

**Brandon Select Board Meeting
August 28, 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, Heather Nelson

Board Members via Zoom: Cecil Reniche-Smith

Others In Attendance: Seth Hopkins, Ralph Ethier, Eileen Dolan, Laura Miner, Kevin Waldie, Tanner Romano, Wayne Rausenberger, Steven Jupiter, Jan Coolidge, Vicky Disorda, Courtney Satz, Steve Bisette, Tom Kilpeck, Susan Benedict

Others in Attendance via Zoom: Bruce Jenson, Neil Silins, Jack Schneider, Marielle Blais

1. Call to order

The meeting was called to order by Tracy Wyman - Board Chair at 7:00PM.

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 Meeting Minutes – August 14, 2023

Motion by Brian Coolidge/Heather Nelson to approve the minutes of the August 14, 2023 Select Board meeting. **The motion passed unanimously.**

3. Town Manager’s Report

A Town Manager’s report was provided by Seth Hopkins and is available for viewing in the Board packet on the Town’s website.

Mr. Hopkins wished to highlight the following: A correction on the first page talking about debris removal from Newton Road as it happened today due to a VTrans scheduling change. Nothing has changed other than the main activity. He is fielding a lot of phone calls due to delinquent taxpayer notices having been received and people are calling wanting to clear up their billings. He has had ongoing communications with FEMA for requests for information and contractor information on rebuilding Newton Road. Cecil Reniche-Smith questioned if payment plans are being made for delinquent taxes. Mr. Hopkins reported payment plans are offered when the taxpayer can clear the delinquency in a year. Tim Guiles questioned if the \$67,000 of local option tax money is more than average and Mr. Hopkins reported this is in line with the average for the April/May/June timeframe.

Brian Coolidge stated the tennis courts at Estabrook Park are lacking maintenance and the back trim boards of the building there are rotted. The bioswales are also neglected on Park Street. With them being Town properties, they should be maintained before creating other areas like a connector path. Seth Hopkins and Bill Moore have talked with buildings and grounds about the bioswales on Pearl Street and Park Street. There are homeowners that have adopted them, following the model of the in-town sidewalk gardens. The Town supports clubs who are interested in doing the bioswales. Mr. Hopkins noted this is good community building and allows for the residents to take ownership. The Town could do the maintenance if a more robust budget is developed to support these activities. Mr. Hopkins recommended the volunteer route first or have a discussion during budget time. Heather Nelson asked about Park Street parking as to which are diagonal. Mr. Hopkins stated all of Park Street is parallel parking except right near the library which is diagonal parking. Bill Moore advised the tennis court at Estabrook is in the wrong spot and the decision was made to move the tennis court and make this area a skate park. Funds are being researched for a new tennis court. Cecil Reniche-Smith asked about the police chief discussion in the report. Mr. Hopkins reported there was a law enforcement response to a complaint of a serious nature and there is interest in further

communication of how those types of calls could be handled. The Chief noted it is the Town's and Select Board's police department and he will provide the policing that the Town would like to see. Mr. Hopkins provided an update on damage to the police station that was the result of a person being booked.

Keivn Waldie stated the condition of the tennis courts has been going on for a long time and questioned who would be taking care of the skate park when the tennis courts have been in this shape. There are several safety issues on the court and things have not been kept up. Concern was also expressed with who is going to pay for the upkeep of a path from Brandon to Forest Dale. Mr. Waldie encouraged the Board to ensure there is money to maintain these areas once they are developed, as taxpayer money is being wasted. Bill Moore explained the tennis court is in the wrong area because it is very wet and the idea of having an asphalt space would be a better use of the area. The parking area adjacent would provide the ability to have a single court that will be lined for basketball and pickle ball as well. Mr. Moore advised if there are not enough people interested in a Brandon/Forest Dale connector route, this will not happen and the scoping study will determine if the people of Brandon want this.

Vicky Disorda questioned the cost for the skate park. Mr. Moore said \$95,000 would be for the tennis court only and the cost for the skate park has not been determined as that would be Phase 2 of the changes to Estabrook. Ms. Disorda also questioned the comment about the kind of policing for the Town. Mr. Hopkins reported the Police Chief would like some direction from the Select Board in determining how many police are wanted. He is open to various levels of response and is looking for what is the best fit for the community. Cecil Reniche-Smith suggested having a community forum on this topic.

Bruce Jenson asked if anyone has investigated the stipulations of the original grant for Estabrook Park, as all maintenance had to be kept up. Mr. Hopkins stated this has been reviewed and the Town's professional staff were aware of the requirements of the grant but it can be reopened to review the conditions. There has not been a conscious decision to discontinue maintenance, but to come to terms with the topographical area. Mr. Jenson stated the original grant indicates if there is a desire to make a permanent change, an application and approval is required from the Park Service and Department of Interior. Mr. Hopkins reported there has been a conversation at the state level and federal level and approvals will be obtained.

4. Rec Director's Report

A Rec Directors report was provided by Bill Moore and is available for viewing in the Board packet on the Town's website.

Bill Moore provided an overview of his report:

The "For the Luv of Dogs Car Show (And Cats too)" was held with 54 entrants and \$1200 was raised for the Rutland County Humane Society.

The December 9th NYC Bus Trip is sold out with two buses. The next bus trip will be the annual Boston Celtics Game trip and registration should be open by September 1st.

Your sports registration is open for soccer and football. Disc golf and kickball are to be released after school starts.

Miss Michaela Dance starts September 19th with the final show on December 6th. Class for ages 3 – 12 and adult classes can be found at Brandonrec.com.

The Town will once again sponsor fall baseball. A U18 team will start on Sundays at OV starting August 27th.

Indoor adult basketball is back on Tuesdays 7PM – 9PM at Neshobe, Thursdays and Sundays 7PM – 9PM at OV. This partnership with RNESU provides adults with plenty of opportunities to recreate for free.

More pickleball times are being made available on evenings and weekends days at OV North Campus.

Brian Coolidge questioned why the proceeds from the Brandon Carnival are shared with the Toy Project as they did not contribute 50% of the expense. Bill Moore advised the Town was able to host the carnival through the efforts of Colleen Wright in enticing the amusement vendor to do the carnival for the Toy Project. Mr. Moore agreed to partner with the Toy Project and noted the Town can do an MOA with the Toy Project but did not see a problem with the current agreement. Mr. Moore noted both the Town and the Toy Project each received \$2943 after expenses from the Carnival. Tim Guiles suggested a future agenda item to discuss a policy for how town locations are available to non-profits and how profit-sharing would be done. He appreciates an MOA with the Toy Project but thought something more general for all situations would be good to have. Mr. Coolidge thought all proceeds need to go back to the Rec Department. The Toy Project was always a stand-alone entity and now taxpayer dollars are funding it and he felt it is a conflict of interest for Ms. Wright. Mr. Moore advised the contract with the amusement vendor was signed by the Toy Project.

5. Public Comment and Participation

Brian Coolidge reported he received feedback on changing the way minutes are being done, as a lot of seniors do not have access to them electronically. He does not see anything wrong with the way they were being done. Cecil Reniche-Smith stated emails were also received about this subject. Seth Hopkins advised there is a function on the website that would provide agendas, board packets and recordings that has been corrected and people can access the recordings from the Town website. Tracy Wyman reported he also had several people voicing their opinion on the change. Vicky Disorda stated it is easier and timelier if one is interested in a line item to get the information from the minutes rather than going through an entire video. Cecil Reniche-Smith stated the new format is to still have information on disputes and final decisions with the recording having more detail. Her hope is to make it easier to spot the points of contention and dispute. Ms. Disorda disagreed with this concept and felt that conversations are important for the rest of the community. She noted concern what is being placed on the website is being censored. Tim Guiles stated meetings are open to the public and someone from The Reporter comes to the meeting. Minutes are not supposed to be transcripts and the change will make the minutes more usable, with Zoom offering a complete record of having everything that is said. Mr. Coolidge noted some people do not have technology and there was no harm or issue in the way they were done. Jan Coolidge stated her issue is with transparency and the Select Board cannot reply on Mr. Jupiter putting the discussion in the paper. If people speak up in a meeting and the comments are condensed, it makes people feel that their comments are not worthy. Steven Jupiter advised he can't provide all details due to space but every word should be available. Zoom is not always available, and it is important for posterity that the records be kept somewhere. It is good to have historical documents for research. Heather Nelson noted at the last meeting it was agreed to try this type of minutes and people didn't like it. She understands the reasons for having shorter minutes, but Mr. Coolidge's points are well taken and there is something to be said for stopping by the town office to request a print of the minutes if they cannot be accessed. Also, not everyone can be available during the meetings to attend and her understanding was that the Select Board agreed to try it, with many people not liking it. The Select Board was in agreement to go back to doing the minutes as previously done.

Susan Benedict wanted to bring the subject of water issues before the Select Board. Ms. Benedict lives on River Street at the highest point and it is not supposed to flood. After the flood, she had 3 visits from FEMA delegates that she had not called and they advised there is a lot of water coming at her. Last year she had to put in a French drain on two sides and a slate driveway. The FEMA individuals advised there is a state law that one can't let water move to the next property, but there is water coming towards her property. There was a ditch installed at 21 River Street and reportedly there was a well that was taken down but the water is still coming at them. She is concerned about a mudslide happening, but she does not expect everyone above her to put in a French drain. This situation is going to get worse and she is doing the best she can. Ms. Benedict wanted to bring this to the Board's attention as she has an old house and the fact that FEMA agents visited her without calling is quite concerning. She hopes the Select Board will discuss these issues because there are people wrestling with this problem. A house near her is separating and is sliding down the hill. She noted that French drains do work, as her basement is dry. Brian Coolidge stated FEMA is probably visiting people that have property in a flood zone.

6. Consider Request for Relay for Life Coin Drop on October 14th

Eileen Dolan requested the Select Board consider hosting a coin drop for the Relay for Life. Ms. Dolan is a 32-year survivor of cancer and believes in the Rutland Relay for Life and thought a coin drop would help the cause. An October coin drop would be in line with Breast Cancer Awareness month in October. Ms. Dolan suggested the cause is worthy enough to go

against an ordinance that was written 20 years ago. Cecil Reniche-Smith noted concern with the suggested location and Ms. Dolan stated anywhere that is 25mph would be a good location. Bill Moore suggested the Town has events, like Harvestfest where Ms. Dolan could be provided with a booth to collect donations. There are also winter events in the town hall that are popular and non-profits can sell concessions to support their cause. Mr. Moore will provide Ms. Dolan with his contact information to have a further discussion. Ms. Reniche-Smith's main concerns with coin drops in general are about traffic and liability. She would like to explore other ways to accomplish raising the money without putting anyone at risk.

7. Select Board Voting Delegate to VLCT Annual Meeting

Seth Hopkins requested a volunteer from the Select Board to be the voting delegate to the September 26th VLCT Annual meeting. Cecil Reniche-Smith will be attending the meeting and volunteered to be the delegate.

Motion by Brian Coolidge/Heather Nelson to appoint Cecil Reniche-Smith as Brandon's voting delegate at the VLCT Annual meeting. **The motion passed unanimously.**

8. Green Fleet Annual Presentation

Tim Guiles provided a review of the annual Green Fleet presentation. A copy of the presentation is available for viewing in the Board packet on the Town's website. Mr. Guiles advised that the carbon footprint information has been gathered for a few years. He reminded everyone the State has energy guidelines of a 25% reduction of the carbon footprint by 2025, 50% by 2040 and 80% by 2050. These are goals that have been agreed to at the State level. The BEC helps monitor moving towards the goal. The presentation provided information on fuel usage, gas, diesel and #2 heating oil and calculates the municipal carbon footprint. Electricity is considered carbon-free by GMP. Propane has the lowest carbon use and the Town has reduced usage in the town hall because of the heat pumps, but there is more that can be done to shift from propane to heat pumps. The heating oil is used at the town hall and highway garage and savings were achieved at the garage with the installation of new thermostats but there is the ability for further reductions in lowering the temperature at the garage, when possible, which will save a significant amount of fuel. The greatest reduction will be with a new highway garage. Gasoline usage has the most traction in the green fleet. When replacing equipment, the Town can be aware of its carbon footprint. Currently the Town uses gas to run the police vehicles and gas is used in the ground maintenance equipment. There has been some reduction by using battery-powered equipment. Police car usage has been increasing because this is the first time the police department has been fully staffed. During budget time, it will be useful to determine the correct number of police cars. Mr. Guiles suggested potentially having cars stay with the person on call and get by with fewer cars. There are police departments that are going 100% electric with their police cars and studies show that maintenance on these cars is much less over the life of the vehicle. Cecil Reniche-Smith asked if the departments are making the shift when they need a replacement or with a complete turnover to electric and selling the gas-powered cars. Mr. Guiles advised most departments are replacing cars when a new one is needed but the Select Board could consider both alternatives, with the possibility of downsizing from 7 to 3 cars. Diesel is the largest carbon footprint and reflects how much the road crew is doing and is not something that is easily reduced. When talking about the goals for 2040 and 2050, it is going to be by electric replacements of these vehicles. He has found many examples of electric vehicles that are doing roadwork and asked the Select Board to be aware when replacing equipment to contemplate the shift. The cost will be more but it will reflect on how the Town wants to meet the State's goals. A lot of this is economic but at some point, the choices will be more expensive but the right thing to do. The Town is thriving and it is not surprising that more energy is being used, but to meet the targets, the Town needs to stay vigilant about all ways to use less carbon. The current tons of carbon are 329 and to get a 26% reduction it would need to go down to 244 and one way to do this is by dropping the propane usage by 20% that could come from more thermostat control. There is a possibility of reducing the heating oil by 20% and the immediate carbon reduction can come through gas reduction in the police department. Ms. Benedict stated there are two sources of lithium in the world and all of these batteries require lithium batteries, which is very expensive and very rare. Brian Coolidge stated by reducing the police force to 3 cars, they would need time to charge. Tracy Wyman advised these are things to look at during budget season. Jan Coolidge noted the police union has an agreement that currently indicates each officer has their own vehicle. Mr. Hopkins did not think that the police contract had that type of language but will look into this. Mr. Waldie questioned with the reduction of propane in the town hall, how much did the electric cost increase from the heat pumps, and noted anything that is manmade will wear out and will start drawing more power. Tim Guiles stated that currently electricity is carbon-free and we have to maintain the equipment. Mr. Waldie asked if the power supply coming into the State is capable of handling the increased usage. Mr. Guiles noted it is

a good point and this information will be included in next year's conversation. He advised that GMP would be a better source for this type of information.

9. Award Bid for Demolition – FRCF (Flood Resilient Communities Fund) Buyouts

Bill Moore provided a listing of the bids for the three projects for hazard mitigation that included 17 Burke Park, 301 Newton Road and 337 Newton Road. The RFQ was prepared and a prebid meeting was held. The following vendors were present for the prebid meeting: All Terrain Excavating, Bowen Excavating, Casella Construction, Complete Demolition Service, Getcha Bros. Excavating, Giancola Construction Corp., Markowski Excavating, Richard Reed & Sons, and Taconic Excavating. All bids received met bid specifications and it is the recommendation to award the bid to Richard Reed and Son, Inc. Cecil Reniche-Smith asked if there were any significant difference from the three bids received and Mr. Moore confirmed there were not.

Motion by Tim Guiles/Brian Coolidge to award the bid for demolition of the FRCF buyouts to Richard Reed and Son, Inc. for an amount not to exceed \$120,000.00. **The motion passed unanimously.**

10. Trustee of Public Funds Update to Select Board and Discussion of Annual Mosquito Control Funding Requests

Tanner Romano from the Trustee of Public Funds requested a dialogue with the Select Board with regard to the annual mosquito control funding request because of an incomplete application. The Trustees have worked with Attorney Jim Leary on the criteria but the request from the Town is haphazard and disjointed. The Trustees have given feedback to the Town and hope to open up the lines of communication, noting the last meeting with Seth Hopkins, Bill Moore and Wayne Rausenberger was much improved. Laura Miner stated when joining the Trustee Board, she read through the last will and testament. The Board sought the assistance of Attorney Leary concerning some questions relating to the document to translate what the Board has been elected to do to assure it is done in the best interest of the Town. Annually a request from the Mosquito District from Sue Gage is received but there were no budgets, just a requested amount. Mr. Leary suggested adopting a standard application for what the request is for and the total cost. This was implemented in 2020 and a copy of the application is on the website. In 2022, the Trustees requested additional financial information to know where the requested figure was coming from and had not received this until recently. They are pleased to report that more information has been received than in the past. They did vote to approve this year's application and has been funded. Except for 2021, they have always approved this request. Wayne Rausenberger stated when he was on the Mosquito Board, the Town had requested funds from the Trustees. In 2021/2022, there was a request submitted for \$11,300 and he did not know why there was a reduction in the funds. Tanner Romano advised that in the past, Sue Gage had sent an email providing the amount the Town owed the Mosquito District and requested a portion from the Trustees. After town meeting this past year, Mr. Rausenberger noted he talked to Sue Gage and she advised the Trustees were requesting more information. For 2022/2023, under budget revenues, \$14,000 was approved, but to his knowledge there was no money received. Mr. Hopkins stated the Town asked for \$14,000 on the revenue page, and is a voter approved budget. Mr. Rausenberger stated the Town did not receive any money from the Trustees for the last 2 years. For the current year, he understands that it has been approved. Mr. Hopkins stated the current operating budget for 2022/23 anticipated zero revenue because it was uncertain if funds were going to be received. The Town worked with the Trustees to provide information and they evaluated the application and funded it in the open year, but the Town's application had been in the 2022/23 fiscal year. There will be \$10,000 in the revenue line in the open year against a zero prediction. Mr. Rausenberger asked why it went from \$14,000 to \$10,000. Courtney Satz stated there is a certain budget that can be given and the Trustees cannot always fund a full request. Sometimes they can fulfill it in its entirety, but this year they can only fund \$10,000 of the \$14,000. Mr. Romano noted that they were put in a position to determine they are doing the right thing. Ms. Miner stated they are critical about the checks and balance but are not sure if the figure is an overall percentage, so she does not know how the Town comes up with the figure. Mr. Rausenberger stated the future assessment of the Mosquito District will likely change. Mr. Romano stated the Trustees need more cost accounting to determine how the figure is derived. It was noted that the information comes from the Mosquito District. Ms. Miner asked how the Town knows if this information is accurate. Mr. Hopkins reported when the Mosquito Control District comes to the Select Board, they are transparent in what they are doing, and Brandon's delegate is at the budget committee meeting to answer any questions. He feels they have been very forthcoming with answers to questions. Ms. Miner stated the Trust does not speak to mosquitoes and these funds are contributing to something that is not indicated and the funds are not to be used for anything that is paid for by taxation. The Select Board previously voted on this to fund a portion through the Shirley Farr

Trust and it feels that it is an appropriate time to assure that everyone is on the same page. Cecil Reniche-Smith stated there was some discussion of having the town's attorney discuss this topic with Jim Leary about his interpretation of the will and trust. It was noted that Mr. Leary's assessment is in the Trustee's section on the Town's website. Ms. Satz stated Brandon has many needs and small portions of money could help more groups but what can be given to the rest of the Brandon community is less when writing a check to the Mosquito District. Mr. Romano thanked the Town for the information received and questioned whether this funding is something the community at large still wants. He noted that the Bristol Select Board did away with this funding and community members hire private vendors. Ms. Miner wanted to bring this to the Select Board as mosquito spraying is a second conversation.

11. Fiscal

a) Warrant - August 28, 2023 - \$1,191,951.48

Motion by Tim Guiles/Cecil Reniche-Smith to approve the warrant of August 28, 2023, in the amount of \$1,191,951.48. **The motion passed unanimously.**

Brian Coolidge questioned the warrant for VPR. Bill Moore reported there was advertising approved for the Davenport Festival that came out of the advertising line of the budget. Seth Hopkins noted The Reporter also furnished an advertisement for the Davenport event. Mr. Moore advised that they are likely not spend the money on VPR next year as there was not much difference in attendance from the previous year, though the keynote speaker that was scheduled was unable to attend.

12. Adjournment

Motion by Brian Coolidge/Tim Guiles to adjourn the Select Board meeting at 8:58PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary