

**Brandon Select Board Meeting
November 13, 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, Heather Nelson, Cecil Reniche-Smith

Others In Attendance: Seth Hopkins, Bill Moore, Ralph Ethier, Steven Jupiter, Neil Silins, Bernie Carr, Devon Fuller, Barry Varian, Steve Bisette, Ken Manning, Jan Coolidge, Doug Bailey, Dawn Bailey, Sandy Mayo

Others in Attendance via Zoom: Marielle Blais, Bruce Jenson, Patricia Welch, Jack Schneider, Tom Kilpeck

1. Call to Order

The meeting was called to order at 7:04PM by Tracy Wyman – Board Chair.

a. Agenda Adoption

Motion by Cecil Reniche-Smith/Heather Nelson to approve the agenda as posted. **The motion passed unanimously.**

2. Approval of Minutes

a) Select Board Meeting Minutes – October 23, 2023

Motion by Heather Nelson/Cecil Reniche-Smith to approve the minutes of the October 23, 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 provided the following highlights from the report submitted:

Historic Preservation is looking for information from community members about the former town farm, Brandon cemeteries or the Mt. Pleasant observatory. Please contact Dennis Reisenweaver or the Town Manager with any information or photos.

For community awareness, the Tree Warden has provided a warning that there is a tree in the park near the fountain that is scheduled to be removed now that the fountains have been taken down for the winter. It was noted that Segment 6 work planted more trees than were taken down. There is a notice that the Highway Department will be removing the shade tree due to the probable growth of the tree affecting the fountain. Any objection to the remove should be submitted in the next 15 days. After that time, the tree will be scheduled for removal.

Mr. Hopkins provided the following recent updates:

Mr. Hopkins spoke with the Brandon Fire District and they are conceptually interested in off taking the overage from the Town's solar array, if built. Jim Emerson of the BEC advised there are two solar proposals received and Mr. Emerson is working on obtaining a third proposal for the Select Board's consideration.

Mr. Hopkins suggested the Select Board consider who to dedicate the Town Report to this year and noted he received a suggestion that he will share with the Board.

Mr. Hopkins reported the Town has received notice of opening the negotiations with the AFSCME union, which is the town employees union, not the police union. Mr. Hopkins requested Select Board direction on whether there will be a negotiation team or if the Board would prefer this handled by the Town Manager. In the past, it had been handled by the Town Manager.

Mr. Hopkins noted he included a response from the Police Chief regarding the item discussed at the last meeting and advised the standing policy has been to address a complaint with the manager prior to the Select Board meeting to allow for investigation and response. Brian Coolidge noted he continues to believe this was a missed opportunity. The Burlington Police were contacted and will be visiting this week. As a citizen and Select Board member, he looks forward to positive engagement of the Brandon Police Department with the schools.

Cecil Reniche-Smith requested additional clarification regarding the Fire District's interest in solar coverage. Mr. Hopkins advised the Town would consume what it could and the Fire District would conceptually consider being a customer of what is remaining. The Fire District would save 10% and the Town would receive 90% of what is being used.

Mr. Coolidge asked for an update on the bioswale adoption program. Seth Hopkins reported the town crew will be doing the end of season work on the bioswales. Bill Moore noted there is one that needs work and did speak to the landowner. Mr. Coolidge did notice a couple on Park Street had been done. Cecil Reniche-Smith advised she takes care of the one at 25 Pearl Street. Heather Nelson advised some of the gardeners that she works with at Neshobe School have expressed interest in possibly adopting more gardens. Ms. Reniche-Smith suggested reaching out to Sarah Patis. Mr. Hopkins advised communication is open, but progress has not been made with people signing up. Ms. Nelson noted there is a lot of interest.

Tracy Wyman asked the status of the primitive camp situation in Goshen. Mr. Hopkins advised there is a primitive camp in Goshen with no Goshen Road access. The people who own it have secured a right of way from the Forest Service that would land them on Fay Road in Brandon. Fay Road is a pent road that is allowed to be gated and the homeowners have been given permission to pent the road. Mr. Hopkins has a meeting on November 21st with the Brandon homeowner, the new Goshen homeowner, and the Goshen Zoning officer to discuss this topic.

4. Rec Director's Report

Bill Moore provided a review of the Recreation Report submitted to the Board.

The town has opened registration for winter cheerleading. New coaches Robing Douglas and Lexi Duby will be working with youth in grades 3 – 6 starting on November 29th.

Basketball registration has opened for youth in grades PreK – 6th. The start dates range from November 27th – January 6th.

Only 16 Celtic trip tickets remain available for purchase. All of the "Anthem Buddy" spots have been filled for the December 29th game versus the Toronto Raptors.

Little Otters Wrestling will feature new head coaches (Taylor Mason & Joe Desabrais) for this Brandon Rec/OV Parents of Wrestling collaboration that starts with a January 16th informational meeting.

Met with Dennis Marden and Scott Quenneville regarding the upcoming floor project that is slated to start December 11th. The Rec winter town hall schedule is being crafted with this reality in mind; February – April will be busy leading into the FOTH 2024 schedule which is already filling up.

Disc Golf Commissioner, Marty Fjeld, met with a wetland specialist at the proposed site for the TOB Disc Golf course on the land behind the American Legion. We are looking to secure the delineation before the end of the month in time to apply for the 2023 VOREC grant that is due on December 15th. Once we have the grant supporting documentation together and we have determined whether it will be a planning grant or implementation grant, we will be approaching the select board for official permission to apply for the 100% (no match) outdoor recreation funding.

Brian Coolidge asked why there are not more volunteers for sports when the Town has volunteers for trail maintenance. Bill Moore advised there are people of many ages interested in the trails that are not involved in youth sports. It is a different set of skills for working with children. Mr. Moore noted the end goal is for children to have a good time and foster healthy habits, and parents are encouraged to be volunteer coaches. Mr. Coolidge stated the Town should be advising parents that their help is needed. Heather Nelson stated it is a different cross section of people.

5. Public Comment and Participation

Cecil Réniche-Smith reported the Planning Commission has started the approval process for the new draft Town Plan with the distribution to statutory parties by November 18th. A hearing is tentatively scheduled for December 18th to allow people to comment on the proposed Plan. There will be announcements and warnings forthcoming. Ms. Réniche-Smith noted there is a tight timeline for the formal adoption.

Heather Nelson suggested a motion to not spend any more ARPA money before obtaining quotes for the Town Hall roof. Seth Hopkins reported he has received some information regarding roof proposals, with another couple of potential proposals yet to be received. The four proposals received to date: 1) \$336,000 to replace with slate, plus \$36,000 if the roof needs redecking, 2) \$486,000 to replace with slate, 3) \$314,000 for asphalt shingles and 4) \$508,000 for standing seam. Cecil Réniche-Smith noted VLCT has advised towns to use the ARPA funds sooner rather than later and had a couple of suggestions of how it could be done, as there is concern that the Federal government may want unspent funds back. Mr. Hopkins stated the VLCT has indicated it can be placed in a fund for capital expenses for such items as town building.

Motion by Heather Nelson/Cecil Réniche-Smith to hold off spending ARPA funds until there is a decision made on the Town Hall roof.

Mr. Hopkins advised a prior motion made regarding ARPA funds was to take no further action on spending the funds and unless the Select Board wanted to expend the funds to Fund 51, there was not a need for an additional motion.

The motion was rescinded.

Brian Coolidge reported the State of New York has disbanded their pilot program regarding electric vehicles like garage trucks, police vehicles and plow trucks as it has been determined that cold weather is a major deterrent.

Mr. Hopkins asked if the Board wanted to provide direction for responding to the AFSCME labor union.

Motion by Cecil Réniche-Smith/Brian Coolidge to delegate the AFSCME union negotiations to the Town Management team. **The motion passed unanimously.**

Mr. Hopkins advised the Town staff has a routine in assigning dates for paying bills and the second Select Board meeting in December is scheduled for December 25th. Brian Coolidge suggested signing the warrants at the prior week's budget meeting and cancelling the second meeting of the month.

Sandy Mayo asked what goes into capital expenditures. Mr. Hopkins advised it is anything that has lasting value like a building or a piece of equipment. Ms. Mayo asked if heat pumps or solar panels could be considered and Mr. Hopkins confirmed that they could be considered.

6. Respond to Vermont 250th Anniversary Commission Invitation to Participate

Mr. Hopkins advised the State has contacted towns asking for their participation in the Vermont 250th Anniversary celebration and have provided a draft resolution. The Select Board, in their consideration to participate can choose to appoint a single liaison or a committee. This is related to the 250th anniversary of the Declaration of Independence and will proceed through 2027 to include the battles of Hubbardton and Bennington. Cecil Réniche-Smith asked if the July 4th Committee would like to take this on. Bill Moore stated the Committee could step up depending upon the amount of work involved. Ms. Réniche-Smith also suggested the Designated Downtown Committee might also be interested. Devon Fuller noted the

Committee would like to know more of what is required before committing to taking on the task. Mr. Moore suggested the Select Board put it out to the public to see if there were community members that would like to participate, as there are some historians that may want to assist in this endeavor. Heather Nelson suggested asking the American Studies class at OV if there is an interest in assisting. Mr. Hopkins stated public outreach could be done if the Board was interested in participating.

Motion by Cecil Reniche-Smith/Heather Nelson to approve the Town's participation in the Vermont 250th Anniversary celebration. **The motion passed unanimously.**

7. Resolution for Designated Downtown Board

Bill Moore advised this is a change in the way to participate in the Designated Downtown program. Since 2002 the Town has been a designated downtown that has brought millions of dollars to the Town. The State has set forth an amount of money and the organization has to be more formalized. The Designated Downtown Committee has worked with the Brandon Chamber and some objectives have been through the Chamber. Mr. Moore requested the Select Board appoint the Brandon Area Chamber as the Designated Downtown Board. There is a structure that has been discussed with the Brandon Chamber and the Designated Downtown Committee. This change will allow for the Board to be a stand-alone organization that will eliminate the Town having to track funding.

Motion by Heather Nelson/Cecil Reniche-Smith to appoint the Brandon Area Chamber of Commerce as the Designated Downtown Board. **The motion passed unanimously.**

8. Approve Grand List Errors and Omissions

Mr. Hopkins advised the assessors review the grand list and provide any changes that need to be made from the April status. There are four property changes that require the Select Board's approval. Mr. Hopkins reported two changes will be a change to the Town's tax but not the education tax. C & D Realty had previously had relief from Town tax based on an investment made but has always paid the education tax. There are two actual physical changes that added to the assessed values.

Motion by Cecil Reniche-Smith/Heather Nelson to approve the grand list errors and omissions as presented. **The motion passed unanimously.**

9. Authorization to Apply for Public Shade Tree 50/50 Grant

Seth Hopkins reported the Tree Warden brought forth three grant programs. Mr. Hopkins provided details of one grant, Communities Caring for Canopies, which would have a 50% match, noting the operating budget could match a small amount of \$2,000 to \$4,000. Trees could be a capital investment and the local options fund could be used for a larger grant. Neil Silins reported this could be available for acquiring trees, education, and provisions made for maintenance. Mr. Silins advised the match can be in-kind and not in cash and could be volunteer hours. The grant covers a large range from inventory, maintenance, education, planting, and the development of a preservation plan. This could be used to replace trees that were removed and for planting new trees, with the possibility of planting slightly larger trees.

Motion by Cecil Reniche-Smith/Heather Nelson to authorize the Town Management Team to apply for the Public Shade Tree grant. **The motion passed unanimously.**

Heather Nelson wanted the Town to earmark the matching funds and to have a firm plan. Cecil Reniche-Smith noted the Town Management team is doing that in providing the Select Board suggestions, and if the grant is awarded it will be brought before the Board. The in-kind match is attractive and in doing the FEMA work, the Town has developed systems to track town staff's time easier to facilitate going forwarding in a less cumbersome way. Mr. Hopkins advised this item will be added to the project tracker. Mr. Silins stated this grant is not a one-time payment. The way the funds will be available are one-third after signing the grant, one-third at mid-project and the balance upon completion of the project. There is some money the Town would be paying out.

10. Approve Blanket Payroll Authorization Update

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Seth Hopkins reported the payroll authorization update was before the Board for approval with a change in a regular merit increase. Brian Coolidge thought that there would be an issue with this merit increase. Mr. Hopkins stated the Select Board does not set anyone's salaries or wages, except the Town Manager's. Mr. Hopkins has adjusted the wage based on an annual process and was presenting the blanket payroll authorization so that the payroll will be met outside of the board meeting and is not here to contest whether the merit raise is warranted. Cecil Reniche-Smith stated as long as this is in the overall Town budget, the Select Board does not have a say in what the individual town employees are paid and is not something the Select Board should be getting into or concerned about. Whether the Select Board agrees or disagrees should not affect the payroll authorization as it is an administrative function that allows the payroll to be paid. Mr. Hopkins advised the union employees receive a cost of living and the non-union employees are on a rolling basis with an employee evaluation and this employee's merit increase has been based on an evaluation and is no different from previous years of the prior management.

Motion by Cecil Reniche-Smith/Heather Nelson to approve the blanket payroll authorization as updated. **The motion passed with one no vote – Brian Coolidge.**

11. Fiscal

a) Warrant – October 23, 2023 - \$1,305,354.38

Motion by Cecil Reniche-Smith/Heather Nelson to approve the warrant of November 13, 2023, in the amount of \$1,305,354.38. **The motion passed unanimously.**

Seth Hopkins reported \$850,000 of the warrant was the wastewater construction.

Bill Moore encouraged people to attend the Walking Stick Theater's production of Sponge Bob the Musical with performances this Thursday, Friday and Saturday evenings, and a matinee on Sunday.

The Board recessed at 8:04PM.

The Board reconvened at 8:14PM.

Motion by Cecil Renich-Smith/Brian Coolidge to enter into executive session at 8:15PM to discuss the appointment or employment or evaluation of a public officer or employee, to include the Town Manager per 1 V.S.A. 313(3)(a)(3). **The motion passed unanimously.**

12. Executive Session

Motion by Cecil Reniche-Smith/Heather Nelson to come out of executive session at 8:39PM. **The motion passed unanimously.**

There were no actions required.

13. Adjournment

Motion by Cecil Reniche-Smith/Heather Nelson to adjourn the Select Board meeting at 8:40PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary