#### Brandon Select Board Meeting April 8, 2024

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

Board Members in Attendance: Doug Bailey, Heather Nelson, Tim Guiles, Brian Coolidge, Ralph Ethier

**Others In Attendance**: Seth Hopkins, Bill Moore, Neil Silins, Dorothea Langevin, Steve Bissette, Jan Coolidge, Claire Astone, Kenneth Manning, Chris Conlin, Ray Marcoux, Barry Varian, Steven Jupiter, Sandy Mayo, Bernie Carr, Susan Benedict, Karen Farwell, Tom Kilpeck, Steven Jupiter, Vicki Disorda, Jacqueline Carrigan, Patricia Welch, Judy Bunde

Others by Zoom: Brent Buehler, Sue Gage, Bill Bullock, Karen Rhodes

## 1. Call to Order

The meeting was called to order at 7:06PM by Doug Bailey – Board Chair.

## a. Agenda Adoption

Motion by Tim Guiles/Heather Nelson to approve the agenda as amended. The motion passed unanimously.

Add Executive Session to discuss interview for appointments per 1 V.S.A. 313(3)(a)(3).

Add Executive Session to discuss recent resignations of Town Staff per 1 V.S.A. 313(3)(a)(3).

## 2. Approval of Minutes

## a) Select Board Meeting Minutes – March 25, 2024

Motion by Brian Coolidge/Ralph Ethier to approve the Select Board minutes of March 25, 2024. The motion passed with one abstention – Doug Bailey.

# 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 read the following update to the Town Manager's report:

"The Town stood up Vermont's southern most activated emergency operations center this morning with Emergency Management Director Seth Hopkins and Emergency Management Coordinator Tim Guiles at the Town Office, in remote communication with Police Chief David Kachajian, Highway Division Chief Jeremy Disorda, and Rutland Regional Emergency Planner Maggie O'Brien.

We used this as an exercise, and confirmed on ongoing weakness of communications in the event of a long-term power outage or failure of cellular networks. The regional people as well as the State are aware of this issue.

By 10:30AM it was evident that there was significant northbound traffic backed up in Brandon. Upon inspection, the northbound lane of US7 was bumper to bumper for l<sup>3</sup>/4 miles (from Central Park), to Wood's Pond. Chief Kachajian was alerted and responded expeditiously to the center of Town, where he set both sets of traffic signals to caution/flashing (yellow on US7, red on side streets); he proceeded to direct traffic to clear the initial bottleneck. The signals set to caution proved effective. Aforementioned staff intermittently monitored traffic through the day by brief periods of direct observation. Almost

instantly at the start of the eclipse shortly after 2PM, the traffic abated to more normal weekday levels, and then quieted further during the approach to Brandon's 99 and 44/100ths percent pure totality after 3PM. The first southbound noticeably long line of cars with out-of-state plates was passing the town office by 4PM. At time of writing (6PM), the stream is still at a crawling pace from the town office north to Lovers' Lane.

We had been expecting this level of traffic for the post-Eclipse afternoon/evening, but not necessarily for the day-of-Eclipse morning. I would hazard that the actual number of visitors to Vermont approached or exceeded the high-end of official projections.

Thank you to Brandon's Highway Crew for closing the two unpaved roads we had identified as potential mud traps for southbound cars, and thank you to the Brandon Police officers who directed traffic in the late afternoon and early evening. Both of these kept residents and visitors safe.

For the Board's awareness on Friday after publication of my report in the board pocket, I received the resignation of Daniel Snow from the Town Highway crew. Dan brought a lot of skill to his position with the Town and worked very hard for us during his tenure. We thank him for all his efforts and wish him well in his new chosen endeavor. He remains a valued community member."

# 4. Rec Director's Report

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

Mr. Moore reviewed the Director's Report:

". The Brandon Rec baseball registration closes April 9<sup>th</sup>. We extended due to weather. Register today.

. Aikido with Sensei Wade offerings have expanded. In addition to 2 classes on Monday evenings, there are some more advanced classes happening on Saturday mornings. These occur in the town hall (upstairs).

. Speaking of the Town Hall: Public Events for the next 2 weeks

- Friday, April 12 Wildlife Encounters
- Saturday, April 13 Bounce House Karaoke
- Friday, April 19 Brandon Idol Pop Concert
- Saturday, April 20 WOH Wrestling (Private rental with public tickets)
- Summer offerings are starting to populate the Brandon Rec website. Camp Broadway presents 2 weeks of theatre camp for ages 5 12 at Estabrook Park. Green Room Practicum is a 2-week evening camp for ages 12 14 as a fall "warm-up" for kids who will likely want to join Otter Valley's Walking Stick Theater program.

. The decades old question of "who let the dogs out" could be answered thanks to a partnership with Cristina Kumka of BowWow Babysitters as the Rec will present Basic Dog Obedience Classes at Estabrook Park. Wednesdays at Estabrook starting May 1<sup>st</sup>.

. We are working with a local resident to create a space for a community garden program. Stay tuned for date and location at the next Select Board meeting."

Mr. Moore also reported there were many successful eclipse events that were put on in coordination with the Middlebury Parks and Rec and the Ilsley and Brandon libraries.

#### 5. Public Comment and Participation

Susan Benedict asked about the town hall roof as she had read the roof would be slate. She did not get a chance to express her input but she has problems with spending the money to put a slate roof on because of the cost of repairs and putting the burden on future generations, and suggested a metal standing-seam would be a much better choice in terms of long-term

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protection of the building and a cost-effective approach. Seth Hopkins stated the Board had asked the town manager to solicit prices and a total of 6 quotes were received from 3 different companies for slate, asphalt, and standing seam. Former Board Chair, Tracy Wyman, met with Bill Moore and Mr. Hopkins to talk about the concerns. The Town also communicated with Historic Preservation to inquire if future funding would be jeopardized if the roofing material was changed. None of the previously received grants are open for reexamination but a change in materials would not be acceptable for future grants. Mr. Hopkins reported the quotes were \$314,000 for shingle, \$508,000 and \$228,000 for standing seam, and \$336,000 and \$269,000 for slate. Ms. Benedict asked how they compare with upkeep and wear and tear. Mr. Hopkins advised a slate roof's life span is longer than either of the other two alternatives and the slate roof on this building is about 160 years old. He has heard from other preservation groups and the common wisdom is that a slate roof in New England will last 150 years. The standing seam metal roofer that they met with has a 20-year warranty and 30-year useful life. Karen Farwelll thanked Ms. Benedict for thinking of future generations and with slate it is about total cost of ownership. She has done research on slate roofs and has found that the roof will last as long as it is reviewed every spring and fall to ensure there are no problems. Ms. Farwell asked if the maintenance and inspections are included as the swales in Town were also supposed to be looked at every spring and fall and they are now going to need to be replanted. She is a fan of historic preservation but noted concern about the cost to the Town in future years. Ms. Benedict had heard the cost was going to be \$700,000 for the slate roof. Mr. Hopkins stated the numbers that he read tonight are the correct numbers with the lowest bid being \$228,000 for standing seam and the second lowest bid of \$269,000 for slate. With regard to maintenance, the Town's practice has been for an annual maintenance that was paid for out of the operating budget for maintenance of buildings and every year that line item has been more than sufficient. Ray Marcoux asked if all the slate needs replacing. Mr. Hopkins advised they are going to take all of the slate off and will reuse as much of the slate that is serviceable.

Chris Conlin asked, on behalf of Jess Murdock of Briggs Lane, if the current issue will be for the Select Board or DRB to consider. Seth Hopkins stated it will be brought before the Select Board but more research needs to be done at the town office.

Neil Silins noted concern with the acoustics in the upstairs of the town hall as it is difficult to hear anyone speaking and suggested mics to enhance the audio in the room.

Patricia Welch stated she is proud of the community with so many things happening and so much hard work going into the events. Many people came to the events and she thanked everyone for their participation.

Sandy Mayo questioned the Town considering an off taker of solar credit by the Brandon Industrial Park. Mr. Hopkins stated the Town is considering the same as what is being done with Green Lantern since 2016. If there is a new private solar array, the Town would take all or a portion of the arrays and in exchange pay a discounted cash amount to the company constructing it. The Green Lantern array produces electricity that is placed into the grid and the quantity is turned into credits that are given to Green Lantern. The credits are only good towards light bills and the Town takes the credits at a nominal value and gives Green Lantern 85% and saves 15% of its electric bill. The new solar array would be a similar model and the model is yet to be set. The Green Lantern deal has been a good savings. Another developer is interested in building a solar array and the Town is looking to cover the balance of what we still have for light bills.

Brent Buehler asked if Historic Preservation recognizes synthetic type slate-looking material. Mr. Hopkins advised they do not approve of this option.

Claire Astone wanted to applaud the administration and employees of the Town for their consideration of safety and noted it was a very festive town. Ms. Astone asked for clarification about Green Lantern as she thought it was because the company owed the Town back taxes. Mr. Hopkins advised the Town owns at lot at the Industrial Park and this was a swap for a mortgage.

#### 6. Appointment to Fill Vacancy on Historic Preservation Commission

Seth Hopkins reported there has been a vacancy for this Commission and an application came in for that vacancy. Additionally, another commissioner has resigned and there will still be a vacancy to be filled, and this new vacancy will be

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posted. Tim Guiles suggested the Board have an opportunity to have an interview with the applicant and suggested there could be an executive session for that to happen.

# 7. Appointment to Fill Vacancy on Diversity Committee

Bill Moore reported Ben Wimett, who expressed interest in filling the vacancy on the Diversity Committee, has been participating in some of the work the Committee has been doing over the last 4 months with the VLCT cohort. He has been a great participant and this will provide a third person for this committee. Mr. Moore advised this committee was all town employees, but now that the initial work has been done, the work can go outside the town staff and provide the ability to increase the committee. This position will also be discussed in the executive session.

### 8. Consider Designating Sole Source Vendor for Town Hall Roof

Seth Hopkins stated as continued discussion from this evening's public comment, there was a review of information from the three bidding companies. Those requests were from back in November and during the interim, it had been the goal to develop bid specifications by an engineer that will be an expense. Mr. Hopkins asked the Board to recognize there was a competitive proposal process and received 6 proposals and one proposal is for a like-for-like replacement from Sbardella. This has been the company that has done the maintenance work on the town hall roof and Mr. Hopkins recommended the Board consider the bidding pool will be small and the Town has 3 bids from companies and that Sbardella is the lowest of the three quotes. They know the building and roof and are from Fair Haven and would be a good candidate to maintain a slate roof. Mr. Hopkins recommended electing Spardella as the sole source vendor for the town hall roof.

Motion by Tim Guiles/Heather Nelson to approve Sbardella as a sole source vendor for the town hall roof.

Ralph Ethier asked how much ARPA money is set aside for the town hall roof. Mr. Hopkins reported the Select Board had set aside \$250,000 based on what was left, plus the remainder of the \$60,000 that was not expended for the proposed townowned solar array. Currently there has been around \$5,000 spent and it is hoped the last bill was received, but there is one player that Mr. Hopkins is awaiting a response from. Doug Bailey noted there is approximately \$300,000 available. Mr. Hopkins reported the replacement bid was \$269,300 but there are some add-ons for repointing 4 chimneys at \$10,000 per chimney and for redecking the roof would be \$36,800. Mr. Hopkins advised there will be a request to update the quote. Brian Coolidge stated he was not convinced the entire roof needs to be done and was not in favor of replacing the entire roof. Ms. Nelson stated that option has been explored and the rule of thumb is if 25% of the roof needs replacing, it is more cost effective to replace the entire roof. She also noted to keep patching it rather than replacing it would be a problem for future generations. Doug Bailey stated the Town has spent 15 years upgrading the building with a roof that leaks and that should have been done previously and this is one time to get a roof on the building without taxpayer money. Mr. Hopkins advised there is still insurance money that can be used for rebuilding one of the chimneys. Neil Silins suggested there should be a third party to do oversight to assure that the project has been done to specifications.

#### The motion passed with one no vote – Brian Coolidge.

#### 9. Consider Certification of Compliance for Town Road and Bridge Standards and Network Inventory

Bill Moore reported this is an annual certification that provides the Town eligibility for VTrans grants. Seth Hopkins advised the State has indicated that the Town is in compliance with State standards.

**Motion** by Tim Guiles/Ralph Ethier to approve the Certification of Compliance for Town Road and Bridge Standards and Network Inventory. **The motion passed unanimously.** 

#### 10. Adopt Local Emergency Management Plan Annual Update

Seth Hopkins reported Tim Guiles and he worked with the RRPC's planner in updating the Local Emergency Management Plan. There are various operations and the short form is required to be updated annually before May 1<sup>st</sup>. Mr. Hopkins stated the recent event was the first time exercising the emergency management plan. The Town was short staffed and because of

the nature of the day with some staff not in the building. He noted that every emergency operation center is dead in the water if cell phones go down or there are power outages, and there is nothing invented to remedy that. There has been discussion with the emergency health planner about getting the community more involved with a "check on neighbor" type of activity if there is a long-term communication issue, and this is something the Town is hoping to implement. There is a multi-year cycle of exercises and work is being done towards a 2025 statewide exercise in a drill kind of format with the scenario of a multiday power outage. This will help to focus on what is an issue with emergency response. Doug Bailey thanked Mr. Hopkins for the updates that were sent throughout the day to keep the Select Board in the know during the day.

Motion by Tim Guiles/Heather Nelson to adopt the local Emergency Management Plan Annual update. The motion passed unanimously.

It was asked if the Town would get bond funding for the town hall roof. Mr. Hopkins advised the Town will continue to look for grants for the town hall roof through Community Development and Historic Preservation.

## 11. Adopt Public Works Mutual Aid Agreement

Seth Hopkins reported this is also an annual update that was developed recently and relates to Rutland County towns sharing heavy equipment in cases of need. To his knowledge, there has not been any mutual aid provided.

Motion by Tim Guiles/Heather Nelson to adopt the Public Works Mutual Aid agreement. The motion passed unanimously.

Claire Astone thought it is a good thing to do and asked what happens if something is broken in the process. Mr. Hopkins advised the Town's insurance would continue to apply and there is a stipulation about use. Mr. Hopkins noted it is the same insurance company for all the towns involved in the agreement.

# 12. Adopt Revised Budget Proposal Workshopped March 18th

Motion by Tim Guiles/Heather Nelson to adopt the revised budget proposal workshopped on March 18th.

Heather Nelson provided a presentation on several points about the proposed budget that should be considered. She advised research has indicated that it is wise to maintain a Reserve Fund of 15% to 30% of the annual budget and the Select Board had adopted a policy. That means a reserve of 15% should be at least \$500,000 and 30% would be \$1 million. As of today, the Reserve Fund is \$719,000 with the expectation of receiving some FEMA payments. In 2022, the previous Select Board opted to withdraw funds to reduce taxes. The proposed budget increase that was voted down was \$534,000 of which \$300,000 was paving, \$50,000 was for two police cars and the remainder was for department increases. The revision from the budget of \$115,000 for paving High Pond. The Board also voted to allocate \$100,000 from the Local Options Tax fund to the remaining paving. The first proposed budget had 3 paving jobs of \$37,000 for North Street, \$166,000 for Union Street and \$115,000 for High Pond for a total of \$318,000. Claire Astone thanked Heather Nelson for her visuals and noted people understand but cannot tolerate a 13% increase in their taxes and many people are living under the poverty level.

Doug Bailey thanked Bill Claussen for his review of the budget and his clarification on the Rec Department figure in the Annual Report, noting \$182,730 is the correct figure. Mr. Bailey noted he did a comparison of the budget from last year to this year and advised there are categories that did not have funds that the current budget now has funding. One category had \$85,000 but with nothing left, adding another \$85,000 has a 3% increase. The payment of one cruiser for one year was added and last year there was zero in that line. Mr. Bailey noted the Town should always have a capital fund for this item. Wages in town went up \$38,000 for the entire staff. This was a standard 4% across the board with some people taking less. Insurance premiums went up \$11,600, which the Town has no control over. The only thing different is code enforcement that falls in line with zoning with the Town looking to increase the Zoning Administrator's hours at a cost of \$16,000. When adding everything up it is \$184,000 and the difference is \$211,000 from last year. Mr. Bailey noted the line-item budget is a really tight budget. Mr. Bailey advised last year the amount to be raised by taxes was brought down by \$100,000 as there was extra in the Reserve Fund. Mr. Hopkins noted that the Town Clerk and he reviewed the budget with Mr. Bailey and Ms. Gage

reminded that Newton Road cost over \$8,000 in one day and noted the Reserve Fund is for emergencies that happen. If it is reduced too low, the Town could be in trouble.

Brian Coolidge stated he is in favor of less government and all these things are good, but the Board did not cut much and felt that the Board can do better as many people cannot afford the increase that is still 10.8%.

Motion by Brian Coolidge to eliminate the deputy position. There was no second to the motion.

Motion by Brian Coolidge/Doug Bailey to keep the Zoning position as is and not increase the hours. The motion failed.

Tim Guiles stated the Town would be well served with the zoning person to be in the office more days per week and he would like to stay with the improved plan.

Vicki Disorda stated at the last DRB meeting about the laundromat, the Zoning individual was not competent with zoom and if that is his approach to his job, she questions whether a more competent person is warranted.

Motion by Brian Coolidge/Heather Nelton to not institute the Go-Gov program.

Seth Hopkins stated the Gov Pilot Program is added so that the Town does not need additional staff to do taxes. The current situation is that the Town needs a better way to track the use of staff, equipment, and materials. This type of information is expected when going for funding, and this program is needed because we do not have a system to keep track. The current staff is obligated for the tasks and this is designed to avoid needing to bulk out the staff. The cost is for five \$2,000 modules. Mr. Hopkins noted the City of Rutland tested this and found it to be successful in collecting rental housing permit fees that had not been realized, moved land use permits along to increase the tax base and allowed them to track grants. They have now gone to an unlimited plan and five is the minimum number. Tim Guiles noted what appeals to him is it is online to allow people to add things in a system and is a much more modern process to allow people to interact with the Town.

Claire Astone noted Mr. Coolidge wants to lower the percent of increase and she is not hearing that anything is being given up.

Judy Bunde stated she remembers going to the polls five times for a budget vote and the reason was the Town could not afford the increases. The way it got passed was to pull the paving projects and expenditures and put them in as appropriation to see what it took for the core functioning of the Town. Paving stayed out of the budget and was always in as an appropriation. She stated although the 1% tax is for infrastructure, she believes it was used for paving and also helped with funds for Segment 6. Ms. Bunde thought the Select Board has done an excellent job controlling costs and they are trying to make a compromise with the increase. Everything has increased and it is the Select Board's job to do things as efficiently as possible. Pulling the paving budget partially to soften the blow is extremely wise and well thought out. She does not want to pay more but this Town for the previous four years had almost no increase and it is time to take a look back at what the tax bills have been. There was a decrease done in a time when taxes were up. She suggested people should praise the Select Board and Committee.

Jan Coolidge suggested taking \$100,000 and using the 1% money because the community was saying that a 13.4% increase was too much. She stated there has been a small reduction, but this is the Select Board's chance to make changes as it costs the Town money to do revotes.

**Motion** by Doug Bailey to amend the original motion to adopt the budget numbers taking all paving out of the budget and add an appropriation for paving on the next ballot. **There was no second to the motion.** 

Tim Guiles stated the Board needs to come up with a budget for the entire town but this quorum does not represent the entire town. He is glad there is interest but there should not be a decision made by a show of hands and should be a process of deliberation and what is best for the town.

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Neil Silins noted the Board is elected for the community and the Budget Advisory Committee had nothing to do with the process as there was some discussion during three meetings but the Select Board made the decision to add the paving.

Sandy Mayo noted she was appalled at Mr. Guiles comments. She asked if the Board had considered Mr. Claussen's recommendations of reducing tools by \$2,500, lowering guardrails by \$5,000 and reducing tree maintenance by \$1,500. Ms. Mayo also did not think the Town should be paying the Police Chief for gas going back and forth to work due to the cost for maintenance and gas. She is also concerned with clothing allowance and professional development for the Police Department. Heather Nelson advised some of these questions were sent to the Police Chief and Mr. Hopkins responded to many of the questions. Tricia Welch stated the Budget Committee was not involved in the decisions, but provided input for changes that the Select Board did not make. She stated there are many people that are not happy with the budget going up and not just the number of people in attendance. Mr. Guiles stated he does respect that people come out and speak. The democratic process is to elect representatives and it is up to them to shape policy in the town. He noted the Board did not agree with the Budget Committee's suggestions. He reiterated he has the greatest respect for people coming to the meetings.

Claire Astone stated she has been in conversation with the police chief and with regard to his car, the Chief would be happy to not take his car home, but the issue is when having to travel back to town for an incident, the police car is needed to travel at a needed pace. Ms. Astone noted she has worked with the Chief and she wants the public to understand there is a practical reason for driving the car. Vicki Disorda suggested also removing the second cruiser from the budget. Doug Bailey stated two cruisers are being retired and with regard to the clothing allowance that is part of the union contract. With regard to the tools for the road crew, those tools are needed and \$2,000 is a small amount for this line item. The biggest item that changed was for paving and with the revised budget the increase has gone from 19.5% to a 10.8% increase.

Motion by Doug Bailey/Heather Nelson to call the question. The motion passed.

## The original motion passed with one no vote – Brian Coolidge.

## 13. Adopt Warning for Special Town Meeting

Motion by Tim Guiles/Heather Nelson to adopt the special town meeting warning as presented. The motion passed.

#### 14. Adopt Updated Employee Blanket Payroll Authorization

Seth Hopkins reported the update of the blanket payroll authorization is due to Winston Forbes being hired for the Highway department, retaining Shawn Erickson for call-in work and the removal of Anna Burtch-MacLeod. Mr. Hopkins advised that an update regarding Dan Snow will be brought to the next meeting.

Motion by Heather Nelson/Ralph Ethier to adopt the updated Employee Blanket Payroll authorization. The motion passed unanimously.

#### 14. Fiscal

#### a) Warrant – April 8, 2024 - \$698,910.71

Motion by Tim Guiles/Heather Nelson to approve the warrant of April 8, 2024, in the amount of \$698,910.71. The motion passed unanimously.

The Board recessed at 8:54PM

The Board reconvened at 9:07PM

**Motion** by Tim Guiles/Heather Nelson to enter into executive session at 9:07PM for the appointment or employment or evaluation of a public officer or employee per 1 V.S.A. 313(3)(a)(3) regarding appointments. **The motion passed unanimously.** 

### **15. Executive Session**

The Board came out of executive session at 9:29PM.

Motion by Tim Guiles/Heather Nelson to appoint Karen Farwell to the Historic Preservation Committee. The motion passed unanimously.

Motion by Tim Guiles/Heather Nelson to appoint Ben Wimett to the Diversity Committee. The motion passed unanimously.

**Motion** by Tim Guiles/Heather Nelson to enter into executive session at 9:30PM for the appointment or employment or evaluation of a public officer or employee per 1 V.S.A. 313(3)(a)(3) regarding resignations. **The motion passed unanimously.** 

## **16. Executive Session**

The Board came out of executive session at 9:38PM. There were no actions required.

**Motion** by Tim Guiles/Brian Coolidge to enter into executive session at 9:39PM for the appointment or employment or evaluation of a public officer or employee per 1 V.S.A. 313(3)(a)(3). **The motion passed unanimously.** 

# **17. Executive Session**

The Board came out of executive session at 9:57PM. There were no actions required.

**Motion** by Tim Guiles/Brian Coolidge to find that premature general public knowledge of the pending contract negotiation with New England Police Benevolent Association Local 422 will clearly place the Town of Brandon at a substantial disadvantage by disclosing its negotiation strategy. **The motion passed unanimously.** 

**Motion** by Tim Guiles/Brian Coolidge to enter into executive session at 9:58PM to discuss the Town's pending labor relation agreement with New England Police Benevolent Association Local 422 per 1 V.S.A. 313(a)(1)(b) for labor relations agreements with employees, to include the Town Manager. **The motion passed unanimously.** 

#### **18. Executive Session**

The Board came out of executive session at 10:21PM. There were no actions required.

#### 19. Adjournment

Motion Brian Coolidge/Heather Nelson to adjourn the Select Board meeting at 10:22PM. The motion passed unanimously.

Respectfully submitted,

Charlene Bryant Recording Secretary