

Brandon Select Board Meeting
April 22, 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, Scott Scribner, Barbara Scribner, George Fjeld, Carol Fjeld, Brent Buehler, Steve Bisette, Billy Bullock, Patricia Welch, Sandy Mayo, Jack Schneider, Cecil Reniche-Smith, Judy Bunde, Kevin Thornton, Ethan Nelson, Karen Farwell, Jonathan Langevin, Alan Bloodworth, Debra Jennings, Jan Coolidge, Vicki Disorda, Susan Benedict

Others by Zoom: Bruce Jensen, Tom Kilpeck, Neil Silins

1. Call to Order

The meeting was called to order at 7:09PM by Doug Bailey – Board Chair.

a. Agenda Adoption

Motion by Brian Coolidge/Heather Nelson to approve the agenda, as amended. **The motion passed unanimously.**

Item 11 – Executive session was not required.

2. Approval of Minutes

a) Select Board Meeting Minutes – April 8, 2024

Motion by Brian Coolidge/Heather Nelson to approve the Select Board minutes of April 8, 2024, as amended. **The motion passed unanimously.**

Bottom of Page 5 regarding Newton Road, a correction to the figure from \$8,000 to \$800,000.

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 additions since the Board packet had been distributed. For the awareness of the community, the informational meeting for the upcoming revote on the budget will begin at 6:00PM rather than 7:00PM next Monday. Voting will take place on Tuesday at the American Legion from 7AM to 7PM. The audit was delivered and is now on the Town's website. The Town Treasurer will review the audit and provide comments at the next Select Board meeting. The highway crew is now on a four day per week, 10-hours-per day schedule that allows for better mobilization through less setting up and taking down, and helps the crew with a predictable schedule. The town crew has removed sand barrels, cleaned culverts, and is grading roads in Brandon. The seasonal road postings are no longer in effect. event. The highway department worked several hours on service of the grader that was a cost-savings to the Town. Mr. Meacham was starting the reconstruction work today and Mr. Hopkins and the Highway Chief will be meeting with him tomorrow. Jan Coolidge requested Mr. Hopkins provide information on the cost for mailing absentee ballots at the next meeting.

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:

With baseball registration closed, our numbers of participant are up; 168 vs 145 in 2023. This means 14 teams playing on 4 fields over the course of the next 8 weeks. Field clean-up day is scheduled for April 28th at 11am. Reach out if you are interested in participating in helping!

Swim Lessons are back on the menu! Brandon Rec lessons at the Brandon Inn Pool have 3 different 1-week sessions scheduled for the weeks of June 24, July 15, and July 29.

2 more Bus Trips have been scheduled. An October 3rd trip to Salem, MA, and the annual winter NYC trip (December 14th) Once the parking has been confirmed, these will be live on the Brandon Rec website and will fill up in a matter of a week.

With the return of the Buildings and Grounds person, park clean-ups are going well. The reinstallation of picnic tables and deployment of extra reuse receptacles to accommodate the move outdoors will occur over the next couple of weeks.

Vermont Tennis Court Resurfacing is to be visiting by the end of April to help with the work plan for the conversion of the Estabrook court into a multi-use court.

Some Rec affiliated events and dates to keep in mind as summer approaches:

- . July 6 Independence Day Parade and Fireworks (Downtown)
- . July 25-28 Brandon Carnival (Estabrook)
- . August 3 Punk Rock Festival (Estabrook)
- . August 17 For the Luv of Dogs Car Show (Estabrook)
- . August 18 Waterslide Day and Nerf War (Estabrook)

Heather Nelson questioned if a bus trip is not filled to a certain amount if the event would be cancelled. Mr. Moore stated the Salem bus trip is a first-time add-on, but the New York City bus trip has never been a problem filling. When tickets had to be purchased, like the Celtic bus trip, the Town sold the tickets to a 3rd party vendor when the event was cancelled. Ralph Ethier asked how many of the 168 baseball registrants are from Brandon. Mr. Moore reported the vast majority are from Brandon, but there are children from Leicester, Whiting and Sudbury who do participate. Mr. Moore followed up that 43 participants are non-residents and the Town collected \$387 in non-resident fees and the top three towns were Leicester - 17, Whiting - 17 and Sudbury - 5.

5. Public Comment and Participation

Tim Guiles noted concern that he was advised there was an article in the Rutland Herald describing the Select Board's work as deceptive and deceitful. He found this to be troublesome as the Board strives to have open meetings and work in an open process. There can be disagreements but it is harmful to characterize the Board in this way and he would like to clarify the issue. Brian Coolidge stated the budget is a numbers game and is deceptive and deceitful as the budget is being lowered by moving things around and minimal cuts were made. Heather Nelson stated an entire road job was eliminated and anything not done this year is a reduction, and the Board cannot speak to the following year. Mr. Guiles stated this was done in the open without smoke and mirrors. Mr. Coolidge stated he stands by his words and his vote. Ms. Nelson disagreed and stated that she was neither deceitful nor deceptive and the choices were to take money from other places that resulted in a larger decrease by taking from the 1% fund and postponing roadwork to be done.

Karen Farwell stated when talking about making cuts, there was a discussion of the town hall roof and a comment from the Town Manager that having checked with the State, it was felt that using different materials or not staying as it is now could cause the Town to be ineligible for state funds and grants. In Ms. Farwell researching this topic a letter that the Town Manager received indicated a change in material would change the historic character of the building. Ms. Farwell subsequently spoke with the State's history officer who told her that she was not aware of a historic building that had been delisted due to changing a slate roof would not disqualify the Town for future grants. Ms. Farwell noted she was a proponent of historic preservation but across the State towns are grappling with budget issues. She stated there is a roof in another town

that had replaced standing seam on a temporary basis. Ms. Farrell stated she is offering this up to potentially allow the ARPA funds to be used for something creative.

Cecil Reniche-Smith asked for clarification if the suggestion was to not spend the money for a slate roof but for reducing the budget and noted that several options were provided by the Town Manager regarding the cost of various materials and standing seam was more expensive. Doug Bailey advised the roof for the Town Hall is not a budget item and does not have an effect on the budget. Whether the Town puts a roof on or not will not change the budget or tax rate. When looking at the bids, the difference in value of the slate versus standing seam is very little in dollars yet a standing seam will only last 20 to 25 years and the cost will be even more to replace at that time. The slate roof has been on this building for 160 years and a new one could last 100 years without any maintenance with the slate roof saving money. Ms. Farwell stated we are using the low end of the life of a standing seam versus the high end of the slate. Slate roofs should be inspected and taking it all apart it will not be known what one is getting into. If the ARPA funds were not used, it would free up ARPA funds and she does not know if they could be diverted to something else at this point.

Vicki Disorda wanted to remind everyone there was a gentleman who made specific suggestions for adjustments to the budget who indicated he was losing faith in the process. She is losing faith in the people and she would like to speak of Mr. Hopkins FPF post. She wanted to clarify why she did not go to anyone in the town office, and rather to the website. She felt she was lied to about the attendance of the last Select Board meeting and felt it was to discourage audience participation and she plans to file a complaint. She requested to participate on the DEI committee several times and Mr. Hopkins did not respond until nine months later when another appointment was made. She has complained about a town employee and a DEI member approving a home mortgage at a 3.5% interest rate when the rest of Vermont was paying 6.6%. Ms. Disorda suggested the Town Manager rectify his post. With regard to disrespect from the former and current Board members, she noted that she had an issue with Heather Nelson's budget description. Ms. Disorda had used the word "man-splaining" and acknowledges that she desires to be part of the solution but has become part of the problem. Her intention was to modify her language and be more mindful of feelings and apologized to Ms. Nelson.

Jim Leary reminded everyone of the upcoming Green Up Day on May 4th from 8AM to 10AM. Mr. Leary stated assignments and bags will be distributed at Central Park beginning at 8AM and this is an opportunity to beautify the Town. If unable to participate on that day, Mr. Leary can provide an assignment and bags for another day. He encouraged those with young children to participate and he hopes to see a large number of participants.

Sandy Mayo advised she wrote a letter to the Chair of the Select Board. She noted she is shocked with Tim Guiles rants and disrespect for the audience and requested he be removed as a member of the Brandon Select Board. Doug Bailey advised that he responded to Ms. Mayo one day after receipt of the letter. In his response, he noted that regarding the April 8th meeting, the public was allowed to speak with the Board to hear their ideas and concerns about the budget. It is his feeling that the conversation repeated the prior meetings and budget discussions and the elected board members must decide what they feel is best for the entire population, which is what the last Board and the new Board has done. Mr. Bailey does not feel that Mr. Guiles disrespected the audience, and noted he is also a resident and taxpayer of the Town, as well as a Select Board member. The budget will be in the hands of the voters on April 30th. In a response from Ms. Mayo from his letter, she noted concern there was a special meeting to discuss this matter and Mr. Bailey responded that a special meeting did not take place and would have to be warned. Ms. Mayo had indicated the people in attendance are speaking for many others regarding the budget being too high with no cuts being done. She stated this does not support anything and is against DEI. Mr. Bailey noted that Ms. Mayo had indicated that Ms. Nelson had sent her husband to her house to talk with her about not supporting Vicki Disorda and was threatening to her. Mr. Bailey advised there is no mechanism in Vermont for removing a Select Board member and read from statute that voters must abide by their decision and there is no removal or recall of a Select Board member. Tim Guiles stated he always appreciates people coming to the meeting and always listens with an open mind but sometimes all are not in agreement and government is to work through a process and come to collective decisions. He noted he will continue to listen to what people say.

Ethan Nelson noted Sandy Mayo has been a close personal friend and he expressed some comments to his friend and neighbor, for whom he has assisted with many household tasks. He expressed that he is concerned that the message about policy items is being lost in personal attacks and is not going as planned, however, she responded with emotional anger. Mr. Nelson admires her for her intellect and her work with the children and he would like those to be the emphasis. He also noted

that he was raised in this Town and believes that one can be yourself in Brandon. Quoting a long-time resident of Brandon, Betty Moffett, we have a community that requires tending every day. Mr. Nelson noted that Ms. Moffett was referring to taking care of your neighbors, sharing things, and working through disagreements without making things personal. Mr. Nelson knows the majority of Board members have been small business owners and he knows that the Board is a working force. Mr. Nelson recollected a time when the budget was voted down five times regarding a controversy about a piece of equipment. He noted that for those who do not like what the Select Board is doing, he encouraged them to run for Board. He knows that the Select Board has experienced poverty and working in the business world and appreciates coming to a compromise. He thanked the Board for standing strong for the compromises and for keeping the Town safe.

Judy Bunde provided suggestions for the upcoming budget meeting next week noting a detailed outline was effective in past years. She liked the pie chart and would like to see what is proposed this year versus last year, particularly the percentages by department. Ms. Bunde thought that some people have not paid as much attention to the history of the budgets and it would be helpful to understand. The budgets have been held tight and she would like to see it in writing. Ms. Bunde also suggested the presentation include all the ARPA funds and how they have been allocated as she believes that a lot of people are confusing the necessity to use ARPA funds as a spending spree. She wanted to see the town do something with it as it is a one-time gift. Ms. Bunde suggested the budget money and the ARPA money be clearly outlined and she hopes that the majority of the voters will get a clear explanation and get out to vote.

Kevin Thorton stated he trusts the integrity of the Board and the individuals. There is no benefit to the Board members except to serve the Town as there is no money or glory and he appreciates their honesty and integrity. He also trusts the appointments to the DEI Commission were well thought out. With regard to the physical manifestation of this building, he reminded the Board that it was built in 1861 and provided historic facts noting that in 1865 two soldiers who had died laid in state and in the fall of 1865 the Brandon soldiers returned. He noted this building is the lifeblood of our community and there have been recreation events that he recently attended, in addition to tonight's stating our democracy. The building does not need vinyl siding or a cheap roof, and the 1861 roof is just wearing out now.

Karen Farwell stated with regard to the concept of respect, she has done a lot of DEI training and if stepping out of line, the team will remind one of this. It was reinforced that there is a difference between whether one thinks they are being respectful versus the perception of the other person. If people feel they are being disrespected, it is not enough that the Select Board feels they are being respectful. She noted there are regulations that can be adopted by towns that involves a complicated formula if x-percentage of voters in the same year as the person being questioned elect to remove from the Board, but Brandon has not adopted this. Ms. Farwell expressed concern with the swales in town. She understands why they are there and does not have a problem with citizens assisting with the upkeep, but when accepting the grant, the Town entered into a legal agreement that the swales would be maintained and noted concern that funds could be requested to be returned if not properly maintained. She stated someone needs to determine what was committed to and what latitude the Town has so that funds are not taken back. Ms. Disorda stated there have been official complaints back to 2021 about Mr. Guiles.

6. Appoint Downtown Parking Solutions Group

Seth Hopkins reported there is interest in developing a group and provided a list of six names received. Mr. Hopkins recommended the Select Board appoint the individuals to a Parking Solutions group. Heather Nelson asked if a Select Board member should be on the group and noted she would be willing to represent the Board. Mr. Hopkins had suggested there be a Select Board or Planning Commission member on the group. Tim Guiles thanked all who committed to serve on this group. Ralph Ethier noted a resident showed him a 1945 Brandon Town Report that listed parking as the #1 issue for the Town.

Motion by Tim Guiles/Heather Nelson to appoint Bernie Carr, Stephanie Corliss, Dorothea Langevin, Janet Mondlak, Bill Moore, Barbara Scribner, and Heather Nelson to the Parking Solutions Group. **The motion passed unanimously.**

7. Forest Dale Shared Use Path Engineering Study Proposal

Bill Moore advised the proposal from the Scoping Committee is being brought before the Select Board for consideration after an RFP had been sent out with one firm responding. The firm was evaluated and Mr. Moore is asking the Board to consider the proposal as it is outside the Town Manager's approval. Brian Coolidge asked where the funding would come from. Mr.

Moore advised the Select Board had previously approved the match of \$10,000 for a \$40,000 grant the Town had received with the funds coming from the 1% tax fund. Susan Benedict asked if there is information on the trails. Mr. Moore stated the scoping study will determine what routes would work between Forest Dale and Brandon. There will be public engagement with the engineering firm to obtain comments. The Town had applied for the planning grant for the baseline design, but the trail will cost much greater than \$50,000. This would be a multi-use trail and will be a connector between Brandon and Forest Dale for both biking and walking. Ms. Benedict asked with the trail accommodating children, bikes, and adults, who will supervise the trail. Mr. Moore advised this will be made clearer once it is determined what the alternatives are. This project has been discussed for many years and started as a Safe Routes to Schools and is an important connector to provide a safe opportunity for travel between Forest Dale and Brandon. Ms. Benedict noted she would like to volunteer.

Motion by Tim Guiles/Doug Bailey to support the proposal and the engineering study for the Forest Dale shared use path. **The motion passed with one no vote – Brian Coolidge.**

8. Request for Letter of Support for Solar array on Clark’s Mill Road

Seth Hopkins reported a request was received from the Planning Commission regarding the Select Board’s consideration of a letter of support for a solar array on Clark’s Mill Road. Jack Schneider stated the process for a renewable energy proposal is detailed in the Enhanced Energy Plan. SolarFest presented to the Energy Committee and Planning Commission. The Planning Commission is in support of sending a letter of support to the PUC regarding the project. SolarFest bought the 10 acres of land behind Ron’s Auto that is totally screened. SolarFest owns most of the adjoining property and there is one other adjacent landowner. Information on the project is in the Planning Commission minutes of April 15th. It is a 125-kilowatt solar array that could accommodate 15 households and people will be able to buy shares in the project and receive credits on their electric bill. Clark’s Road is located on Route 73 a short distance past the highway department. SolarFest is a non-profit organization that owns the land and there is no town involvement in this project.

Motion by Tim Guiles/Heather Nelson to approve a letter of support for a SolarFest solar array on Clark’s Mill Road. **The motion passed unanimously.**

9. Updating Declaration of Inclusion

Seth Hopkins advised the Declaration was ratified on 1/25/2021 that made Brandon the 3rd community to adopt a statewide Declaration of Inclusion. That was effective unanimously and there has now been an update to it. The modification of the Declaration provided additional language that is indicated on the one-page memo and Mr. Hopkins recommended updating the Declaration to be in line with the statewide initiative. Tim Guiles suggested the Town stay up to date with the Declaration as this is a necessary document.

Motion by Tim Guiles/Ralph Ethier to approve the update of the Declaration of Inclusion. **The motion passed unanimously.**

10. Fiscal

a) Warrant – April 22, 2024 - \$161,926.73

Motion by Tim Guiles/Brian Coolidge to approve the warrant of April 8, 2024, in the amount of \$161,926.73. **The motion passed unanimously.**

The Board recessed at 8:29PM

The Board reconvened at 8:47PM

Motion by Tim Guiles/Heather Nelson to enter into executive session at 8:47PM 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.**

12. Executive Session

The Board came out of executive session at 9:35PM.

The Board completed the Town Manager's assessment. Heather Nelson encouraged Mr. Hopkins to take a vacation.

Motion by Brian Coolidge/Doug Bailey to enter into deliberative session regarding the Vicious Dog hearing at 9:36PM. **The motion passed unanimously.**

13. Deliberative Session

The Board came out of deliberative session at 9:56PM.

The Town Manager was instructed to draft a letter on behalf of the Select Board to the dog owners.

14. Adjournment

Motion Brian Coolidge/Doug Bailey to adjourn the Select Board meeting at 9:57PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary