

**Brandon Select Board Meeting
March 25, 2024**

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

Board Members In Attendance: Brian Coolidge, Ralph Ethier, Tim Guiles, Heather Nelson

Others In Attendance: Seth Hopkins, Bill Moore, Neil Silins, Bernie Carr, Barry Varian, Jack Schneider, Karen Rhodes, Steve Bissette, Ray Marcoux, Dorothea Langevin, Brent Buehler, Bill Bullock, Bill Claessens, Vicki Disorda, Steven Jupiter, Sandy Mayo, Karen Rhodes, Vicki Disorda, Susan Benedict, Karen Farwell, Tom Kilpeck

Others by Zoom: Jan Coolidge, Sue Gage, Bruce Jenson, Marielle Blais, Tricia Welch, Cecil Reniche-Smith

1. Call to Order

The meeting was called to order at 7:07PM by Heather Nelson – Board Vice-Chair.

a. Agenda Adoption

Motion by Tim Guiles/Ralph Ethier to approve the agenda as amended. **The motion passed unanimously.**

Postpone item 11 regarding the town hall roof until the Board Chair is present and add Item 10.5 regarding a traffic control request from the Town Manager that will include a road closure on April 8th.

2. Approval of Minutes

a) Select Board Meeting Minutes – March 11, 2024

b) Select Board Budget Workshop Meeting Minutes – March 18, 2024

Motion by Tim Guiles/Brian Coolidge to approve the Select Board minutes noted above. **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.

Seth Hopkins thanked the Board for the addition of the agenda item relating to the eclipse. This will happen on April 8th which is the next Select Board meeting and suggested people consider only using the roads if necessary and encouraged as many as possible participate in the meeting via zoom. There will be someone at the town hall for the meeting. Susan Benedict asked if there would be an announcement to let the rest of the Town know and Mr. Hopkins reported there will be an announcement but wanted to encourage people to attend either by phone or zoom.

Brian Coolidge asked whether the work done on Newton Road was by the contractor or the Town. Mr. Hopkins reported the work was done by the Town. The contractor was to leave the road in passible condition and the Town agreed to maintain the road during the winter with the contractor returning in the spring to pave. There is not a firm date for this work but Mr. Hopkins will check with the contractor.

Ralph Ethier asked if there are still part-time plow drivers available. Mr. Hopkins reported there were three additional drivers during the last storm that were called in by Mr. Disorda. Mr. Hopkins noted there is a list of part-time people that can be called in.

4. Rec Director's Report

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Bill Moore reported the Rec Department just hosted its 3rd Brandon Idol event with the next one scheduled for April 19th.

There has been another request to increase the pickle ball court time for another four hours.

The baseball registrations have been extended to next Monday to provide more opportunity to register.

5. Public Comment and Participation

Vicki Disorda read the following:

“Even after the recent revision of the town budget, town taxes are to raise over 10%.

As a person who attended the recent town budget meeting after the initial proposal failed, these are my take aways:

I was highly discouraged right out of the gate by the new chairperson’s opening remark of simply getting the budget "to pass" at the start of the meeting. But the biggest disappointment of the night came when the town manager stood up to point out that 80% of the town residents participate in the Homesteaders rebate program- as if this should even enter the equation when figuring our town budget. It was a tactic all too similar to a car salesman asking one what they have for a trade-in prior to revealing the sales price of a vehicle. It was highly inappropriate and offensive.

Honestly, while myself and about half the town question the need for a deputy town manager, perhaps the better question is why is Bill Moore not the town manager and save us the \$75,000 for Seth's salary.

A \$115,000 portion of paving is being put off until next year, not actually cut from the budget. \$100,000 of paving is now being paid from the 1% fund, not actually cut from the budget. To quote former Select Board member Tracy Wyman, these are "smoke and mirror" moves to make people believe you have done your jobs scaling back the expenses.

The only actual cuts were one proposed electric police cruiser and mail in ballots that are a convenience to area voters, a total savings of about \$25,000. What was a surprise to learn, even for an individual who regularly attends select board meetings, is that the town is trading in 2 cruisers for one. And for those who don't know, the remaining police cruiser in the budget will be a reoccurring expense for the next three years.

Also news to me is that in a year when social security and disability recipients received only a 3.2% cost of living increase, town employees were given a 4% raise across the board in addition to the whopping three dollar and fifty cent per hour raise Bill Moore received for a newly created deputy town manager position. While this is being pitched as an enormous savings for the town given Seth's starting salary, the truth is that Seth's salary is in line with what Dave Atherton's salary was his first year. This is an expected savings with any new employee versus an experienced one.

Dave's salary was \$92k his last and 8th year as Brandon town manager, while he was running one of the largest infrastructure projects this town has ever seen. While this is a \$17k savings for the town, the \$7k increase to deputy manager's salary brings that savings down to \$10k. So, while the town hasn't actually lost money this year, it has lost out on savings and experience. Eight years from now, we will be in the same boat we were last year plus the \$7k for the deputy town manager's salary + pay increases.

Employee management is much more than crunching numbers. Experience and longevity are factors. Neither Seth or Bill are the persons who made this decision. It does however demonstrate the need to have competent capable people on the Select Board. Your decisions reflect positively or negatively on the entire town management team and budget. It is easy to be generous with someone else's money. However, given the mere 3% cost of living raise area seniors have received this year in addition to the number of times this growing population is mentioned in our newly revised town plan, it is incumbent upon the board to reduce the increase to the town budget to 3%.

You need to do better. You need to stop manipulating tax payers with these smoke and mirror tactics, or perhaps the 4/5 of the Select Board who pass this revision ought to step down.”

Neil Silins advised that on May 3rd, Vermont Arbor Day, there will be a celebration at the Brandon Senior Center at 2PM with a presentation on proper planting methods. For the first 40 people, there will be a free red oak seedling to plant.

6. Approve Vermont Gran Fondo Request to use Roadways on June 29, 2024

Seth Hopkins advised this is a bike event that comes over Brandon Gap and travels up North Street. The event is asking for authorization to sign the road and do traffic control that they will provide. Susan Benedict stated this was the first time she had heard of this race and asked where it goes. It was noted that they come from Rochester along Route 73 and through Forest Dale on North Street and travel north out of Town.

Motion by Tim Guiles/Brian Coolidge to approve the Vermont Gran Fondo request to use the roadways on June 29, 2024. **The motion passed unanimously.**

7. Winter Operations Policy Update

Motion by Tim Guiles/Ralph Ethier to approve the Winter Operations policy update. **The motion passed unanimously.**

8. Forest Dale Shared Use Path Scoping Study - Update

Bill Moore stated the Select Board had approved applying for a grant to perform a study regarding a connector between Forest Dale and Brandon. The committee will select a vendor to do a scoping study and one bid was received from DuBois and King from the bidding process for the Select Board to consider at the next meeting. This would be a connection with a multi-use path between Forest Dale and Brandon. All alternatives are being looked at and ideally the contractor will be asked to include off-Route 73 as a sidewalk along this route is nearly impossible. We have an engineering firm that will provide some options and the process will end sometime next year. There will be community engagement and opportunities for public comment. Karen Rhodes stated Route 73 is a dangerous road and she appreciates looking at other options. Mr. Moore noted the committee members include Jim Leary, Liz Gregorik, and the Town’s highway foreman, but will have town-wide involvement. Karen Farwell noted concern when there was only one bid received. She is sure legal requirements were satisfied, but asked if there is any way to volunteer to make calls and do outreach to determine if there is someone else to make a bid. Mr. Moore advised the Town solicited specific agencies, did outreach, and posted on the State site. There was an exhaustive solicitation done for any engineers that may want to do this work locally. Mr. Moore advised this topic is for information with action to be taken at the next meeting.

9. Appoint Brandon Representative to Rutland Regional Transportation Council

Seth Hopkins stated the Board announced the vacancy with Tracy Wyman finishing his service. A letter of interest was received from Daniel Snow who is on the Town’s highway crew requesting to be the TAC delegate and Jeremy Disorda has expressed interest in being the alternate.

Motion by Tim Guiles/Ralph Ethier to approve the appointment of Daniel Snow as the TAC delegate and Jeremy Disorda as the alternate. **The motion passed unanimously.**

10. Resolve Appointment Policy for DRB Alternate Position

Seth Hopkins stated the Select Board handbook included the Appointment policy. The Select Board had created a policy that they would not appoint Select Board members to Select Board-appointed committees. There have been occasions, most recently with Cecil Reniche-Smith serving on the Planning Commission as well as the Select Board. There is a similar situation where Ralph Ethier has been serving on the DRB and now the Select Board. Mr. Hopkins noted if the DRB is to function, it would be good to waive the policy in the situation.

Motion by Tim Guiles/Brian Coolidge to waive the Appointment policy to allow Ralph Ethier to participate on the DRB. **The motion passed with one abstention – Ralph Ethier.**

10.5 Request of Town Manager for Traffic Control on April 8th for the eclipse to include Road Closure

Seth Hopkins stated this was a late edition for the Board's consideration. Mr. Hopkins read the following:

“Following the Vermont Emergency Management call Tim and I attended (virtually) on Thursday, the town management team met in-person with the heads of the highway and police departments Friday to determine what Brandon can do to prepare for the forecast heavy volumes of out-of-state traffic headed south through Brandon on Monday afternoon/evening. This will be during mud season. We propose that the selectboard authorize the following measures which are designed to prevent backup of traffic in the downtown (a) and stuck vehicles on muddy roads (b, c, d):

a) set downtown traffic lights to caution and station officers there to prioritize the safe and efficient flushing of southbound traffic

b) set a Jersey barrier at each end of the no-winter-maintenance section of Carver Street (just south of railroad crossing to bridge over Otter Creek at Pittsford town line) to close that portion of that road to all traffic: this is our most-likely muddy Town road

c) post a "road closed" barrier at the Sudbury town line and at Short Swamp Road to close that portion of Long Swamp Road (leave High Pond Road open)

d) possibly close Stone Mill Dam Road if warranted in the judgment of Town staff

State officials are encouraging limiting our use of the roads on Eclipse day (Monday, April 8th), and especially that afternoon/evening. The next selectboard meeting is planned for 7PM the day of the Eclipse, and as Brandon emergency management director, I would endorse that guidance and respectfully ask as many attendees as possible stay home and participate by Zoom. If the weather forecast is fair and it is likely most will go home at the same time on Monday evening as the selectboard meeting. There is not huge concern with arrivals but departures are a concern.

The Eclipse is one of those events in which preparedness may turn out to have been imperative, or it may appear afterwards to have been unnecessary. It is at minimum a good drill/ exercise opportunity, and if the traffic volume matches fair-skies forecasts, it may be absolutely prudent.”

Motion by Tim Guiles/Brian Coolidge to authorize the four items identified in the Town Manager's request. **The motion passed unanimously.**

10.5. Consider Designating Sole Source Vendor for Town Hall Roof

This item was postponed to a subsequent meeting when the Board Chair is present.

12. Adopt Revised Budget Proposal Workshopped March 18th

Motion by Tim Guiles/Ralph Ethier to adopt the revised budget from the March 18th budget workshop.

Tim Guiles stated Ms. Disorda misrepresented the budget process by only decreasing the budget by \$25,000. Taking \$115,000 from the paving is removing money from the budget because it is up to next year's budget to determine if it goes in. Using the local option tax represents a savings to the Town. The suggestion to provide the same services for much less money is insulting. The Board has been doing this work for many years and has had a Budget Committee that has been an active part of the process and has staff that works diligently. We are not generous with other peoples' money. Mr. Guiles noted he tries to save money and is not casual in setting taxes. If the Board did reduce the budget, there would be people who would not like services that would be eliminated. The balance point is not as low as what Ms. Disorda wants but would be

enough of what other people want, which is what the entire process is about. Mr. Guiles thinks the budget is responsible and he hopes the Town supports it. Heather Nelson stated there had been no decision on what type of vehicles there would be for the Police Department. The decision will not be made until summer whether it may be an EV or not, and it is not a foregone conclusion. Seth Hopkins stated there were quotes to build the budget with, but there has not been a decision on what type it will be. Brian Coolidge thought this is very deceiving as there is not a 6% cut as we are deferring maintenance and he will not support the budget. Mr. Hopkins stated all the numbers were incorrect and reported the proposed budget spending increase was 13.45% and the revised budget is up 6.23%. In the proposed budget that failed, the tax increase was 19.24% and the revision is 10.7%. He noted points and percents are different things. From 13% to 6%, it was a 7-point drop in the proposal. The tax bill will go up 10.7%.

Karen Farwell stated there is a 10.7% increase for the town and an additional increase for the school district. Mr. Hopkins stated the tax increases are not stacked on each other. If the town is 10% and the school is 10% it would not equate to 20%. The school district amount is 60% and the Town's portion is the 1/3 wedge that would go up 10.7%.

Karen Rhodes stated the State is also saying they are raising property taxes. Tim Guiles advised the State does not set the property tax and it is the Town and the school district that creates the property tax bill.

Susan Benedict stated many towns are not assessing the housing accordingly and the State has said that the towns have to get better at assessing the housing. Seth Hopkins stated when the assessments go up, the tax rate goes down to generate the same amount of revenue for the town and the schools. When there is a reappraisal, the tax rate will drop as the grand list erodes. When the Town is reassessed, it is a revenue neutral action to assure we are paying the right share throughout the State.

Bill Claessens thanked Mr. Guiles for the local option tax comment and the proposed motion is carving it out of the \$300,000 and is real money. Mr. Claessens suggested there are still options to lower it. He does not know what is needed for the local option fund but suggested taking \$35,000 out of the tax increase. That would be taking \$135,000 out of the local option tax fund, with only \$55,000 raised in the tax bill. He also suggested for the highway department, new equipment and tools be reduced by \$2,500, and lower the guardrails line by \$5,000 to level funding and reduce road salt to \$5,000 to the 2023 budget amount. Under Buildings and Grounds, reduce the tree maintenance line by \$1,500. This would reduce the tax burden by an additional \$49,000 and it would keep the increase under 5%.

Tim Guiles appreciated recognizing the work and in taking more from the local option tax. He was hesitant to overuse the local option tax fund as it is used for grant matches. He also appreciated the specificity and asked the Town Manager if these things could be removed. Seth Hopkins advised the tree budget has two different line items with one for dangerous trees in the right of way and one for replanting trees that are taken down. There was discussion with the Urban Canopies grant for the tree lines. The \$1,500 is for planting replacements and he will leave that to the Select Board's consideration. Regarding the road salt, its use varies from winter to winter and in speaking with Highway personnel, he was advised that 60 tons of salt was used this past weekend. If there is heavy ice, there would be more usage and is based on history. There is additional guardrail work related to the Structures grant. The Town did go out to bid and was awarded a bid for the guardrail work and part of this work was not prioritized in previous years. For equipment and tools, a welder was purchased and more repairs are being done in-house and that line was increased. The Highway department has built equipment and is trying to be resilient and is supported by that money. With regard to the paving, it is not doing more or less, it is changing where it can be funded from. If \$135,000 is taken from the 1% local options tax fund, the Town would be beyond what half of the local options tax collects in a year and there are no other options for capital matches, and the Town has been relying on the local option tax for matches. Mr. Hopkins wanted the Board to recognize that it would limit the town's flexibility in applying for grants that require a local match other than in-kind help. Mr. Claessens stated if the local options tax fund cannot be used, he would ask the Board to reconsider an overall budget of \$150,000 for the paving season. He stated there is a healthy fund balance of \$800,000 and what was proposed is nickel/dimes and he agreed with the local option tax, but there is other leverage in reducing \$50,000. Mr. Guiles stated the Town does have a healthy fund balance and is not heavily in debt compared to other towns. The fund balance was used last year to reduce taxes and was the right way to go, but he was hesitant to use it again as it would go beyond the range where we want the fund balance to be.

Karen Farwell stated the people in the town have been expressing through channels that they do not feel comfortable with the increases. People have only one wallet and are worried that they will not be able to live in their homes with the town and

school district coming in with double digit increases. The Select Board has achieved something great and in the last few weeks have articulated the budget and have got people attending the meetings and asking questions and she hoped the Select Board is happy about that. She noted concern of voting in the budget that was cast on March 18th and disregarding the surge of participation. The Town is an inanimate entity and people in the town did not get a 4% increase, but we are giving it to the town employees. There are different ways to spend the money and she asked the Select Board not throw away this opportunity.

Sandy Mayo questioned lines in the budget concerning maintenance supplies, tires, and outside maintenance. Mr. Hopkins stated all three lines are for the maintenance of trucks and excavators with supplies being items like chains and tires, and outside maintenance is for sending a piece of equipment to an outside vendor for maintenance. Mr. Hopkins advised the department does some of their own work like oil changes. Ms. Mayo asked about mowing and Mr. Hopkins advised this is using our own equipment and the line item is for blades and supplies. Ms. Mayo asked if the cost of the town hall roof is in the budget. Mr. Hopkins advised there was an RFQ with five proposals received and the Select Board considered them and set aside ARPA money that would not be raised by property taxes. Mr. Hopkins stated the current guidance for ARPA could be changed at any time and the VLCT suggested obligating ARPA funds as soon as possible with two years to complete the project. Ms. Mayo asked if there are any areas in town that ARPA money could cover. Tim Guiles stated it was decided to put the funds towards the town hall roof and the Board is comfortable with going with that option. Heather Nelson stated there is a visual of what happened with the ARPA money that she can provide. Mr. Guiles also noted there are many minutes about the ARPA discussions and there was a process for designating funds. At one time there was a long list of things and this was a multi-stage process and the last step was to put the funds into the town hall roof.

Tricia Welch stated she would like to counter Mr. Guiles comments regarding the Budget committee as the townspeople on the Budget committee had no vote, only the Select Board. Many comments the Committee heard were brought forth and other than the police dog, none were accepted by the Select Board. The Board decided what was going to be cut or added and many of the comments were discussed but only the Select Board voted.

Mr. Claessens stated he did not suggest taking it out of the general fund but reducing the budget by \$49,000. There is latitude in the budget items and if there is a crisis with guardrails, there is the fund balance.

Heather Nelson asked how the Select Board wanted to consider Mr. Claessens recommendations. Seth Hopkin advised there was a purchase order for guardrail replacement that was a significant amount of work. The Town was having difficulty getting bids from providers and folded in a number of projects to obtain bids from the providers. Ms. Nelson thought the guardrails would remain. Tim Guiles stated with the road paving, the new amount was removing one of the three projects. With \$150,000 in the past, he would like clarification that the reason is it is \$185,000 is that it is for the two projects. Seth Hopkins stated the Union Street project is \$160,000 and North Street is \$70,000. Mr. Guiles stated the money needs to be matched with projects. When the budget fails, it is the Select Board's job to come up with a balance of the budget that will satisfy and meet the interest of the entire town. Neil Silins suggested on the basis of the discussion from everyone that the Select Board is not ready to vote on the budget and it is clear there needs to be more discussion about the budget. Bill Claessens stated with the numbers outlined by Mr. Hopkins, there is not enough funding to pay for the paving projects and is more than what is in the budget that failed. Heather Nelson noted there were three road projects and the third one was \$115,000. Seth Hopkins advised the \$300,000 for paving would not complete all of the projects from the operating budget. Either a portion of the High Pond Road was not going to get done and/or the Board was going to ask to use either the 1% local options tax fund or the fund balance. It would depend on how the bids came in but the three full projects were always going to be more than what was in the operating budget.

Tricia Welch asked to have another budget meeting to discuss what was discussed tonight. Tim Guiles stated there was a productive process and the budget was significantly reduced and is a balanced approach of what the Town would support and he would like to vote on the budget this evening.

Seth Hopkins stated in a conversation with the Town Treasurer today, the budget cuts made at the workshop were \$241,300 and the amount left that was an increase was \$292,950. What came out of the discussion with Ms. Gage was with the increase of \$292,950 from the previous budget, there had been an adopted budget that took \$100,000 to reduce taxes and another \$100,000 to pay off leases, and \$153,000 for highway was carried forward so in effect there was \$353,000 used in the current

year's budget that is not available for the proposed upcoming fiscal year. The \$292,950 increase does not even get to zero for the actual spending increase because we started in a deficit of \$353,000. Mr. Hopkins also cautioned the Board about the 4% increase for staff, as the increase for senior citizens in past years was higher, and the increases are not always going to immediately reflect the current economic time.

Heather Nelson called the question to the motion previously made.

The motion did not carry 2 yes – 2 no.

Motion by Heather Nelson/Tim Guiles to revisit the revised budget proposal at the next meeting. **The motion passed unanimously.**

13. Set Special Election Date

Seth Hopkins reported the school district has set their election date for April 30th and suggested it is prudent to set the same date for the Town's revote on the budget.

Motion by Tim Guiles/Brian Coolidge to set the municipal election date for April 30th, the same date as the school district's revote. **The motion passed unanimously.**

14. Fiscal

a) Warrant – March 25, 2024 - \$99,091.87

b) Bank Transfer – March 25, 2024 - \$99,000.00

Motion by Tim Guiles/Ralph Ethier to approve the warrant of March 25, 2024, in the amount of \$99,091.87. **The motion passed unanimously.**

Motion by Tim Guiles/Brian Coolidge to approve the Bank Transfer of March 25, 2024, in the amount of \$99,000.00. **The motion passed unanimously.**

Seth Hopkins reported the bank transfer relates to the Town Treasurer transferring the Town's funds from one bank to another in Brandon.

The Board recessed at 8:42PM

The Board reconvened at 8:58PM

Motion by Brian Coolidge/Ralph Ethier to postpone the executive session to a subsequent meeting. **The motion passed unanimously.**

15. Executive Session

There was no executive session held.

16. Adjournment

Motion Brian Coolidge/Ralph Ethier to adjourn the Select Board meeting at 8:59PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary

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