting. **The motion passed unanimously.**

*a) Select Board Meeting – October 12, 2020*

**Motion** by Tracy Wyman/Tim Guiles to approve the minutes of the October 12<sup>th</sup> Select Board meeting with a correction to Mr. Hopkins title on the first page. **The motion passed unanimously.**

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

Dave Atherton provided a report for the weeks of September 28<sup>th</sup> and October 5<sup>th</sup>, 2020.

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

The steel beams have been installed. Casella is now prepping the site to install the stay in place forms that will be used for pouring the concrete slab. They are tentatively looking at pouring it on November 4<sup>th</sup>.

#### ***Park Street:***

Paving is completed. L & D are marking out the new pavement for installation of the pavement markings. They are hoping to be done by Friday, weather-permitting.

***Other happenings:***

Mr. Atherton has received the permit from VTrans for the south entrance at Estabrook Park to become permanent. Per the permit we are required to widen the access and install a gate which has to remain closed if there are not events. There was only a temporary permit that had to be revised. Mr. Atherton signed off on FEMA for reimbursement to COVID and about 75% of the Town's expenses will be reimbursed with the rest picked up by a grant through the State.

***Rec Department News:***

Our new Soccer Season has ended as of October 24<sup>th</sup>. Many thanks to the volunteer coaches that made the co-educational, multi-age season for our 3<sup>rd</sup> through 6<sup>th</sup> graders a surprising success. Kickball started on Friday. The final movie of the fall season is Halloweentown, being shown on Halloween. Spooksville, with COVID considerations is October 30<sup>th</sup> at Estabrook. The Neshobe Pie Gobbler Thanksgiving Fun Run will return in November 2021. Work has commenced on the Seminary Hill park work. Bill Moore had received a grant for this park upgrade.

Seth Hopkins requested Mr. Moore provide details on the Seminary Hill park work about what is being done and whether or not it relates to the dog park plan.

Bill Moore read the following response he had provided to the question about a dog park:

*"The land on which the vast majority of the recycled fencing will be put is owned by a private landowner who endorsed the idea of using the limited funds for a private/public partnership on a test run of a walkable dog park.*

*There are thousands of communities across the country and a few here in Vermont that have made the decision to create spaces for dogs to recreate without a leash. Whether they are people who do not have access to private yards, live near dangerous roads; a dog park is not intended to be a place for "bad owners/bad dogs"*

*This dog park will have 2 double gated dog/person accesses on the south side and the east side of the fenced in area. There will be a locked 6-foot utility access on the side that is closest to the playground, for mowing purposes that will not be a public access. There will be multiple dog waste receptacles, signage reminding folks of the rules at these entrances that, again, are not on the playground side of the park.*

*Seminary Hill park, the portion that is owned by the Town of Brandon, is a multi-use, multi age park that has a playground structure and basketball/pickleball court. All of our town parks should look to serve people of all ages. The town was happy to work with Mr. Briscoe to allow his land to serve other types of people in our town, people who have dogs.*

- *Due to the enthusiasm of the dog park group and the dog-owning property owner of the land, this is the direction in which I have decided to go to meet the most amount of following needs:*
- *Cleaning up/delineation of the property line at the park (again we do not own upper portion of the park, the line is around where the new split rail fence ends)*
- *Using funds collected to make a dog park (this serves as a low cost proof of concept for the donated funds) and with the proximity acts as matching funds towards the grant we received to improve the fencing and create a parking area on the town-owned portion of the park.*
- *Saving the remaining town-owned land for the likely expansion of the play structure (portions of the donated McDonald's structure)*

*Please keep in mind: if the dog park proves to be problematic, we have the option of terminating our agreement with the landowner and the experiment can be ended. However, my hope is that the majority of our townspeople who love their dogs enough to huff it down to a park in the middle of town will prove to welcome the privilege of having a community asset that many other towns enjoy and do it in a respectful and responsible manner.*

*Please do not hesitate to contact me with any questions, comments or concerns and thanks again for reaching out."*

Mr. Moore stated there was a lot of enthusiasm about a dog park at Estabrook and this was an opportunity to bring that idea to fruition as there were monies raised for this project. Mr. Moore went in this direction as it meets the needs for both parks and if the dog park does not work out, it can be removed. Mr. Moore reported there are many comments on FPF (Front Porch Forum) for both sides regarding the plan. People already walk their dogs in this area and the Town has come to an agreement with the person that owns part of the park. Mr. Hopkins thanked Mr. Moore for the clarification. Mr. Atherton asked if people should send their responses in a Select Board meeting, rather than on FPF. Mr. Hopkins suggested it is good to use as many venues as possible in advising people when charges are being made. Shari Vaccarella wanted to show their support of the dog park as some people that are renting do not have places to walk their dogs. Mr. Hopkins noted if the park does not work out, there can be discussion of where it could be moved, and if it does work out it is another amenity added to the village. Ms. Vaccarella questioned if there is a schedule for the construction of the new gas station. Dave Atherton suggested Ms. Vaccarella could contact the owner of Midway Oil for details and noted he will send her the contact information. Brent Buehler asked how long a construction permit is allowed to be open. Mr. Atherton advised that the permit for this project was renewed just under 2 years ago and if there is substantial completion with a monetary value of 40%, the permit remains in place and with the engineering and demolition, this project is at the 40% figure. Mr. Atherton suggested Mr. Buehler could follow up with the Zoning Administrator for more details.

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

Brent Buehler thanked Tim Guiles for his Brandon carbon footprint report. noting it is timely with the wastewater upgrades and the new equipment garage as far as CO2 emissions. Dave Atherton stated with regard to the equipment garage, it is a cold storage structure, but the Town

would like to do something with the other structure, as it is old and not energy efficient. Tim Guiles noted he would like to discuss this structure with the Town Manager. Mr. Atherton advised this is an old tin structure that needs revamping.

## **5. Zoom Meeting Best Practices Discussion**

Tim Guiles stated it looks like the Town will be hosting Zoom meetings for quite a long time as COVID will likely be around for another year. Mr. Guiles provided some suggested points on Zoom practices: 1) don't be late, 2) turn on the camera and pay attention to the meeting in respect for the process, 3) get good at interrupting to be more fluid about managing conversations, 4) try not to multi-task to not diminish the integrity of the meeting and 5) have each person have their own computer to avoid side conversations. Mr. Hopkins thanked Mr. Guiles for the information as it seems to be the prudent way to meet as the State has indicated State staff should meet remotely when they can. There may be a time to meet face to face for Select Board actions, but the Town should be taking best advantage of this platform. Butch Shaw thanked Mr. Guiles for the overview and noted he has participated in over 500 Zoom meetings. Another item that is important to remember is your background. He reiterated the importance of staying focused on the meeting. Mr. Shaw stated the Legislature has yet to determine if the next session will be in-person.

## **6. Consider Municipal Roads Grants-in-Aid Program**

Dave Atherton advised this is the program that allows the Town to do projects like ditches. There were some done a few years ago and the State has \$16,400 that the Town would receive, with a 4% match. Mr. Atherton noted it would be good to get the application submitted to get on the list for funding. The application does not require a project list, but when the Town moves forward with the funding this information would be provided to the State. A confirmation from the Select Board is required to participate in the program. Tracy Wyman asked it is planned to do the work in-house and Mr. Atherton confirmed the work would be done in-house. Mr. Atherton stated there is an inventory that was done by Regional Planning and this program is based on that information. This listing is on the State's website and is a good list to review.

**Motion** by Tracy Wyman/Tim Guiles to approve participation in the Municipal Roads Grants-in-Aid program as discussed. **The motion passed unanimously.**

## **7. Consider Sale of Swamp Lots**

Dave Atherton reported the Fish and Wildlife Department have inquired about purchasing some swamp lots and he has advised them there is a policy in place that will have to be followed. The lister cards and deeds for the lots were provided to the Select Board for their consideration. This will be a sealed bid process, and Fish and Wildlife have submitted a bid. Tim Guiles asked if there are any back taxes due and Mr. Atherton advised the Town has owned one lot since 1946 and the other lot since 1939. Mr. Guiles noted when he contacted Fish and Wildlife, he thought there were four lots the Town owned. Mr. Atherton stated these are the only two lots they have expressed interest in purchasing and the lots Mr. Guiles was referring to were purchased by the Delphia's. Mr. Guiles stated there was discussion of the possibly putting more properties up for sale at one time. Mr. Atherton noted that is the Select Board's decision.

**Motion** by Tracy Wyman/Brian Coolidge to approve the sale of swamp lots, Parcels 6-1-23 and 6-1-32, with a minimum bid of \$100.00 each and a bid deadline of November 20<sup>th</sup> at 2:00PM.

Mr. Atherton advised the bid results could be opened either at the board meeting or they could be opened the Friday before the meeting with the results provided to the Select Board. Mr. Atherton advised the normal bid opening has been Friday afternoon at 2:00PM. Mr. Hopkins suggested using that practice with the Town Manager opening the bids on Friday and bringing the results to the subsequent Select Board meeting. Mr. Guiles asked when the lots were sold to the Delphia's and it was confirmed the lots were sold in 2018 for a total of \$1500.00. Tracy Wyman questioned if the winning bid could be awarded at the Select Board meeting. Mr. Hopkins noted when the bids that come in by November 20<sup>th</sup> are reported to the Select Board, the Board can award the sale to the high bid, but the transfer of land would not take place until the 1061 notice has been posted for at least 30 days. The awarded bid would start the statutory process. Doug Bailey asked if it is \$100 per lot or per acre and does the buyer pay for closing costs. It was clarified the motion was \$100 for each lot and Mr. Atherton noted the closing costs were going to be set in the bid according to the policy. Mr. Bailey questioned if the closing costs include the statutory postings, as he does not want the Town to lose money on the sale. Mr. Guiles asked if the bid can be refused if it is low. Mr. Atherton advised the Select Board can refuse any bid. Mr. Hopkins stated the minimum bid is \$100 net to the Town and all expenses the Town has to do statutorily, the buyer would pay and it would not be possible for the Town to lose money if the sale is advertised that the buyer is responsible for all legal and closing costs. Mr. Atherton asked if it would be in the best interest to determine a price per acre and then determine the costs accordingly to arrive at a minimum bid, noting it is about \$500 for closing costs. Mr. Guiles suggested a minimum bid incorporating the closing costs could be set at \$70/acre to assure collecting the closing costs and making it clearer to the buyer. Mr. Wyman stated when posting a bid, he was agreeable with either including that closing costs are the buyer's responsibility in the bid advertisement or with changing to a minimum bid per acre. It was decided to provide a friendly amendment to the motion to include all costs related to the sale of the lots.

**Motion** by Doug Bailey/Tracy Wyman to amend the original motion to include the buyer is responsible for all costs incurred by the Town for the purchase of the lots. **The motion passed unanimously.**

A vote was called on the original motion. **The motion passed unanimously.**

## **8. Set Budget Meeting Dates**

Dave Atherton confirmed Tuesday and Wednesday dates in November and December with the Budget Committee for setting the budget meetings. Seth Hopkins suggested dates of December 9<sup>th</sup> and 15<sup>th</sup> and November 11<sup>th</sup> and 17<sup>th</sup>. Mr. Atherton stated staff should be able to have something put together by the first meeting. Mr. Atherton will meet with all department heads and organize when they will be presenting at the meetings. Doug Bailey noted the Zoom meetings will be challenging to hold these types of meetings and suggested Mr. Atherton and department heads provide a general department overview, current and future staff needs, and equipment needs for this budget season and the next couple of years. Mr. Atherton noted the Town has had some great opportunities where grants are available, and they will provide an

overview of where the departments are at and what their needs are. Mr. Hopkins suggested sending the information to the Select Board prior to the meeting. Tracy Wyman advised that 6:00PM will be a difficult start time for him but will join the meetings when available. There could also potentially be dates that he will be unable to attend. Mr. Hopkins thanked Ms. Coolidge, Mr. Paduto and Mr. Varian for serving on the Budget Committee. Mr. Hopkins noted the Select Board also appreciates the members of the public who have joined in the committee meetings.

## **9. Fiscal**

a) *Warrant – October 26, 2020 - \$519,706.23*

b) *Route 7 Construction Warrant – October 26, 2020 - \$209,189.36*

**Motion** by Tracy Wyman/Doug Bailey to approve the October 26<sup>th</sup> warrant in the amount of \$519,706.23 and the October 26<sup>th</sup> Route 7 Construction warrant in the amount of \$209,189.36. **The motion passed unanimously.**

The Select Board recessed at 8:09PM.

The Select Board reconvened at 8:18PM.

Bill Moore wanted to make people aware that all COVID money, including the new economic recovery grants, have a deadline of Friday at midnight. Mr. Moore advised there has been new funding released for business owners that is retroactive back to March.

**Motion** by Brian Coolidge/Tracy Wyamn to enter into executive session at 8:19PM to discuss the appointment or employment or evaluation of a public officer or employee under the provisions of 1 V.S.A. 313(a)(3) to include the Town Manager. **The motion passed unanimously.**

## **10. Executive Session**

The Board came out of Executive session at 8:48PM. There were no actions required.

## **11. Adjournment**

**Motion** by Brian Coolidge/Tracy Wyman to adjourn the Select Board meeting at 8:48PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary