

Brandon Select Board Meeting October 11, 2021

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

Board Members In Attendance: Seth Hopkins, Brian Coolidge, Tim Guiles, Tracy Wyman, Michael Markowski

Others In Attendance: Dave Atherton, Bernie Carr, Bill Moore

Other In Attendance Via Zoom: Chris Hoar and Adam Murach (During 1st Executive Session)

Executive Session Prior to Board Meeting:

The Executive Session was called to order by Seth Hopkins at 6:32PM with Brian Coolidge and Tim Guiles present in-person and Adam Murach and Chris Hoar present via Zoon.

At 6:35 Tracy Wyman joined the meeting in person and Dave Atherton joined in-person at 6:37PM. At 6:39PM, Chris Hoar dropped out of Zoom due to connection problems.

The Executive Session ended at 6:47PM. Mr. Hopkins noted the Brandon Select Board met the obligation to meet with the PD in compliance with the grievance process.

1. Call to order

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

a) Agenda Adoption

Motion by Tracy Wyman/Michael Markowski to adopt the agenda. **The motion passed unanimously.**

Add Executive Session to discuss a Police Union grievance under the provisions of 1V.S.A. 313 (a)(1).

2. Approval of Minutes

a) Select Board Meeting – September 27, 2021

Motion by Brian Coolidge/Tracy Wyman to approve the minutes of the September 27th Select Board meeting. **The motion passed unanimously.**

Tracy Wyman noted under the ARPA Funding discussion, Jim Emerson stated the solar project would offset the Town's electric cost and save 3% or more for the taxpayers. Mr. Wyman believes this needs more research as he did not totally agree with that statement.

3. Town Manager's Report

Dave Atherton provided a report for the weeks of September 27th and October 8th.

. Mr. Atherton attended the Town Fair and Annual PACIF/VLCT meeting on September 30th. Staff has been attending many of the virtual meetings throughout the last two weeks.

. The Conant Square Park and Ride work continues. The lights will be installed next week, and paving is schedule for the end of next week, weather permitting.

. Mr. Atherton attended an RRPC meeting on October 6th on the Flood Resilient Communities Fund (FRCF). This is the new program that funds properties that are just outside of the Special Flood Hazard Area that don't qualify for FEMA funding but have sustained flood damage. Mr. Atherton currently has four properties on Newton Road that are applying for this program. The first-round deadline for applications is October 29th, the second round is due January 31, 2022.

. The Highway Department has completed its 2021 MRGP projects and the RRPC completed a site visit last week to review the projects. The Town was awarded a \$20,340.00 grant last year to complete this work.

. The two flashing speed limit signs have been installed on Grove Street and Franklin Street. So far, they seem to be effective.

. The Town has received \$16,743.23 in delinquent taxes and \$10,496.73 in delinquent sewer since letters were sent on August 20th. The remaining delinquent accounts will be turned over to the town's attorney at the end of October.

. The new backhoe arrived on October 6th.

Tim Guiles noted there was information about cyber security in the VLCT information that promotes an IT security audit. Dave Atherton reported the Town has already started the process to move forward with all the IT things to be sure the Town is secure. This will be a budgetary item and the Select Board will be receiving a proposal on this subject. Jackie Savela completed an audit, and a proposal was discussed.

Mr. Atherton noted the new Flood Resilient Communities Fund process is a very simple 4-page application and he completes most of the application. Because it is not FEMA funded, it is not required to go through the FEMA timeline and is a much easier and quicker timeline.

Rec Department News:

Bill Moore wished to thank Emily Lowell, an OV graduate and current Field Hockey Coach at Castleton University who recently brought 14 of her field hockey players to Brandon to do good deeds around Town that included placing woodchips at the playground and doing painting at Estabrook Park.

Mr. Moore reported the 2nd Annual Fall Craft Fair was a success that will provide a large donation to benefit the Dog Park.

4. Public Comment and Participation

Bernie Carr noted all the tourists have commented how nice the Town looks and advised a former town manager was visiting and commented how amazing the green spaces, lights and sidewalks look. Seth Hopkins also noted some tourists who had visited during two different construction years had indicated the construction project was well worth it.

Tim Guiles reported six people from SolarFest met with Jack Schneider, Jim Emerson and him to discuss the festival and locations. It appears Brandon is at the top of their list for the festival's location.

Tim Guiles questioned the deadline for the subcommittees' reports for the Town Report. Seth Hopkins confirmed the Select Board will ask all boards and committee to submit their reports by December 31st.

Tim Guiles advised Sue Gage has forwarded him new information about elections where the Legislature may vote to mail all ballots to registered voters. Mr. Guiles suggested coordinating with the school district to possibly combine the ballots and share the cost of the mailing. Seth Hopkins thought this would be in the taxpayers' interest and would provide more clarity and suggested either Sue Gage or Dave Atherton reach out to the school district to discuss. The Board did not have a problem with mailing to all voters. Dave Atherton will discuss this item with Sue Gage and report back to the Select Board.

5. Set Budget Workshop Schedule

Seth Hopkins advised traditionally there are two meetings in November and two meetings in December. The Budget Committee is currently Barry Varian and Jan Coolidge. Mr. Hopkins noted for the record anyone interested in participating on the Budget Committee can send a letter of interest to the Town Manager. Tim Guiles suggested placing a notice on FPF indicating the Select Board is interested in another person for the Budget Committee. Seth Hopkins stated all meetings are public and all are welcome to attend. The meetings were scheduled for Monday November 15th, November 29th, December 6th and December 20th at 6PM. Mr. Hopkins asked Mr. Atherton to confirm whether Barry Varian and Jan Coolidge will remain on the Committee.

6. National Opioids Settlement

Dave Atherton advised this item came to Sue Gage and him concerning funding coming to the State from this settlement that may come down to the town level. It appears it would require attorney involvement. Tim Guiles asked if it is known how much legal council is needed as it seems like there is little need for legal council as he read it. It helps for the Town to participate to show the Attorney General's office there are people who want to support the process and if it could be done at a relatively low cost, he thought it would be good to participate. Mr. Guiles stated it is designed to address costs that are not obvious, and the Town can be creative about how to use the funds. Bill Moore noted that the State will get about \$60 million of a \$20 billion settlement. Mr. Hopkins did not think the Town's attorney is needed at this point and if it turns out to be too complicated, the Town could decline the money. The Board requested Mr. Atherton be the Town's contact for this item.

7. ARPA Funds Discussion

Tracy Wyman suggested the Town use the ARPA funds to take care of the current infrastructure starting with Newton Road pump station, the Union Street water and sewer projects, running a sewer line to the Town barn and joining Fire Districts 1 and District 2. He suggested authorizing the Town Manager to investigate some of the water and sewer projects.

Mike Markowski noted the Fire District has been discussing the topic of combining 1 and 2 about incurring connection fees. Mr. Wyman stated that would be the last item to do, as the Newton Road pump station and Union Street are in dire need of work. The Town garage is on its own septic system and if a new garage were to be built, a sewer line to that location would be needed. Dave Atherton stated Fire District 2 has limited funds, and it would be the connection. Bill Moore noted ARPA funding and projects were discussed during the Fire District's meeting, and they have indicated they would support the projects noted. The Town is being looked at as the umbrella entity for the ARPA funds but there are other entities that could be partnered with in a grant situation to do some work. Mr. Atherton noted that was done for the Park Street and Segment 6 projects. The Fire district will not receive ARPA funds, but the municipality does have the ability to grant this money. Tim Guiles suggested obtaining costs for the projects prior to approval. Mr. Atherton advised he has talked with Aldrich and Elliot regarding the scoping and cost for the Newton Road project and has spoken to Dubois and King about the Union Street water and sewer. He has not done anything about the sewer connection to town garage but could speak with Aldrich and Elliott about that project as well.

Tracy Wyman would like to move forward with Mr. Atherton obtaining the scoping studies on the projects. Mr. Guiles stated there had been discussion about the possibility of ARPA for an energy project that had to do with water and sewer with using the landfill for a solar site and suggested any way to get a solar piece in the projects would be cash in the Town's pocket. Mr. Atherton understands the approach with solar, but the ARPA funds are under his watch and noted concern that the wastewater treatment plant had been neglected and the Town has this aging process that has been fined by the State in the past. Clean water projects have been qualified for use of the money that will be given to municipalities. Mr. Wyman stated with the aging infrastructure, the Town should be fixing what it has with the funding that is being

provided and it will not be known what can be done until the scoping studies are completed on the four projects. Mr. Atherton advised there will be costs associated with doing the studies, noting that the Newton Road pump station scoping will be about \$11,000.

Motion by Tracy Wyman/Michael Markowski to authorize the Town Manager to move forward with scoping studies for the Newton Road pump station, Union Street water and sewer, a sewer connection to the town garage and combining of Fire District 1 and 2.

Mr. Atherton advised work will need to be done on the Newton Road pump station, regardless of the ARPA funds as it is in disrepair. Seth Hopkins questioned the logistics for funding the studies and Mr. Atherton advised the Town has already received ARPA funds and it could also be paid out of the Sewer account.

Regarding the sewer line to the Town garage, Mr. Atherton noted if a new highway garage were built, it would not get permitted for a new septic system. It was questioned if this location would be the best place for a new garage and Mr. Atherton advised the Town does not have any other land that is not in a flood plain or swamp. Mr. Wyman stated the biggest limitation will be the septic for putting up a new town barn. Mr. Atherton noted the Town could ask for a preclearance to be done but noted the Town garage is not currently in the wetlands but could not have a secondary septic system.

Tim Guiles thought there was going to be more outreach regarding the ARPA money. Mr. Atherton advised the Town is limited with what the funds can be spent on. Water and sewer are eligible items, and it seems that it is a simple decision to make as there are areas that need upgrading.

The motion passed unanimously.

8. Fiscal

a) Warrant – October 11, 2021 - \$337,646.60

Motion by Brian Coolidge/ Tracy Wyman to approve the warrant of October 11, 2021, in the amount of \$337,646.60. **The motion passed unanimously.**

Seth Hopkins questioned the negative numbers relative to the bond payments. Dave Atherton advised the negative numbers were due to Sue Gage taking the money from one line item and placing it under another line item for payment.

The Board recessed the meeting at 7:54PM.

The Board reconvened the meeting at 8:00PM.

Motion by Tracy Wyman/Seth Hopkins to find that the premature general knowledge of a discussion concerning the Police Union grievance will clearly place the Town at a substantial disadvantage. **The motion passed unanimously.**

Motion by Brian Coolidge/Tim Guiles to enter into executive session at 8:01PM to discuss the Police Union grievance under the provisions of 1V.S.A. 313 (a)(1). **The motion passed unanimously.**

9. Executive Session

The Board came out of executive session at 8:16PM.

The Board Chair will draft a response to the Police Union for clarification.

10. Adjournment

Motion by Brian Coolidge/Tracy Wyman to adjourn the Select Board meeting at 8:17PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary