

**Brandon Select Board Meeting
April 24, 2023**

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, Cecil Reniche-Smith

Others In Attendance: Bill Moore, Neil Silins, Dennis Reisenweaver, Ken Manning, Steve Bissette, Jack Schneider, Brent Buehler, Jan Coolidge, Ralph Ethier, Doug Bailey, Bernie Carr, Marielle Blais, Stephen Jupiter, Helyn Anderson, Nancy Leary, Jim Leary, Judy Bunde, Devon Fuller, Annie Stratton

Others by Zoom: Bruce Jenson

1. Call to order

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

a) Agenda Adoption – Motion by Brian Coolidge/Cecil Reniche-Smith to adopt the agenda. **The motion passed unanimously.**

2. Approval of Minutes

a) Select Board Minutes – April 11, 2023

Motion by Tim Guiles/Cecil Reniche-Smith to approve the minutes of the April 11th Select Board meeting. **The motion passed with two abstentions - Brian Coolidge and Tracy Wyman.**

b) Select Board Minutes – April 17, 2023

Motion by Tracy Wyman/Tim Guiles to approve the minutes of the April 17th Select Board meeting. **The motion passed with one abstention - Cecil Reniche-Smith.**

3. Town Manager's Report

Bill Moore provided the following report:

The Wastewater Treatment Plant upgrade monthly meeting was held on Thursday. The site is being prepped for the summer shutdown. Naylor and Breen will be back to restart the project in late August/early September.

Spring clean-up continued with more work being performed in and around the park, including the turning on of the fountains.

A flashing pedestrian crosswalk light was ordered to be installed at the crosswalk that goes from the bank corner to the church.

Rec Department News:

The Rec Department is partnering with the Brandon Fire Department to offer Safety Day at the Fire Department's Volunteer Recruitment Day on May 13th.

Archery will be back on Tuesdays.

Cecil Reniche-Smith questioned if the signs the Town had indicating State law requires vehicles to stop at crosswalks were found. This topic came up a few months ago and Dave Atherton did not know where they were. She noted many people do not stop for the long cross walk by the town hall. Bill Moore stated there has been conversations about the crosswalks and there are lighted signs that cost \$2500 that are radio-controlled. One will be installed by the church and more will be added as the budget will allow. For this crosswalk, signs are far away from the crosswalk and the Town is working to make crosswalks safer. Bernie Carr advised many of the crosswalk signs have been broken, especially the one by the bank corner with trucks hitting them. After Segment 6, some were beyond use.

Jan Coolidge thanked Bill Moore for sending out the email with the agenda. Mr. Moore stated there will be a weekly newsletter that will have the meetings and minutes that have been posted.

Jim Leary stated there are times he is appalled with motorists that are oblivious to the crosswalks and suggested highlighting them.

Ken Manning stated people are also walking between cars and into the road, and suggested people should be stopped from doing that also.

4. Public Comment and Participation

Jim Leary reported Green-up Day is the first Saturday of May and if anyone would like to participate, they can meet in the gazebo in the park between 8AM and 10AM. Anyone interested in obtaining Green-up day bags can also call Mr. Leary. It was noted that Mr. Leary has been the Green-up Day coordinator for many years. Helyn Anderson noted anyone can green up every day. Seth Hopkins stated Ms. Anderson is a model of civic engagement.

Brent Buehler noted he was confused with the creation of an assistant town manager with the new town manager selection and questioned if the new town manager needs an

assistant as there was not an application put out for this position and is a new bureaucratic position. One of the reasons for tax increases is salaries.

Tim Guiles stated this discussion will be done later in the meeting and the Select Board will explain why the decision was made. As a preemptive statement, the Board had talked about making the best use of the talents in Town and came up with a solution that is not fully defined in what the sharing of duties will be. It is not putting the Town into a financial hole and the Board has decided this is the best way to move forward. Mr. Buehler asked why there was no public discussion and why the position was not advertised, as he believes Mr. Hopkins is capable but no big projects are being done and the Town has already gone over budget on some projects. Cecil Reniche-Smith stated four candidates were interviewed and two were highly qualified local candidates that had a lot of support and both had qualities that are good for a town manager. It was determined to offer the town manager's position to Mr. Hopkins and ask Mr. Moore to step up to be more involved in management if it works with Mr. Hopkin's vision. They came up with a solution that they think will keep the Town within budget. It was not advertised as it is within the purview of the town manager to do the hiring of lower-level employees and with a discussion with both Mr. Hopkins and Mr. Moore, it is something that will work. Mr. Buehler stated this is a position that was not advertised before and salaries do not go down and bureaucracy has now grown. Tracy Wyman stated it has not been determined there is going to be an assistant town manager and before moving forward, the Board has to put the town manager in place. Mr. Guiles stated the Board has put a lot of thought into this and it is a fluid plan.

Helyn Anderson asked if the Town would be mandated by law to advertise for an assistant town manager or is it within the town manager's authority. Cecil Reniche-Smith stated it is not required by law. Tim Guiles stated these capacities have always existed and an attempt is being made to build a team approach. Seth Hopkins stated the Town has a personnel policy that talks about in-house hiring first before posting to the outside. Ms. Anderson stated when Mr. Hopkins is hired as town manager, it is within his realm to create a position.

Ken Manning asked where the money was coming from if the person is hired, as the budget has already been voted on. Tim Guiles stated the Board is cognizant of the budget. With Dave Atherton's original salary, combined with Mr. Moore's salary, the Board can come up with a way to compensate each of the people who hold the positions and work within that amount. Mr. Manning stated if the second person is hired, you have to give insurance. Mr. Guiles advised Mr. Moore already works for the Town and it is not a large shift. This is a small, but meaningful recognition that Mr. Moore is doing more than Rec work, but a title has not been determined yet.

Judy Bunde stated the concept is appealing as it takes the strengths of both individuals but noted Mr. Moore already works full-time with Rec and Economic Development and will have to pass off some of what he is doing. It was noted this topic will be discussed during executive session. Tim Guiles stated this is not a partnership and there will be one town manager, with Mr. Moore's role and title to be determined.

Doug Bailey clarified the Board is not creating a new position, but reallocating duties that will cover times when someone is not in the office. Tracy Wyman stated there is no new hire and the Board is trying to make things work with the first order of business to get a town manager in place and discuss how to move forward. Mr. Bailey stated the town manager is on call 24/7 and this would provide a backup when he is not available, without creating a new position. Mr. Wyman noted when Mr. Atherton was not in the office, Mr. Moore always stepped up to answer questions. Judy Bunde stated in an effort to be transparent this subject was on the agenda, but the Board could have done this without notifying the public, but with conversations with the town manager and not had to air this to the public in general. Mr. Guiles stated that is why it is fluid and will be a dynamic settling of skills and abilities. Final answers will not be available tonight. Ms. Reniche-Smith stated this is something the Board thinks is best for Brandon and wanted to be open and above board about it and to explain the reasoning for it. There was a lot that went on that cannot be discussed in public. Jan Coolidge asked with Mr. Moore overworked, will this burn him out. Mr. Wyman stated the first goal is the town manager position, and the Board will then meet with the new town manager and Mr. Moore in determining his duties. Mr. Moore will have some role in assisting to run the town.

Dennis Reisenweaver stated there is a position of the town manager, and beyond that is a reorganization within the town structure. There has been someone acting as an interim manager and this person has been filling in without a title, but do they have to have a title. There needs to be job descriptions and he does not think there needs to be an assistant town manager. It was agreed this is a reorganization process. Cecil Reniche-Smith stated the Board is trying to accomplish the hiring of the town manager and it will be determined what falls within his purview and figure ways the team can work in terms of allocation of duties without burning anyone out, while acknowledging the work that is being done. Devon Fuller congratulated Mr. Hopkins for accepting the position and thanked Mr. Moore for all the hard work done as interim town manager. He is sure the rest of the community appreciates all of his efforts.

5. Proposal for Digital Cemetery Preservation Project

Steven Jupiter, as President of the Brandon Museum had met some archeologist from Castleton University and learned that they have 3D scanning technology. One of their students scanned some of the tombstones in one of Brandon's cemeteries. These scans would be a good long-term investment to make copies of all the tombstones in the cemetery, as some are in bad shape. It would be accessible to anyone who may be doing genealogical studies. The Brandon Museum would ask permission from the Town to do this preservation project, as it is public property. The Archeology Department is asking for a stipend for the student of \$3500 to \$4000 to do the entire cemetery. Within that project, Hawk Hill and McConnell Road cemeteries could be done. The scans would belong to the Town and the Museum is putting together a website and the scans could be held on the website and accessible through the site. If the Town chooses not to contribute the Museum would like to ask for funding from other sources. Cecil Reniche-Smith asked about the cemetery on Maple Street. Mr. Jupiter stated if the funding can be obtained, the

student will be happy to do it. Pine Hill cemetery is too large, but the smaller cemeteries could be done. Seth Hopkins stated there are 801 gravestones in one cemetery and 713 have been photographed with various legibility.

Dennis Reisenweaver was surprised that the Historic Preservation Committee had not been contacted. Mr. Jupiter noted there is no physical contact and all scans are done with a laser. Mr. Reisenweaver stated Tom Griffin of the Old Cemetery Association advised there is a photo of all tombstones in Brandon and this seems like a research project to see if their equipment works, and interns usually do not get paid by the university. Mr. Jupiter stated when presenting the project to the Select Board, if the Town was not interested, there would be no point to bringing it to the Historic Preservation Committee and no one was trying to circumvent the Committee, as it is ultimately the Select Board's decision. As far as the funding, Castleton University has no money and they do not have this in their budget. The project was proposed to Castleton University that would pay an intern \$20/hour to scan and prepare the digital files. Find a Grave takes photos, but Castleton's equipment has been perfected and they can take the graves and print in a 3d printer. The tombstones can be read that are not legible to the naked eye and the scans are not just a photograph. There are many people who study the sculpture of stones and are not just looking at the name.

Annie Stratton wanted to clarify Find a Grave and is owned by Ancestry.com and the photos are not guaranteed to be there. She has had a number of her photographs changed or stolen, and the quality varies a great deal. She is a genealogist and Find a Grave is a poor site for doing work. What Mr. Jupiter is talking about is several degrees above that with longevity in guaranteeing the information will be available in the future. Ancestry.com has already broken the contract with the one who founded Find a Grave. There are no guarantees the photos will be there and a lot of the information on the site is not accurate. She agreed it is a good resource right now in lieu of anything else, but she is excited about this project as a way to preserve another part of the history for the Town. There are graveyards that do not receive care and are not properly documented. She can see in the future it being used for that kind of project as that part of the Town's history is being lost.

Seth Hopkins noted Pine Hill Cemetery is privately owned and the Catholic cemetery is owned by the Diocese. All other cemeteries are Town property.

Motion by Tim Guiles/Tracy Wyman to allow permission to pursue the Digital Cemetery Preservation Project with other funding sources to be sought. **The motion passed unanimously.**

6. Public Works Mutual Aid Agreement Renewal

Seth Hopkins reported this item is an adjunct to the Emergency Management plan that came from the RRPC and they are asking for a renewal with no changes to the terms as reported by RRPC.

Motion by Tracy Wyman/Tim Guiles to sign the Mutual Aid agreement for the Public Works Department.

Cecil Reniche-Smith noted the term is for one year, but it calls for a periodic review on a bi-annual basis that seems odd.

Mr. Hopkins stated it is likely that there was a full version this year but will only be changed every two years. It was noted this agreement is for emergency preparedness for lending equipment to other communities in the case of emergencies.

The motion passed unanimously.

7. Town Hall Floor Replacement Match

Bill Moore advised the Friends of the Town Hall are working on a grant for the replacement of the town hall floor to cover 1/3 of the cost. The Friends will cover 1/3 of the cost and they are requesting the Town commit to 1/3 of the cost. The floor is in poor shape and the Friends have invested a lot of money to make the upstairs more usable that includes the new Dennis Marden stage, installation of heat pumps and the painting of the ceiling. The Friends would be spearheading the project and would request that the Town commit to an amount not to exceed \$18000 from the ARPA funding.

Cecil Reniche-Smith asked if there is concern with the historic value of the floor. Mr. Moore was not sure and he has not spoken to Historic Preservation, but it was not thought to have been the original floor. Bids were received from two other vendors and the bid chosen is for a hickory floor. The Friends have contacted the Vermont Council on the Arts for grant funding. Tim Guiles asked if there is a timeliness as the ARPA discussion is supposed to be happen in the next couple of months. Mr. Moore stated the contractor would like a commitment but they have asked for another quote on 4-inch and 3-inch maple for comparison. The project would include tearing up the floor, doing a subfloor and replacing the floor, finishing, and committing to come back over the next few years for the addition of more finish. Estimates were received for refinishing the current floor but there is concern with the splintering. Mr. Moore noted his father has been in the flooring business for 50 years and has advised that it needs replacing. Mr. Moore stated they are committing to do this over December to January break and have asked for a quote on the maple to see what the cost would be versus hickory, noting hickory is harder and would last longer, but maple is more desirable in appearance, but would not last as long. Bernie Carr stated the flooring would be made in Leicester and is all local. Nancy Leary stated she has purchased hickory from the same vendor and it is very durable but the issue is moisture content as it swells. Mr. Moore stated when discussing moisture, the vendor was not concerned due to the town hall having a heated basement. Brian Coolidge requested the Select Board see the other estimates and Mr. Moore will provide the Board this information. Tracy Wyman also requested the cost estimates to refinish the current floor if it would last for 3 to 5 years. Jan Coolidge noted the cost will only go up for the replacement of the floor if that is done. Mr. Moore stated the floor has not been finished properly that he is aware of over the last 10 years and he suspects that there is not a lot of life left. Tim Guiles stated once one refinishes a floor and reapplies a finish on a regular basis, resanding should not be needed and should last a long time if kept up. Mr. Moore advised there

are spots that are spongy and there are significant water stains on the eastern side of the building. Bernie Carr noted for decades this building had no attention and has had a lot of abuse over the years and the Town now has stewards that have done a lot of work. He understands reviewing all bids, but the Friends are a committee of their own and did due diligence and they vetted the best value. The Town is lucky to have a committee that does the work and will provide 2/3rds of the cost. Brent Buehler suggested there may be funding through the Trustee of Public Funds. Tim Guiles suggested including this project on the ARPA funding list, taking no action at this point, and considering the project during the ARPA discussion.

Motion by Tim Guiles/Tracy Wyman to take no action and request the Friends of the Town Hall investigate other funding and add this project to the list for potential ARPA funding. **The motion passed unanimously.**

8. Solar Decommissioning Costs and Solar Project Exploration Process

Mr. Hopkins advised Jim Emerson of the BEC requested this agenda item be postponed to a subsequent meeting.

9. VTrans Grants in Aid Enrollment

Bill Moore reported this letter of intent is for the Select Board to consider for participating in the Municipal Roads Grants-in-Aid program that makes the Town eligible for VTrans grants for various projects.

Motion by Tim Guiles/Tracy Wyman to authorize the signing of the VTrans Grants and Aid project letter of intent. **The motion passed unanimously.**

10. VCDP Grant Municipal Policies Adoption

Bill Moore reported the adoption of the VCDP Grant Municipal policies makes the Town eligible for the VCDP grant program. The policies relate to items such as the drug-free workplace act, fair housing, and other oversight programs. Cecil Reniche-Smith advised these are State and Federal regulations and there is nothing controversial in the policies, with many of the policies already in the Town's policies. Without adopting the policies, the Town would be ineligible for a lot of the funding available.

Motion by Cecil Reniche-Smith/Tim Guiles to adopt and sign the VCDP Municipal Policies and Codes document for continued eligibility for the Vermont Community Development grants. **The motion passed unanimously.**

11. Fiscal

a) Warrant – April 24, 2023 - \$275,280.83

Motion by Tim Guiles/Tracy Wyman to approve the warrant of April 24, 2023 in the amount of \$275,280.83. **The motion passed unanimously.**

Seth Hopkins noted part of the warrant was for FEMA buyouts.

Cecil Reniche-Smith stated she had asked Mr. Moore how many miles of piping the Town has in viewing the warrant for RootX. Mr. Moore was not sure of how many miles the Town has, but noted it is many miles.

Bernie Carr stated the beauty of a small town is having discussions like tonight and noted he is proud of the discussions that took place and hopes that discussions like these continue.

Neil Silins reported he has started a committee to develop a 50-year plan for Brandon's forest urban canopy. There is a Tree Preservation plan that does not include a 50-year plan. The intent is to have a ready supply of seedlings when the older trees fail. The committee that was formed has a good start on the plan.

The Select Board recessed at 8:09PM.

Motion by Tim Guiles/Brian Coolidge to enter into executive session at 8:11PM for the appointment or employment or evaluation of a public officer or employee per 1 V.S.A.(313)(3)(a)(3) without the Board Chair. **The motion passed unanimously.**

12. Executive Session

The Select Board invited Seth Hopkins to enter the executive session at 8:42PM.

The Board came out of Executive session at 9:03PM.

The Board reconvened at 9:05PM

Motion by Cecil Reniche-Smith/Brian Coolidge to appoint Seth Hopkins as Town Manager at a salary of \$75,000, with duties pursuant to statute and the contract executed 4/24/2023. **The motion passed unanimously.**

Seth Hopkins announced his resignation from the Select Board.

Tracy Wyman, Vice Chair, announced the opening on the Select Board and that the Board will be accepting letters of interest until close of business on May 5, 2023.

Brian Coolidge asked if the Board would have an Executive Session preceding the Select Board meeting on May 8th to fill the open position so that there will be a full Select Board for the public meeting.

Jan Coolidge noted that Sue Gage would have to be present to administer the oath of office before the new member could participate.

The issue of reorganization was raised, Vice-Chair Wyman stated reorganization will take place after the new Select Board member is appointed.

Motion by Cecil Reniche-Smith/Brian Coolidge to postpone the agenda item regarding board reorganization until the May 8th meeting when it is anticipated there will be a full Select Board. **The motion passed 3 to 1 - Tim Guiles dissenting.**

Judy Bunde asked whether the Select Board will review the letters of interest before the May 8th meeting. Vice-Chair Wyman stated the plan is to review the letters over the weekend and enter executive session for the purpose of choosing the new select board member.

Stephen Jupiter asked whether there will be public interviews. Cecil Reniche-Smith explained the issue of interviews had come up, and the Board anticipates that the Board will already know the candidates, but if the Board needs additional information, then it will conduct interviews during the executive session preceding the May 8th public meeting.

Seth Hopkins suggested that if interviews are necessary, the Select Board can postpone the appointment until such time as it has been able to conduct the interviews. Steven Jupiter asked if the Select Board is required to have five members to act. Cecil Reniche-Smith explained that it is not a legal requirement, but a practical and pragmatic position. With only four members the Select Board runs the risk of tie votes on actions.

Stephen Jupiter sought clarification of the timing for potential interviews and method of application. Cecil Reniche-Smith explained there is an application cover sheet to be submitted along with the letter of interest. Marielle Blais spoke in favor of the names of all applicants being made public, and referenced her surprise that when she submitted her letter of interest for the open Board position, her application was not made public. Steven Jupiter noted the appointment will be of particular public interest because it is taking place so soon after the election and the person selected will be serving almost a full term. Annie Stratton emphasized the importance of knowing who is being considered for the position given that it is for an elected office. Ken Manning asked why the process can't be drawn out to give more time for interviews. Bernie Carr noted there are a number of decisions and actions the Board will need to be taking as the end of the fiscal year approaches, and the sooner it is at full-strength the better.

A suggestion is made that the names be included in the warning for the Select Board's May 8th meeting, but Vice-Chair Wyman noted because of deadlines for posting the warning, the deadline for accepting applications would need to be adjusted. Bill Moore suggested the May 8th executive session can be warned as part of a special meeting, which has a 24-hour posting deadline that would allow the Board to keep the May 5th deadline for applications, but still allow a warning that contains the names of the interested candidates.

Bernie Carr noted although there is value in knowing the names of interested candidates ahead of time, the public does not vote on those candidates.

Steven Jupiter noted the last time an appointment was made, there was resentment on the part of some members of the public who felt everything was being done behind closed doors. Cecil

Reniche-Smith stated that, as a person involved in that last proceeding, her concern was not that the Board was acting in secret but that she was afraid the Board did not have all the information it needed about her for a fully informed decision.

Following a lengthy discussion, the Select Board concluded the best course of action would be to warn a special meeting for May 8th to precede the regularly scheduled Select Board meeting. At the special meeting, the Board would enter executive session for the purpose of evaluating the letters of interest and conducting any necessary interviews.

Judy Bunde voiced concern about the Board's ability to conduct interviews and evaluate the candidates in the time the Board was allotting.

Motion by Tracy Wyman/Tim Guiles to recess for executive session. **The motion passed unanimously.**

Steven Jupiter asked if the allocation of duties will be discussed between Seth Hopkins and Bill Moore. Vice-Chair Wyman responded the Select Board cannot answer that question at this time. Steven Jupiter asked Tim Guiles if he would send him a report of any actions taken, for the newspaper. Cecil Reniche-Smith stated the Board did not anticipate taking any action following the executive session.

Motion by Tracy Wyman/Tim Guiles to enter into executive session at 9:39PM for the appointment or employment or evaluation of a public officer or employee per 1 V.S.A.(313)(3)(a)(3) including Bill Moore and Seth Hopkins. **The motion passed unanimously.**

14. Executive Session

The Board came out of executive session at 9:48PM.

There were no actions required.

15. Adjournment

Motion by Cecil Reniche-Smith/Brian Coolidge to adjourn the Select Board meeting at 9:49PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary