

**Brandon Select Board Meeting  
June 26, 2023**

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

**Board Members In Attendance:** Tracy Wyman, Brian Coolidge, Tim Guiles, Cecil Reniche-Smith, Heather Nelson

**Others In Attendance:** Seth Hopkins, Bill Moore, Bernie Carr, Ralph Ethier, Jan Coolidge, Jack Schneider, Brent Buehler, Stephen Jupiter, Tom Kilpeck, Jackie Savela, Jim Emerson

**1. Call to order**

The meeting was called to order by Tracy Wyman - Board Chair at 7:03PM.

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

**2. Approval of Minutes**

**a) Special Select Board Meeting Minutes – June 12, 2023**

**b) Select Board Meeting Minutes – June 12, 2023**

**c) Special Select Board Meeting Minutes – June 19, 2023**

**Motion** by Tim Guiles/Cecil Reniche-Smith to approve the minutes of the June 12<sup>th</sup> Special Select Board meeting, June 12<sup>th</sup> Select Board Meeting and June 19<sup>th</sup> Special Select Board meeting as amended. **The motion passed with Brian Coolidge abstaining from the June 19<sup>th</sup> meeting.**

A correction to Heather Nelson’s name on page 4 of the June 12<sup>th</sup> Select Board meeting minutes (minutes reflect Heather Norton).

**3. Town Manager’s Report**

Seth Hopkins provided the following report and submitted the report in advance.

*“FOCUS AREAS DURING REPORTING PERIOD*

*Effort in the town office has been focused on preparing to close the fiscal year. This entails working with department heads and committees to assess budget status and ensuring remaining expenditures are kept within budget constraints.*

*Town crew work has been primarily mowing, grading, and working on guardrails; they have also been taking care of some low-hanging branches on sidewalks. A culvert crossing Union Street near the wastewater plant had been blocked and the town crew has gone in and done extensive ditching on the east side of the road to facilitate proper drainage. More work will be done in the driest part of the late summer as conditions permit. Beaver activity on Old Brandon Road continues and results are being dealt with as needed. Estimates for a new head for the roadside mower are being sought. Shawn Erickson confirms he holds a Class A CDL and the rest of the crew is in varying stages of attaining that level.*

*Three federal inspectors (EPA) and a contractor were here Wednesday to examine the wastewater facility project and its compliance with American Iron and Steel provisions. This was a productive and informative office conference facilitated by Jason Booth of A&E Engineers followed by a site visit led by Jason as well as Steven Cijka, our chief wastewater operator. Our project was well-received.*

*The fuel tank and sewer jetter/flusher were placed on Municibid and both elicited interest. Results will be provided at the selectboard meeting as the auction concludes Saturday.*

*I followed up by phone with Wright Construction regarding the restoration of the downtown waterfall. They are not able to take on this project, so we will cast a wider net.*

*Updated ARPA and 1% Fund snapshots are provided with this report.*

*With Bill Moore I have met with Gary Holloway to advance the designated downtown and neighborhood development area, and separately with Rich Amore, both longtime supporters of Brandon, regarding the village designations we're exploring for Forest Dale (very likely to succeed) and Park Village (may not be the best fit).*

*Potential ADA parking solutions at the corner of Champlain and Grove Streets (Museum and Baptist church) have been offered up to both of those organizations for their input.*

*VHB has proposed some modifications to the contract for the Historic Preservation work commission. Not all of them were acceptable to me so we are working through this to resolve.*

#### **RESIDENTS' CONCERNS**

*I have reached out to Lowell Landscaping regarding the few downtown trees that were highlighted at the last selectboard meeting as not thriving. The owner Ed Lowell planned to inspect them Friday 23rd (so I may have an update for the board Monday). Some are beyond the guarantee but one was already a replacement so that should have come with a new guarantee. [All of this is subject to revision/correction after he and I meet to discuss.]*

*I reached out again to Sbardella about the town hall roof but have no date scheduled yet for their inspection of the chimneys before they update their quote to replace the roof.*

*The zoning officer has sent a number of notices of noncompliance recently.*

*Several other isolated public works calls were addressed by the road crew, or by the foreman in conjunction with other agencies such as Green Mountain Power (a shade tree on Park Street).*

#### **STAFFING**

*Chief Kachajian expects to be at the selectboard meeting to introduce both Officer Kevin Rimmer and Officer Anna Burtch-MacLeod to the community."*

#### **Other updates:**

Chief Kachajian was present to introduce two new officers, Officer Kevin Rimmer who is the new full-time officer and Officer Anna Burtch-MacLeod who is the newest part-time officer. Other officers of the Brandon Police Department present were Corporal Michael VonSchleusingen and Ethan Kelleher who is currently part-time but will be taking a full-time position later in the year.

Seth Hopkins reported the winning bid on the jetter is \$1,550 from a Michigan bidder and the winning bid on the fuel tank is \$1,250 from a Maine bidder. Arrangements are being made for the transfer of the items. It was noted the buyers are responsible for the transportation, plus buyers also pay the Municibid premium. These sales are not subject to the local option tax. Tim Guiles asked if there is a learning curve with Municibid. Mr. Hopkins stated it is intuitive and thanked Tom Kilpeck for the suggestion. He noted there was one Brandon resident who did not want to do on-line bidding and placed their bids in the Town Office.

Heather Nelson asked if the grant match for the Union Street sidewalk paving was one of the ones discussed at the last meeting. Seth Hopkins advised the plan was to use a year of the 1% local option money. Cecil Reniche-Smith stated the need would be for 2024/2025 and Mr. Hopkins stated this is based on construction seasons. Bill Moore stated they are producing right of way paperwork and are far from construction. Mr. Moore does not think they will be ready to go to bid or construction in 2024. Ms. Reniche-Smith stated this will provide almost 2 years to replenish the funds. Tracy Wyman stated when doing Segment 6, it ended the sewer near Hannafords and suggested there could be consideration to do the sewer lines down to the tracks. Mr. Wyman also asked why there should be sidewalks on both sides of the street as he did not think the population warrants sidewalks on both sides and suggested researching this also. Mr. Moore stated there was a sidewalk design brought to the Board and he can look into what would happen if the design was changed and with the sewer line, it is hoped to have the sewer and water lines replaced at the same time. Tim Guiles likes the idea of saving money where possible but is concerned with people from the other side of the street accessing the sidewalk. Cecil Reniche-Smith stated a number of the residents on Union Street are elderly and it would make it difficult for them with a sidewalk on only one side of the street.

Jan Coolidge stated during budget meetings it was discussed to use local option tax every year for the paving and asked if there a line item in for paving to know to hold back that amount each year. Mr. Guiles stated the \$300,000 match will be in 2025 and with bringing in \$60,000 per quarter and almost \$500,000 coming in over this time, there would still be funds for paving. Brian Coolidge stated \$60,000 is the highest amount coming in but there are less businesses paying in now and noted this is wishful thinking and if the Town keeps spending ahead, it is a poor idea. Cecil Reniche-Smith noted there is a new shop that will be opening in Town. Bernie Carr stated the local option tax was supposed to give the Town the ability to do projects but was not designed for paving. The Town can still have extra projects done and if more money is needed to be raised for paving, it could be put on the ballot. Mr. Wyman noted the commitment for the 2024/2025 construction season should be done in July 2024 and if the construction should happen in 2024 the Town would overspend its option fund and he is not in favor of that. It was confirmed that the recommended budgeting amount for paving was \$400,000. Brent Buehler confirmed that the total cost is not known for the sidewalk, water, and sewer at this point. Mr. Buehler also asked if Markowski would be the best option for the waterfall project. Seth Hopkins advised the State's River department said it is a specialized field to work in the water and noted that Markowski could be asked if they are interested in doing the project. He noted in the simplest explanation of what needs to be done is taking what is there and assuring that it is stable. He stated the State indicated the Town needs to think about whether this is a band-aid fix or whether it is to stay fixed. Cecil Reniche-Smith asked for the water and sewer portion of the project whether water has its own resources. Bill Moore stated the Town would work with the Prudential Board to fund their piece of the project. Jan Coolidge stated at last year's budget meeting the Board decided not to fund paving with appropriations and now the local options tax will not be funding it. The Board needs to make a decision and not be wishy washy about items as voters need to know what to expect.

#### **4. Rec Director's Report**

Bill Moore provided the following report:

*. Brandon Rec is partnering with the Brandon Area Toy Project to provide the "family fun area" behind the Brandon Inn as the Neshobe PTO was not able to muster the volunteers to staff the area as a part of the Brandon Independence Day Celebration on July 1<sup>st</sup>.*

*. Brandon Rec has partnered with the Brandon Energy Committee and Brandon Area Chamber for the Davenport Electric Fest in honoring Thomas Davenport, inventor of the electric motor. The OV high school will play host to his legacy of electric motor-powered vehicles including an excavator. There will be food, a bounce house, and a presentation by Dr. Thornton along with David Hammond's operating recreation of the Davenport motor will be on display from 12PM to 5PM on July 8<sup>th</sup>. Free entry. Learn more at [davenportelectricfest.com](http://davenportelectricfest.com).*

*. Summer Aikido with Wade-sensei registration has opened up and will run July 17<sup>th</sup> – September 25<sup>th</sup> at the Otter Valley North Campus.*

*. Brandon and Pittsford Rec are partnering with Otter Valley Field Hockey coaches and players once again to offer a summer field hockey clinic for youth entering grades 3 through 7 on July 10<sup>th</sup> through 14<sup>th</sup> from 5PM to 7PM at Otter Valley.*

*. Brandon Independence Day Celebration is on July 1<sup>st</sup>. Starts with the parade at 10AM. Event is rain or shine except the fireworks display rain date is Sunday July 2<sup>nd</sup>.*

*. Planning for the slate of drive-in movies has begun.*

Brian Coolidge requested a FEMA update. Bill Moore reported for 389 Newton Road, Jackie Savela and he will have a final meeting with Lisa Cole on July 3<sup>rd</sup>. For 310-17 Burke and 317 Newton Road there is asbestos and he has sent out requests to three different contractors for mediation. He has sent an email to the consultant as there is a significant difference in pricing and he wants to assure that they are not underserved with the lower price. 32 Marble is still with FEMA as well as 110 and the Town has not pursued any new properties as they want to clear some before beginning others.

Bernie Carr stated a big draw for the Davenport Festival was to be a speaker from the Smithsonian who had previously met with Kevin Thornton. He unfortunately was in a car accident in Washington D.C. and will be unable to attend this year's event but is very eager to come to the event next year.

## 5. Public Comment and Participation

Brent Buehler requested clarification of the paving for this year. Seth Hopkins reported the only paving on the schedule for this year is for Arnold District.

Dave Atherton has been following the paving conversation and noted the local option tax fund is down to \$46,000. There was discussion to fund annual paving by local options tax and sometimes by appropriations. His recollection was that paving was taken out of the 2024 budget. Maintaining the roads is one of the most important things to keep up as people want good roads and sidewalks. The paving concerns him because Shawn and he previously looked at doing the sidewalks on Pearl Street and Carver Street. That money is not there and it was important to get sidewalks done at a cheaper value than concrete by paving them. All of the paving being done this year is from a grant from two years ago. It is only one mile that can be done for \$100,000. He asked what the plan is when it was spoken about in the budget season as it concerns him. Brent Buehler stated one of the items was the tandem truck that took up funds that were not budgeted and that is where the money went. Jan Coolidge stated in the budget meeting paving was taken out of the budget because the funds from the Highway Department reserve would be used, but with all that money only one road is being done. She thought it was part of the construction contract from the vendor who did not do a good job. Seth Hopkins stated the road itself is 7000 feet long and will take the entire \$200,000 from the State and the \$100,000. The contractor was only doing a small portion. Cecil Reniche-Smith asked if bids were done for Pearl Street and Carver Street sidewalks and Mr. Hopkins stated not at this point.

## 6. Appointments

- a) Development Review Board – 2 seats (3-year terms ending June 30, 2026)* (Jim Des Marais/Samantha Stone)
- b) Development Review Board Alternate – 2 seats (3-year terms ending June 30, 2026)*
- c. Revolving Loan Fund Committee–2 seats (3-year term ending June 30, 2026)* (Wendy Bizzarro/Catherine Wall)
- d. Revolving Loan Fund Committee – 1 seat (3-year term ending June 30, 2026)* (Judy Bunde)
- e. Rutland Region Transportation Council (1-year term ending June 30, 2024)* (Tracy Wyman)
- f. Rutland Region Transportation Council Alternate (1-year term ending June 30, 2024)* (Dan Snow)
- g. Rutland Regional Planning Commission (1-year term ending June 30, 2024)* (Jack Schneider)
- h. Rutland Regional Planning Commission Alternate (1-year term ending June 30, 2024)*

**Motion** by Tim Guiles/Cecil Reniche-Smith to approve the appointments as noted in items a, c, d, e, f, and g. **The motion passed unanimously.**

Heather Nelson stated it would be nice to have alternates to the boards that still have openings. Tracy Wyman noted the Development Review Board and Rutland Regional Planning Commission alternate positions are still open.

Bernie Carr advised his sister had her wallet stolen from her car in Town and suggested everyone lock their cars as there have been other incidents also reported.

## 7. Consider Designating a Portion of ARPA Funds to Replace the Town Hall Roof

Heather Nelson noted her understanding of ARPA money is a one-time funding and since the town hall has been reopened for around 12 years ago, that is how long the roof has needed replacement. The Town depends on the building and she suggested taking this opportunity to fix the roof. Tim Guiles would like to have a figure for the roof prior to committing funds. Ms. Nelson would like to explore funding from historic preservation. Tracy Wyman stated this is an option that could be explored and suggested it would be good to do away with the slate, if that is possible due to it being historic. Mr. Nelson stated Sbardellas has not provided a quote in 6 weeks and asked if there are other options. Seth Hopkins stated they had quoted \$168,000 in 2015 but they are concerned with the condition of the chimneys and they will need to look into them.

Cecil Reniche-Smith noted it is likely significantly more but suggested ARPA funds could potentially be matching funds for historic grants. Bill Moore stated there are also community grants that could be available. Ms. Nelson expressed concern that a dangerous situation is not created for the neighbors with where the snow will land. Dave Atherton advised the Preservation Trust of Vermont provides a lot of money for these types of buildings noting they have done a similar building like this and the Fire Department in Pittsford also just received funding. They are a private entity and are a great company to work with. Jan Coolidge stated prior to doing the preservation on the building, \$13,000 had been raised for the roof and had been given to the Town with the stipulation that it would be used for the roof. Tim Guiles stated there was an attempt to include the community in the uses for the ARPA funding and many ideas had been submitted. Since that time, the Town has chipped away with small things and are down to half of the funds. Since there is a new Board, Mr. Guiles suggested reimagining some of the structure of how to designate the ARPA funds and suggested at the next meeting soliciting community input and developing a matrix of possibilities. Ms. Nelson stated the RNESU did a thought exchange that included an email with a link for people to submit ideas. The program provided the opportunity for others to provide input on the ideas submitted. Ms. Nelson noted this could be a good addition for people to provide input outside of attending the meeting. Tim Guiles noted the Select Board can obtain input, but it is the ultimate decision of the Board as to how to use the ARPA funds. Cecil Reniche-Smith stated if there is discussion and a clear consensus of what the community wants, it would be something the Board should take into account. If there is consensus in Town that the funds should be for a one-time legacy item, she would be interested in hearing about it. Brent Buehler asked if the roof falls under the mandate of the Town. Mr. Hopkins stated the Trustees of Public Funds could be asked to assist with the funding. Dave Atherton stated there are likely going to be cost overruns for the wastewater project and it would be good to have some funds for possible overruns. Jack Schneider stated two years ago the Select Board solicited suggestions from the community for the ARPA funds and suggested it would be a good idea to solicit ideas from the community again.

## **8. Award Paving Bid**

Seth Hopkins stated the bid openings were done. Tracy Wyman stated there was a bid from Pike Industries for 15% recycled asphalt for \$164,476.34. The other bid was from Wilks Paving at \$191,531.05 for virgin paving and \$180,456.05 for 15% recycled asphalt. Cecil Reniche-Smith stated the tonnage numbers in the bids are slightly different. Mr. Hopkins advised Shawn Erickson provided an estimate of the tonnage but expected for certain areas of the road will take more and some less. Mr. Erickson encouraged the Board to concentrate on the price per ton with Pike Industries at \$76.93/ton and Wilks Paving at \$81.47/ton.

**Motion** by Brian Coolidge/Tim Guiles to award the paving contract to Pike Industries in the amount of \$164,476.34. **The motion passed unanimously.**

Seth Hopkins advised the Highway Department anticipates daytime closures at the end of August for this project.

## **9. Extend Short Term Bond Anticipation Notes**

Seth Hopkins reported this request came from the Town Treasurer with regard to the wastewater project as the grant money will not be coming for a while due to a shutdown of the project. Mr. Hopkins advised this is what the Town uses for cash flow and at the end of the project the Town gets reimbursed. The project is on pause because the contractors have work that can only be done at this time of year. It was asked who has the burden of the increased interest rate and Mr. Hopkins advised it will be the Town. The Town had the option to roll the interest into the bond amount but did not elect to do that.

**Motion** by Tim Guiles/Cecil Reniche-Smith to extend the short-term bond anticipation notes. **The motion passed unanimously.**

## **10. FY23/24 Blanket Payroll Authorization**

Seth Hopkins stated this was prepared by Jackie Savela and is the updated rates of pay that start at the beginning of the fiscal year.

**Motion** by Tim Guiles/Brian Coolidge to approve the FY23/24 blanket payroll authorization as presented. **The motion passed unanimously.**

## **11. Assignment of Funds**

Seth Hopkins noted this came from Jackie Savela and there are no funds to assign but is for the Board's information.

## **12. Fiscal**

### ***a) Warrant – June 12, 2023 - \$139,589.92***

**Motion** by Cecil Reniche-Smith/Tim Guiles to approve the warrant of June 26, 2023, in the amount of \$139,589.92. **The motion passed unanimously.**

Cecil Reniche-Smith requested clarification of the list of alarms. Seth Hopkins advised some of the pump stations have alarms and this is to add features to the alarms. Ms. Reniche-Smith also requested clarification of the ADA door openers and Mr. Hopkins reported this was \$2,000 lower than other bids and was done expeditiously and was two doors with one from the sidewalk and the door at the bottom of the stairwell.

Chief Kachajian stated Maple Street, Church Street and Champlain Street had several car break-ins. Items stolen were wallets and tools. There were home videos that the Chief has and there is a suspect with some items having been recovered, however, they are actively working on this issue and could not provide too much information. People were encouraged to keep their car doors locked. There were no forced entries.

Bernie Carr reported Friday June 30<sup>th</sup> begins the Brandon Chamber auction at the town hall.

Chief Kachajian advised he helped prior towns where he has worked with writing policies regarding bicycles, scooters and with the issue of loud exhaust and mufflers. In the last legislative session, they pushed for a law on loud mufflers but it was defeated. That does not mean that municipalities can't address this issue. Chief Kachajian had previously created an ordinance for bicycles and skateboards. Heather Nelson asked how one tells the difference between a child learning to ride their bike versus other bike riders. Chief Kachajian stated there is discretion and if there is a little one learning to ride a bicycle, common sense needs to be used. Chief Kachajian provided information to the Board that included comments and exemptions in the policies that he wrote. The skateboard ordinance he wrote one was more for the downtown area and also made exemptions. He stated one needs to look at it through the spirit and the letter of the law. Chief Kachajian advised the only way to do something about the mufflers is through defective equipment. The Town or Select Board could create a fine for mufflers as there is not a state fine. Chief Kachajian would be happy to discuss the information with the Select Board if they wish to enact or revise any of these but wanted to provide the Board with information on options. Tracy Wyman stated with regard to exhaust, if the vehicle is not inspectable, they could be written up for defective equipment but can't be ticketed for modifications. Chief Kachajian noted some communities initiate a noise ordinance but there is not a State ordinance for modified mufflers. Cecil Reniche-Smith noted Rutland City has a decibel ordinance that specifically talks about the muffler and popping modification. Chief Kachajian has a noise ordinance that could be presented to the Select Board that would address several items. Heather Nelson stated it appears the main problem is in the downtown. She does not want to see children riding bikes in the road and the downtown is not a good area for skateboards. Chief Kachajian stated an ordinance can be flexible and tailored however the Select Board would like it to be. Ms. Reniche-Smith's concern when riding bikes on the sidewalks is allowed is the need for a limit on the speed. Tim Guiles noted in the past when doing an ordinance, there was a working group developed. Brent Buehler stated in talking with the Town Manager about this topic, Bristol has an interesting way to approach this. Seth Hopkins advised that Bristol has a partnership with a local civic club that purchases ice cream certificates to give to children that are practicing safe bicycling. Chief Kachajian would be more than happy to participate in this type of program. Bill Moore noted the local rescue, fire and downtown businesses did a similar program in handing out stickers. Bernie Carr did not understand when doing a modification that is no longer EPA-approved why the vehicles cannot be taken off the road. Chief Kachajian stated the vehicle is still drivable but a state or town ordinance would help the police department in addressing these issues. Mr. Carr noted this is a significant interruption to the community's way of life as he hears it all day long. Chief Kachajian advised he will follow up on this issue.

### **13. Adjournment**

**Motion** by Tim Guiles/Cecil Reniche-Smith to adjourn the Select Board meeting at 8:26PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary