

Brandon Select Board Meeting November 8, 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: Bernie Carr, Jeff Stewart, Bill Moore, Chris Brickell, Jack Schneider

Other In Attendance Via Zoom: Neil Allen

1. Call to order

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

a) Agenda Adoption

Motion by Brian Coolidge/Tracy Wyman to adopt the agenda. **The motion passed unanimously.**

2. Approval of Minutes

a) Select Board Meeting – October 25, 2021

Motion by Tracy Wyman/Mike Markowski to approve the minutes of the October 25th Select Board meeting. **The motion passed unanimously.**

3. Town Manager's Report

Dave Atherton provided a report for the weeks of October 25th and November 5th.

. The Conant Square Parking area has been completed. The site was paved and light fixtures will be connected soon.

. The stormwater swale has been completed in the Center Street parking area. Also, we will be installing "No Overnight Parking" signs on the West side of the parking lot so we can safely remove snow.

. The first DEI (Diversity, Equity, and Inclusion) meeting was held on November 3rd. We decided to begin drafting a mission statement and start a re-write of the Employment Harassment and Discrimination section of the Personnel Policy as first steps.

. Dave Atherton attended the RRPC Transportation Council meeting on October 28th. The hot topic was the changes in the Grants in Aid program. Unfortunately, the RPC's are no longer

overseeing this program as it will now be run by VTrans and ANR. There will now be a lot of reporting responsibilities put on the towns for project completion and grant compliance. The Grants in Aids are for stormwater and ditch lining.

. Steve and Dave Atherton met with Aldrich & Elliott on October 29th for the 60% design completion of the WWTP upgrades. We also discussion reviewing our inflow and infiltration on the collection system and visited the Newton Road pump station site.

. Mr. Atherton attended the VLCT webinar “Municipal Trees Laws and Responsibilities” webinar on November 4th. This was just a recap of the new public shade tree laws and the roles of the Tree Warden. Neil Silins also attended for the Town.

For the budget meetings, the first meeting will be on November 15th with discussion of budgets for the Town Clerk, Town Administration and Assessor. On November 19th, the budget discussion will be with the Police Department and Economic Development and the third meeting will be budget discussion with the Highway, Buildings and Grounds Department. The 4th meeting will be a recap.

Rec Department News:

. Basketball is back. Youth Basketball sign-ups for Brandon Rec opened on Friday, November 5th. Open gyms for kids in grades 3 – 6 starts on November 11th. Practice for 5th/6th grades will begin after Thanksgiving. 3rd and 4th grades will begin after Christmas. We will partner with Otter Valley and the Pittsford Rec to host pre-season clinics led by the Otter Valley Varsity players.

. After a 20-month hiatus, adult pick-up basketball will be back at the Neshobe School on Thursdays from 7:30PM – 9:00PM. While it is a free offering, anyone who wishes to attend needs to pre-register at our brandonrec.com website for insurance and potential contact tracing purposes.

. Take a bus trip with the Brandon, Middlebury, and Pittsford Recreation Departments to see 17-time World Champion Boston Celtics play against the 2021 NBA finalist Phoenix Suns at the TD Garden in Boston! Oh, be ready to disco because it is 70’s night! The trip is on December 31, 2021 and is \$195 per person which includes transportation and ticket in the new barstool seating sections: 301, 302, 303 and 329. There are some pandemic protocols that will need to be followed, including masking while on the bus and proof of vaccination status or a negative COVID test to enter the arena. All registration and programming information is available at brandonrec.com.

Tim Guiles stated the new municipal parking lot looks great and it is great to have an EV charging area in the lot. Mr. Atherton reported it is hoped to get the lights done by Friday. Mr. Guiles stated in a recent meeting with the Greenways Group at the new park on Franklin Street, A Little Park for a Little While, there were comments about engine breaking of a large truck that was going through Town. There had been discussion of putting up signs and Mr. Guiles questioned the status. Dave Atherton reported the State’s guidance frowns on this type of sign as engine breaks are a safety measure and taking away a safety feature is not advisable. This information came from the Attorney General’s Office. Mr. Guiles thought that though it could

not be placed on State property, the Town was going to place something on Town property. Mr. Atherton stated there is not often truck breaks in Town and the State has jurisdiction on the Class 1 highways and they could tell the Town to take them down. Mr. Atherton strongly advises the signs are not put up as it is a State Highway. Mr. Guiles stated the Board voted on this and thought the signs should be installed. Mr. Atherton noted the State is telling the Town not to do this and in doing something that they say we shouldn't do is not a good decision. Seth Hopkins noted the vote was taken to post a sign asking drivers to limit use of engine brakes. Tracy Wyman thought if the State does not want the Town to do this, it probably should not be done as the Town has a good working relationship with the State. Mr. Guiles noted they did not say it was illegal, but they do not want it on State property. Mr. Wyman advised if he had 100,000 lb. load of logs on a truck, he would not care about the signs due to safety. Mr. Guiles thought the Board had decided many trucks do not use the brakes, but the signs may improve his neighborhood. He would like Mr. Atherton to follow through on what was voted on. Mr. Atherton stated for the record, he is not in favor of this and does not agree with it. Mr. Hopkins stated the Board should follow through on the vote or rescind the previous vote.

Motion by Tracy Wyman/Brian Coolidge to rescind the vote on signs for brake limitations from the September 27th meeting.

Jack Schneider stated his parents used to live at 34 Franklin Street 25 years ago and moved due to the marble trucks. He lives on High Street and he still can hear them and would imagine people living on Franklin Street would be willing to come to a meeting to discuss it. Tracy Wyman stated 25 years ago L.F. Carter trucking was his brother-in-law's business and he knows that their drivers were not allowed to use truck brakes. Mr. Schneider noted he stood corrected. Mr. Atherton noted though these would be suggestive signs but the truckers still use their brakes and people call the Police Department, there will not be any enforcement because it is just a suggestion. Mr. Guiles stated there can be creative ways to encourage truck drivers to be thoughtful as we are a full-blown community. The Town does not need to have every level of noise addressed, but this is one category that some communities have come up with a sign for. Chris Brickell asked where the location of the signs would be. It was talked about putting them at the four points but Mr. Guiles is open to the logic of where the best location is. Mr. Brickell understands Mr. Atherton's position due to the State's requirement and signs are typically at Town lines, but there is a problem where it is not enforceable. Mike Markowski stated if we were to find Town property to stay outside of the State right of way, it is questionable if the signs could even be noticeable on a 5 or 6 rod road. Mr. Atherton stated the Town roads start right by the Legion on the south, near Steinberg Road at the northern end, near the Town garage to the west and at the intersection of Wheeler Road on the east. Mr. Atherton advised when this subject was brought up the last time, there was a reason why the Town had to get rid of the previous signs and in researching this subject, it was determined the State does not want them. Mr. Wyman noted the previous signs were also suggestive signs at that time. Bill Moore stated it is interesting that it is thought people are doing this unnecessarily, but he feels that most people are doing things the right way and are applying them when they need to. Mr. Wyman suggested there possibly should be signs indicating stop lights ahead. Mr. Markowski noted there are already reduced speed limit signs. Bernie Carr thought the flashing speed signs have helped to reduce the speed.

The motion passed – 3 to 2.

4. Public Comment and Participation

There was no discussion held.

5. Consider Geotechnical Engineering Proposal for Arnold District Box Culvert

Dave Atherton stated they will be doing some boring where culverts will be replaced. Funding will be received from the Class II Highway Construction grant for this project. Mr. Atherton asked the Board to consider approving the proposal. The funds will be taken from the current year's Highway budget.

Motion by Tim Guiles/Mike Markowski to approve the geotechnical engineering proposal from Dubois and King for the box culvert on Arnold District. **The motion passed unanimously.**

Mr. Atherton advised this work will be done to determine what will be needed for this project. Jeff Stewart stated there is a bridge in the Arnold District that is not in great shape and work is clearly needed in this area.

6. Consider Proposal for Cyber Security Computer Upgrade

Bill Moore stated there is a quote from a local contractor and based on the assessment of the security in Town by VLCT, their suggestions are reflected in the quote to assure that we are up to date and as ransomware-proof as we can be. Seth Hopkins asked if NEMRC is in this and Mr. Moore advised that is in the cloud. Mr. Moore stated this is security on our own PCs' and the correct licenses that we need that includes the Town Office, Wastewater Department and Highway Department. A new contract will have to be certified to work in the Police Department. If they are certified, we can move forward with this. Mr. Moore stated they will be on call and will do trainings on cyber security. The cost would be \$650.00 per month with a \$2,500.00 one-time fee. Mr. Moore noted the Town is exposed and has been lucky to not lose more data than had been lost a few years ago with the issue that it had. Mr. Hopkins asked if that could have been prevented by this service being in place and Mr. Moore confirmed that it would have been avoided. There would have been constant monitoring and we would not have lost the material. Mr. Moore advised this is a local vendor that has helped the Town in the past. Mr. Atherton advised the annual VLCT questionnaire is done and this is something they want the Town to do. Mr. Hopkins noted he was hesitant to do this based on one quote and asked if there could be the possibility of obtaining another quote. He noted this will be in an \$8,000 to \$10,000 service annually. Mr. Moore advised the Town used this vendor in the past who is local. Mr. Atherton does not think this can be done inexpensively as there is too much at risk. Chris Brickell reported the Police Department is on Microsoft Office 360 through the State and have firewalls and asked if this is someone who could monitor or work on the Police Department computers. When there are times when service is required, Mr. Brickell is concerned with paying someone a travel fee. Mr. Guiles stated it does make sense to use someone local. Mr. Atherton stated this was within his spending limit but thought it should be discussed with the Board. Tracy Wyman agreed that it is good to have someone local.

Motion by Tracy Wyman/Tim Guiles to approve the cyber security computer upgrade proposal from Silloway Networks. **The motion passed unanimously.**

7. Union Street Sidewalk Discussion

Dave Atherton provided the Board alternatives for the Union Street sidewalk. There was a grant for \$300,000 last year that has a \$75,000 Town match. To do both sides of the street with sidewalk and curbing it will cost more. Mr. Atherton would like to see concrete and new curb that will last a long time. The Town has a local option tax that was set for these types of capital projects and the cost could be covered with that and still have money remaining in the fund. The current balance in the local option tax fund is \$438,000. The \$75,000 Town match was not funded yet. Tracy Wyman asked if the ARPA funds could be used. Mr. Atherton advised the ARPA funds could be used if the Town moves forward with the water and sewer, but because the sidewalk project had already been grant-funded, it would not be eligible. Tim Guiles stated the second option to use existing curb is \$150,000 less and seems like an interesting compromise to use as much of the current curbing. Mr. Atherton advised the curbing is beat up and is like the marble curbing on Park Street. The front lines are high and it would require pulling it and re-sloping the lawns on the west side. Mike Markowski noted a lot of the marble curbing on Park Street fell apart when doing that project. Mr. Atherton reiterated the Town has an opportunity with the local option tax that was set up for capital projects to do this type of project. The Town can pave roads and do sidewalks and we could tie this in with the grant and the project would be all done and new with longevity. Mr. Hopkins asked if we are safe to annualize the local option over \$200,000. Mr. Atherton thought if the Town continues to keep \$500,000 or \$600,000 in the fund, the auditors are going to be requesting the use of these funds. The current fund is \$438,000 and the project is looking to obligate \$375,000. Mr. Atherton will send the Board further information and action will be discussed at a subsequent meeting.

8. Fiscal

a) Warrant – November 8, 2021 - \$363,428.54

Motion by Tracy Wyman/Mike Markowski to approve the warrant of November 8, 2021, in the amount of \$363,428.54. **The motion passed unanimously.**

Dave Atherton advised the reason the water fountains look like teepees is that they have been winterized that is a system of placing antifreeze in them and wrapping them.

Bernie Carr stated the 4th quarter for the Option Tax should be a good check.

10. Adjournment

Motion by Brian Coolidge/Tracy Wyman to adjourn the Select Board meeting at 7:57PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary