

**Brandon Select Board Meeting
October 9, 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, Cecil Reniche-Smith

Others In Attendance: Seth Hopkins, Bill Moore, Steve Bisette, Peter Werner, Bernie Carr, Sandy Mayo, Mike Frankiewicz, Steven Jupiter, Jan Coolidge, Dorthea Langevin, Patricia Welch, Sue Gage, Ray Marcoux, Doug Bailey, Sharon Stearns, Ralph Ethier, Barry Varian, Tom Kilpeck, Bruce Summa

Others in Attendance via Zoom: Bruce Jenson, Marielle Blais, Neil Silins, Barbara Smith-White

The meeting was called to order by Tracy Wyman - Board Chair at 7:15PM.

a) Agenda Adoption – Motion by Brian Coolidge/Heather Nelson to adopt the agenda. **The motion passed unanimously.**

Cecil Reniche-Smith questioned the need for the executive session as the intent was to consider the size and membership of the Budget Committee. There are currently 6 well-qualified individuals and she suggested allowing them all to be part of the Committee and eliminating the executive session. Seth Hopkins noted the executive session was placed on the agenda to use if necessary.

2. Approval of Minutes

a) Select Board Meeting Minutes – September 25, 2023

Motion by Heather Nelson/Cecil Reniche-Smith to approve the minutes of the September 25, 2023, Select Board meeting, as amended. **The motion passed with one no vote – Tim Guiles.**

Heather Nelson noted one change to the end of the sentence when she was speaking about the skate park. She wanted to clarify the sentence that families are going to other places to use bicycle pump tracks and skate parks.

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 noted there were no updates from the report that he had submitted.

Brian Coolidge asked about the plate glass windows for the Town Office. Seth Hopkins reported one quote for around \$20,000 has been received, another company visited but has not provided a quote and the third company has not visited yet. Mr. Coolidge asked if the owners of the Inn have been contacted about the parking in Lot A in front of Mae's Place. Bill Moore reported the Inn has posted signs to encourage people to park in back of the Inn and are doing everything they can regarding this issue. Cecil Reniche-Smith stated not everyone who parks with a non-Vermont license plate is staying at the Inn and cautioned about over-policing this issue. There are multiple parking spaces on Park Street and several other places to park in the area. Tracy Wyman noted from the last time that he had brought this subject up, he has seen that the parking lot behind the Inn is full early on the weekends and he is aware that the Inn is doing everything they can. Mr. Wyman noted it is good to see so many rooms occupied at the Inn.

Brian Coolidge reported taxpayers have posed the question of whether the Town is compensated when the Brandon P.D. responds to calls out of town. Seth Hopkins advised this has not been the case in the past and the Police Chief has indicated they will continue to respond for public safety as it is their obligation. Mr. Hopkins agreed there could be conversations with Leicester, Goshen, and Sudbury to see if they would like to do something contractual, noting Pittsford P.D. contracts with Chittenden. The VLCT has a regional and sub-regional approach to safety based on the towns that do not have coverage and Mr. Hopkins felt that Brandon is positioned geographically and culturally to offer public safety protection for neighboring

towns with assistance through a payment to the Town. It would be similar to the model the Fire Department and the Brandon Library have with Goshen. Currently the Brandon taxpayers are paying the full amount for the police department. Tim Guiles asked what needs to be done to explore agreements to recoup some of the costs. Mr. Hopkins advised the VLCT presented 3 formats that a multi-municipality could take and the simplest would be a bi-lateral contract, or a series for more communities. Mr. Hopkins could develop a document for the Board's consideration for the next meeting to potentially go out to other Select Boards in other towns. The Brandon P.D. currently has 24-hour police coverage with periods of on-call coverage every day and Chief Kachajian has indicated with one additional officer, there would be 24-hour coverage and could be added if other towns assisted in the funding in exchange for proactive police coverage. This officer would allow the department to have 24-hour on duty coverage and would benefit the other communities. Heather Nelson would like this to be considered as it is a challenge to keep police officers with requiring on-call duties as that is not a sustainable situation and this would benefit both the Town and other communities. Tim Guile requested this topic be added to a meeting agenda before requesting the Town Manager move forward with creating a plan. Chief Kachajian will be asked to attend the next meeting. Jan Coolidge asked if the police department has reciprocal agreements with other departments, similar to the fire department. Mr. Hopkins advised there are mutual aid agreements between fire departments but there is no mutual aspect for policing with other towns. There is also public works mutual aid that lends equipment only.

Cecil Reniche-Smith asked if the individual with the noise complaint had been advised of the outcome. Mr. Hopkins noted they had not been advised. Ms. Reniche-Smith stated there have been discussions of an ongoing issue between some neighbors about a noise complaint and the Board had received a quote to bring in equipment to monitor the noise level to see if there was a noise violation but it would cost thousands of dollars. The Zoning Administrator checked with other towns that have noise ordinances to see if there is any equipment available but was unable to locate any. The Town has reached the limit to what the Select Board can do and the resident will have to pursue legal options on their own. Mr. Hopkins noted the Town expended funds through the Town's attorney. Ms. Reniche-Smith thanked the Town staff for doing what they could do.

4. Rec Director's Report

Bill Moore provided the Board highlights prior to his vacation last week. Mr. Moore attended the Vermont Recreation Conference with the main topic about trails and trail-making. There has been discussion with the Town Manager about the creation of a Trails Committee to help secure grants for this effort and assist with the upkeep once the trails are created. In 2020 there was a Trails Committee but dissolved due to Covid. Mr. Moore reported there was a successful HarvestFest held Sunday with 66 "creeple" created. The quote for the tennis/multi-use court at Estabrook has not been received yet. Mr. Moore spoke with the vendor concerning questions about work that the Town could do. The disc golf people have been busy and have 9 holes constructed behind the American Legion and are at a point where they are researching grants to expand the course. Mr. Moore noted he will do outreach to provide an opportunity for the community to provide input on the trails and suggested work could be done in coordination with the Hawk Hill Committee work. Sharon Stearns asked to consider the horseback riders when creating the trails to assure there is a representative from the horse community. Barry Varian asked if there could be a couple of shade trees planted on the west end of the Seminary Hill playground. Mr. Moore advised there is discussion of constructing a canopy for that area to provide some shade.

5. Public Comment and Participation

Brian Coolidge received information from the BEC and asked why funds are being wasted on postage when there are other ways that are free for outreach. Seth Hopkins advised the BEC has an operating budget and this is the method the Committee chose to do their outreach. Cecil Reniche-Smith suggested discussing the BEC funding during the budget season. Bill Moore advised the BEC applied and received a \$4,000 grant to do outreach. Mr. Coolidge expressed concern this is a waste of funds and creates more items to recycle. Ms. Reniche-Smith noted this type of mailing is much less expensive than a targeted mailing, but they could develop a list and send out at full postage as there are resources available and there may be some people that may not know what is available.

Sharon Stearns shared her concern about the BEC mailing and read the following:

"Good afternoon, Brandon Selectboard and Town Manager -

I received 5 or 6 envelopes today from the Town of Brandon, 49 Center Street, Brandon, with a Button Up Flyer to our 3 businesses two times each.

As those who have lived here for a long time know, we have had MANY opportunities in Brandon to receive information about heat pumps and solar, and I've attended several. I dare say that everyone who WANTED solar or heat pumps has them, and knows how to get that info as of several years ago. This idea has all but been stuffed down our throats for some time.

Many of us see the newspaper or the Chamber newsletter and we know how to reach out to vendors that have been advertised for years and years now to receive this info. We've seen the notice about the upcoming event EVERYWHERE because this energy group thinks we don't know or have been under a rock or that they know something we don't know.

Many of us are very capable of doing cost benefit analysis and legal research on the PUSH for everything to be electric and the encumbrance on our property with the electric company. We've asked the questions and we've done the homework. With a lifetime of experience in VT, depending more on electric when it isn't always working, and is prohibitively expensive, isn't viable or safe. We've seen the bills go up and not down as everyone jumps on the solar bandwagon. Most are using more electricity on air conditioning their whole houses than before, leaving less contribution to the grid than originally planned. Seeing the electric invoices and credits and fees of others is more convincing that there are ulterior motives involved in this push. VT will need 2.5 times more electric to meet the pie in the sky energy goals and the only system we should all use is one that is energy independent, rather than an agreement with a utility company that makes alot of profit and pays very high salaries.

This mailing seems to be a blatant waste of taxpayer money to mail these letters to all of us. Many of us are not in agreement with the energy committee's goal to spend \$300,000 to \$500,000 of TAXPAYER money on a town array. We are sadly watching ARPA money go to PLANNING this, but not actual building needs of public facilities (intangible vs. tangible).

While newcomers may enjoy this NEW information, those who have lived here and pay the taxes for many years, don't want our money wasted on ideas that we KNOW won't get the returns they say they will. I see that first hand in my work every day. Many disillusioned people with the fees and outlays of cost aren't as happy as they once were when it comes to tax time and they realize it is a tax credit they may or may not get and it is welfare, taking other taxpayer money they call "CREDITS" to say they are doing great things. In fact, the people that can't afford these systems but want them, helped pay for the people who took the tax credits and believe they are doing a good thing.

In closing, please STOP wasting taxpayer money. People are quite smart and will seek out info IF they want it. Stop using taxpayer money to push private businesses making a fortune on a low sun state without disclosing who they are. It is deceitful!

Please remove me from any ridiculous mailings that waste taxpayer money on intangible ideas. If the town wants to PUSH private businesses, let us know so we all get our turn (I say jokingly), but pushing some and not others down our throats is not appreciated.

Ms. Stearns does not want to see taxpayer money wasted and she would be curious to know how many properties already have solar or heat pumps. Ms. Stearns noted she has done her homework and in the Town's effort to do something for all of the citizens, there is not a high percentage of people that want this and requested the Board please take pause and make a careful plan with the taxpayers' money.

Jan Coolidge suggested when sending a mailing to do due diligence to assure that people are receiving only one mailing.

Seth Hopkins stated the BEC is unique in that it is a volunteer committee of the Town that has an appropriated amount of money. He felt this is a governance concept discussion as the Town has a committee of volunteers and authorized them to spend funds and when a request is made to do outreach, it is difficult to say yes they have funds, but that they are not authorized to spend it in this manner. The BEC Chair assured they had the volunteers to do this properly and it was regrettable that there were some taxpayer funds wasted. This is a lesson learned and the goodwill is that this effort is from volunteers, but agreed the appropriate care was not taken to assure no duplicates. Mr. Hopkins apologized to the Board and

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the citizens who did not wish to receive the mailing. There is a lot of enthusiasm on the part of the BEC and he thinks going forward there will need to be more specifics on how the money is spent. Bernie Carr spoke with Jim Emerson who advised 30% of the names were removed. Mr. Carr noted it is difficult to get a solid mailing list that is not duplicated and the BEC made a valiant effort and made a significant reduction. Ms. Stearns stated the question is what is the BEC's role as in some cases they are promoting heat pump businesses and information might be one thing, but promoting those businesses does not sit well with other businesses.

6. Update from Otter Creek Communications Union District Representative

Peter Werner provided an annual report from the Otter Creek Communications Union District. Mr. Werner noted he has been a representative of the District since May and the purpose of the District is to bring better internet service to the outlying areas. An application was made to the Communication Broadband Board and a \$9.9 million federal grant has been secured. It is not sure when the broadband will be available, but it is anticipated that the project will proceed when the weather breaks in 2024. Information is available on the Otter Creek Communications website. Tim Guiles suggested Mr. Werner provide periodic updates to the Select Board to provide further refinement of where it will be done. Mr. Werner stated it has been slow leading up to this point, but the grant has been approved and the contract will be signed with Consolidated Communications. Barry Varian asked if this replaces any of the fiber internet service and Mr. Werner advised the map would show existing and future service.

7. Discuss Public Car Charging Station Fee Structure and Warranty Status

Brian Coolidge reported he did research on the costs of the car chargers and suggested the Town needs to increase the fees for replacement costs. The chargers last 10 years and cost \$10,000 each. Last year there was a \$100 profit and these items need to be sustainable to avoid taxpayers funding them. Tim Guiles stated the unit cost sounds like installation from scratch as he installed a charging head for \$600 and until he sees bills of having to put money into them, he does not see why the Town is paying for warranty going forward as the Town can self-insure a replacement at a lesser cost. Heather Nelson noted the Town received the two stations at no cost and suggested the cost match the average cost charged to save funds for a replacement, rather than maintaining the warranty. Mr. Coolidge noted some towns are charging a flat hourly rate and some are a rate per kilowatt hour.

Motion by Brian Coolidge/Tracy Wyman to increase the rate to 30 cents/kilowatt hour, \$1.50 plugged in and an automatic increase when the rates increase.

Mr. Coolidge stated this would keep the Town in line with neighboring towns. Tim Guiles stated this will put the Town well above the average cost compared to other towns. Neil Silins stated when one has physical assets you need to assure that you have funds for repairs. There is information available regarding the length of time items last and the replacements costs for when they fail and it is beyond silly to wait until they fail to finance them. Cecil Reniche-Smith noted a U.S. Dept of Energy publication indicates the cost for initial installation is \$4,000 to \$6,000 for the entire unit. Ms. Nelson would like to make sure the Town is doing what Mr. Silins suggested but would like more information and likely an increase seems to be in order to fund a replacement. Tracy Wyman stated anything the Town has needs to pay for itself or make a profit. A service is being provided and he would be on board with the motion made. Mr. Guiles stated there are not sinking funds for other parking lots or other items and thought a sinking fund for this item was inappropriate. At the 10-year point, it can be decided whether to replace or discontinue it as this is a benefit of the Town that is not costing anything now. Patricia Welsh suggested it be treated like the sewer system whereas those using it pay for the maintenance of it. The stations should not be just breaking even but provide for themselves and provide for what may happen in the future with taxpayers then having to pay for it. Dorthea Langevin appreciates a charging station in Town; as a user of the station she would rather purchase here rather than somewhere else. Peter Werner asked what the increase in the cost would be. Mr. Guiles advised it would likely be \$10 to \$15 per charging stop that would be an increase of almost double. Mr. Guiles did not see where the expense comes in as creating liability that does not exist. Sharon Stearns stated she has been doing financial oversight for 20 years and standard practice is to plan for replacements. The Town needs to consider risk management as it is providing a service and there has to be insurance coverage as there are details about flammability of electric cars that do cause liability. She suggested determining a cost as she does not think people should be paying for the stations who do not have electric cars. Doug Bailey stated this was not intended to be an income producing item but was to encourage out of town people to shop in our stores though he did not

think it should be a burden on the taxpayer. Neil Silins stated there is a difference between this station and the roads, as it is providing use for people's cars. Barbara Smith-White stated the public is all of us and all have different modes of transportation and utility needs and she hopes the Select Board is forward thinking and judicial. The Town can't be isolationist in its thinking and needs to accommodate the best it can within reason. Barry Varian suggested taking a hybrid approach as the current stations are no incumbrance on the taxpayer and suggested these stations continue at break-even and at some point in time, if they fail, put the rate increase in place and let the users fund the cost. Cecil Reniche-Smith did not have a problem with raising the rate but suggested keeping it in line with the rates in other places as some people go to other towns due to decreased gas prices and may do the same. Ms. Nelson stated if the Town plans to replace them, it makes sense to have funds earmarked and not pay the warranty, and suggested a small increase makes sense but she was not prepared to vote in favor of the motion.

The motion failed.

8. Approve Corrected CWSRF Amount for Vermont Bond Bank

Sue Gage advised this is part of the wastewater treatment project. Ms. Gage noted the Town had budgeted money for the upgrade and increased the funding through the Clean Water State Revolving Fund to be \$1.5 million and then received a pollution grant with \$350,000 to be written off. There is now a request to authorize downward funding.

Motion by Tim Guiles/Brian Coolidge to approve the corrected CWSRF amount for the Vermont Bond Bank as presented. **The motion passed unanimously.**

9. Fiscal

a) Warrant – October 9, 2023 - \$455,428.55

Motion by Tim Guiles/Cecil Reniche-Smith to approve the warrant of October 9, 2023, in the amount of \$455,428.55. **The motion passed unanimously.**

b) Purchase Order 45158 for Grant-Funded Police Motorcycle - \$18,318.00

Motion by Cecil Reniche-Smith to approve purchase order 45158 for the grant-funded police motorcycle. **The motion failed.**

Seth Hopkins noted Chief Kachajian was unable to attend the meeting but asked information on this item be provided to the Board. This is a congressional spending authorization that was obtained by Senator Sanders and authorized by Congress and brought to the Brandon PD. The Chief obtained a quote for an electric motorcycle. It was noted that it would be a bit unorthodox to receive a grant that was brought to the Town and declined as it may affect the Town for receiving other congressional spending opportunities. Tim Guiles stated before entertaining the purchase of another motorcycle he would like the status of whether the current one has been used and if it is appropriate for our region as there are many times that motorcycle travel is not possible, regardless of whether it is electric or gas. Brian Coolidge asked how many officers have the motorcycle endorsements and Mr. Moore advised there is only one officer. Heather Nelson suggested obtaining more information from Chief Kachajian. Mr. Hopkins stated this motorcycle is more substantial than the current one and the other one would be used as a training motorcycle for certification. Mr. Hopkins noted this is an ARPA-like grant as it came to the Town without action on the Town's part, which is why it had not reached the Board level.

Motion by Tim Guiles/ Brian Coolidge to decline the grant indicating the Town does not need another motorcycle.

Heather Nelson asked if this would offset the need for a vehicle and it was noted it would not. Ms. Nelson also asked what the cost would be for the upkeep and insurance. Cecil Reniche-Smith stated the grant is an award of \$18,000 for technology and equipment and asked if the application for the grant specified an electric motorcycle or a more general request, as it was not clear from the award letter. Mr. Hopkins advised the application was made by the Town in the previous fiscal year and he has not seen the application that was submitted. Ms. Reniche-Smith stated if the application does not specify a motorcycle,

the Board could reject the purchase order, but not reject the grant and suggested tabling the motion to obtain more information from the police chief.

Motion by Cecil Reniche-Smith/Heather Nelson to table the motion to decline the grant. **The motion passed – (2 no votes – Tim Guiles and Brian Coolidge).**

Cecil Reniche-Smith requested the Town Manager clarify the information on this application. Tim Guiles requested information on how much the current motorcycle is being used.

10. Budget Committee Appointment

Seth Hopkins advised there have been letters of interest for participation on the Budget Committee from Doug Bailey, Janet Coolidge, Neil Silins, Barry Varian, Patricia Welch, and Peter Werner.

Motion by Cecil Reniche-Smith/Tracy Wyman to appoint Doug Bailey, Janet Coolidge, Neil Silins, Barry Varian, Patricia Welch, and Peter Werner to the Budget Committee. **The motion passed unanimously.**

Tim Guiles noted all budget meetings are open to the public and welcome all to attend to see how things are done.

11. Adjournment

Motion by Brian Coolidge/Cecil Reniche-Smith to adjourn the Select Board meeting at 8:48PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary