

**Brandon Select Board Meeting  
August 12, 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, Brian Coolidge, Ralph Ethier, Tim Guiles

**Others In Attendance:** Seth Hopkins, Bill Moore, Steven Jupiter, Susan Benedict, Vicki Disorda, Pat Snow, Wayne Rausenberger, Chuck Knox, Neil Silins, Barry Varian, Janet Coolidge, Barbara Scribner, Scott Scribner, Brent Buehler, Mr. Waldie, Dorthea Langevin, Steve Bissette, Sam Glaser, Judy Bunde, Karen Rhodes, Billy Bullock, Molly Kennedy, Tricia Welch, Sandy Mayo

**Others by Zoom:** Jack Schneider, Cecil Reniche-Smith, Grace Coolidge

**1. Call to Order**

The meeting was called to order at 7:18PM by Doug Bailey – Board Chair.

***a. Agenda Adoption***

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

Addition of an executive session regarding Negotiating or Securing Real Estate Purchase or Lease Options per 1V.S.A.313(a)(2)

**Motion** by Tim Guiles/Heather Nelson to enter into executive session at 7:19PM regarding the appointment or employment or evaluation of a public officer or employee per 1 V.S.A.313(3)(a)(3) to include Wayne Rausenberger. **The motion passed unanimously.**

**2. Executive Session**

The Board came out of executive session at 7:28PM. There was no action required.

**3. Recurring Matters**

***a. Approval of Select Board Meeting Minutes – July 22, 2024***

**Motion** by Brian Coolidge/Heather Nelson to approve the Select Board minutes of July 22, 2024. **The motion passed unanimously.**

***b. FY 2023/2024 Warrant – August 11 - \$20,895.62 and FY 2024/2025 Warrant – August 12, 2024 - \$489,999.26***

**Motion** by Tim Guiles/Heather Nelson to approve the warrant of August 11, 2024, in the amount of \$20,895.62. **The motion passed unanimously.**

***c. FY 2024/2025 Warrant – August 12, 2024 - \$489,999.26***

**Motion** by Tim Guiles/Ralph Ethier to approve the warrant of August 12, 2024 in the amount of \$489,999.26. **The motion passed unanimously.**

**4. 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.

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Seth Hopkins highlighted a few items from his report. Mr. Hopkins showed two slate samples from Sbardella Slate for the town hall roof and noted the Select Board may want to provide direction. The gray colored slate sample weighs 8 lbs. and the other sample weighs 10 lbs.

Mr. Hopkins reported the Town has secured a top level domain and in the coming weeks the website and email addresses will be migrated for the highest security through digital means.

Mr. Hopkins attended 7 different meetings of towns and districts.

Mr. Hopkins noted the Brandon Opt-in text alert system was used during the recent water emergency and encouraged people to consider signing up for this program that is available through the Town's website. People can also consider signing up for the Vermont alert system.

Mr. Hopkins reported the Library is emptying out the room in the Town Hall and the Select Board will have the main meeting space for the September meeting.

The Town Treasurer reported receipt of the quarterly 1% Options Tax for \$76,420 that is a 14% increase over last year for the same quarter.

Mr. Hopkins advised the Act 250 review ordinance the Select Board repealed did not receive a voter petition and as of August 10th from the Select Board action, the Town is now considered a 10-acre town. Mr. Hopkins alerted the RRPC and noted that Devon Neary of the RRPC indicated this will be a good change for Brandon.

The Town has received approval to work on both banks of the Neshobe River near Barlow Avenue to protect the town infrastructure.

Mr. Hopkins reminded the attendees that the State primary election will be held tomorrow from 7:00AM to 7:00PM. The Town Clerk mailed the tax bills and the first bill will be due September 15<sup>th</sup>.

The Tree Warden has advised there is a defective Maple tree at 9 Union and this tree, plus 4 other trees that have been approved for removal will be taken down by the Town late in the fall.

Mr. Hopkins reported the Brandon Police Department responded on August 6th and the officers seized quantities of drugs and the Police Chief has submitted a press release.

Heather Nelson encouraged the public to sign up for the Opt-in program as it is very helpful when flooding happens.

Jan Coolidge asked if the difference in the 1% Option Tax funds was due to the eclipse. Mr. Hopkins did not see a difference in the rooms/meals funds, but sales grew and noted that some could be cannabis sales but the eclipse was also a good economic driver.

## **5. 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 Rec Director's report submitted:

Brandon Carnival 2024 was a successful endeavor. Great weather and sponsorship (Thank you to Rutland Regional Medical Center, Nifty Thrifty, Celebration Rentals, Graph-X, and Country Village Campground). The Brandon Rec/Brandon Area Toy Project event realized a net revenue (after expenses) for each organization of \$2,728.00. Want to volunteer with the Wright, Moore, Danforth and Ladd families to help with planning and working the 4-day event? Please email Bill Moore

and/or Colleen Wright Planning for 2025 has already begun. Special shout out to new 2024 volunteer, Addy Boynton. He came through a work/training program and was available every night.

Miss Michaela Dance Classes are set to resume this fall with Tuesday and Friday classes. Tap, Ballet, Hip-hop and Adult classes are on tap with 3 sessions from October - May.

Working with Otter Valley to offer Pre-Season Field Hockey and Soccer camps this week. A great way for future Otters to work with current Otter players.

Planning for a Bark in the Park Dog Park fundraiser has begun. October 13th is the date and the details for this dog parade and gathering are forthcoming.

August 17th Estabrook will be hosting the second annual For the Luv of Dogs Car Show. This is a fund raiser for the Rutland County Humane Society.

August 18th is the Slide Out of Summer Waterslide event at Estabrook. A last gasp of the summer gathering for kids and families, this year we will also be hosting a rec equipment swap.

Bill Moore attended a Vermont Council on Rural Development meeting and represented Bandon with regard to a discussion about the work the Town has done around hazard mitigation. Mr. Moore noted the Town is miles ahead of many communities with proactive hazard mitigation and advised there is a warrant for another hazard mitigation buyout on Newton Road. Mr. Moore encouraged anyone that lives in a place experiencing flooding to reach out as there are many contacts at the State who work on hazard mitigation. Doug Bailey noted the Newton Road buyout has incoming money from the State.

Brian Coolidge posed several questions concerning the dog park fountains: 1) how much was the grant that was received, 2) does the Town have anything in writing from the Prudential Board, 3) what is the amount in donations for the fountains, 4) with Buildings and Grounds digging the trench - does that add to the workload, 5) what is the cost of digging and piping, 6) who is doing the hook-up, 7) will the Town receive water bills, 8) with these additions, what does it do to the Town's insurance costs, 9) do we have permission from the property owner. Mr. Coolidge is curious the cost to the taxpayers as the Town has to maintain them.

Mr. Moore provided the following responses: 1) the Town received a grant in 2019 to repair the Seminary Hill Park and established some of the funds due to the dog park fundraising. It was going to be done at Estabrook but used money for creating a park for pennies on the dollars. 2) Mr. Moore has had conversations with Ray Counter of the Water District and they were going to put a fountain in Green Park and promised to pay for a fountain. Mr. Counter has indicated that they will pay for a fountain from a promise to install a fountain in another park. 3) They had received a \$500 donation who would like to remain anonymous. 4) Building and Grounds - it is part of park maintenance and will have two fountains in a park that needs a fountain. 5) The cost for digging and piping was not known but Mr. Moore will research. 6) The Fire District will be doing the connection. 7) The Town will receive water bills and there was already a water bill when the hydrant worked. 8) New assets are reported to the insurance company but it is unknown what the additional cost may be. 9) The Town owns a portion of the dog park and the fountain will be installed on the part the Town owns. Mr. Moore did not have a breakdown of the yearly cost as there will be two fountains and it will be known after they have been in place for a year. Heather Nelson asked about the cost of the digging and Mr. Hopkins advised that the amount of time can be tracked. Mr. Coolidge noted he is not against this, but everything that is added in Town will add more to the budget. Ms. Nelson has major concerns about accessibility and if the Town is making changes, it needs to be sure that there is accessibility for all. She stated it is good to be inclusive and to her it is a responsible and respectful thing to do.

Susan Benedict had concerns at the vagueness of the cost of the fountains and everything should be researched and priced out before committing. She is not sure if she should be paying for dogs to have water as their owners appear to be carrying water. We need to know how much it is and keep it within reason. She does not see this as an important contribution to the need of Brandon. Bill Moore stated this fountain is funded through dog park donations and the dog park organizers wanted this as their next project. They will be having a 50/50 raffle and it is their intent to fund the fountains and he is facilitating this for them. Ms. Benedict stated the taxpayers should not be funding any part of this, including Mr. Moore's time. Doug Bailey

stated there is a basketball court and playground and there will be multi-uses. Mr. Moore stated there will be two fountains with one near the playground and one in the dog park. Sandy Mayo noted she was the donor and questioned the grant that had been received. She thought that Mr. Moore was disingenuous and asked why the taxpayers are having to pay for this. Mr. Moore advised that the Town owns half the dog park and the fountain will be installed on the Town's part. There will be an ADA fountain, water bottle filler, regular fountain and a dog fountain. Mr. Moore clarified that he did not receive a grant. Barry Varian stated as a frequent user of the park, he thanked Mr. Moore for all his efforts. It is a very busy place and the incremental improvements are good for the entire community. Mr. Moore stated for the record that he is not disingenuous and takes full offense to that comment. He welcomed anyone who would like to have a conversation with him about this subject. Cecil Reniche-Smith was in favor of the fountains and would like to reiterate that these are not just dog fountains but are water fountains for people that are using the playground and the dog park. Many people who bring their dogs do bring water bottles, but many people do not. To date there have been people that have been filling water jugs and leaving them by the fence for those who do not have water for their pets. This has been discussed at more than one Select Board meeting and the promise from Ray Counter has been discussed and it is not something that is being sprung on everyone. There are many projects that are being done for raising additional funds for the dog park. Ms. Reniche-Smith noted a dog park makes a town welcoming. Karen Rhodes asked how much of the land is owned by the Town. Mr. Moore stated he can provide a map to show what is owned by the Town. Vicki Disorda stated there are three other parks and asked why one could not be put in one of the other parks, rather than having two close together. Mr. Moore stated Ray Counter was going to gift one that was specific to Seminary Hill and he agreed that other parks could use fountains. Mr. Moore stated the cost for the fountains is \$3,000 and one-half of the dog park is owned by the Town. Ms. Disorda was under the impression that part of the dog park was up for tax sale.

## **6. Appointment to Otter Creek Watershed Insect Control District (OCWICD) (Representative and/or Alternate)**

**Motion** by Tim Guiles/Ralph Ethier to appoint Wayne Rausenberger to the Otter Creek Watershed Insect Control District as the Brandon representative. **The motion passed unanimously.**

Seth Hopkins advised there needed to be a change to one of the other representatives to be an alternate.

**Motion** by Tim Guiles/Ralph Ethier to change Olya Hopkins to be an alternate to the OCWICD. **The motion passed unanimously.**

Doug Bailey noted that Wayne Rausenberger and Sharon Stearns would be the representatives to the OCWICD.

## **7. Discuss VY26 Budget Writing Process, Timeline and Levels of Participation**

Doug Bailey stated the budget advisory committee is to assist the Select Board in preparing the budget and bringing more eyes and ears to the process. The Select Board is responsible for selecting the budget and is the voting body. The advisory committee is to assist and meetings are open to the public and warned. He would like to request letters of interest for those who would like to be on the advisory committee, with interviews done and the Select Board choosing the committee. The Town has started a process for interviewing for appointments. He would like to hold a pre-budget meeting as it is important to discuss a process of how to work together and he would also like to have a general discussion to assess where we are and going forward. The Town does not want to go through another negative vote and having additional votes. Heather Nelson agreed there should be clear expectations so that no one has misunderstandings.

Tim Guiles emphasized that everyone is welcome to attend the budget meetings to share views and opinions on how to shape the budget. Mr. Bailey stated the budget committee would be committing to attend all meetings and the general public is welcome to attend when they would like. Ms. Nelson appreciates the input of a budget committee as she likes to have as many opinions during the budget process. Neil Silins suggested there needs to be a process change from looking at what each department indicates they will need for funds to a budget building process. Mr. Silins noted concern that with anyone sitting in makes the budget committee largely useless and having no particular authority or recognition. He expressed concern with the last budget process that the last meeting felt like the Select Board had decided what they were going to pass and it was made clear to the budget advisory committee that it is only the Select Board that voted on the budget. Barry Varian liked Mr. Bailey's comments and noted over the years he was on the committee there was not a lot of public participation and the initial

driver was to have a committee to get a non-board perspective, as well as having people invested for multiple years to gain knowledge. As membership on the committee changed, there was a disconnect and this has to be resolved as there was a lot of disharmony because of the roles and expectations. An advisory committee is a board appointed committee and if the Select Board decides to have one, the roles need to be clearly laid out and in interviewing the candidates the expectations have to be understood to not have disconnect. Karen Rhodes stated there should not be conflict of interest when appointing committee members. Vicki Disorda would like some socio-economic diversity on the committee. Jan Coolidge noted she has been on the committee since 2014 and this last year was the worst and was upset with the Select Board on how they were treated. Ms. Coolidge has been asking for a capital plan as it is difficult to do a budget when there is not a vision. The basic expenses need to be known and then a review of the wants and needs. Mr. Bailey agreed with all the comments and reiterated that the committee needs to be chosen followed by a meeting to discuss needs and desires without dollars and cents. Tricia Welch stated it is important for clarification of the committee's role as she participated on the committee not understanding the expectations and felt the group was committed to come up with the best budget for the taxpayers. She noted there are people that are not comfortable speaking and they would express their comments to the committee members. Ms. Welch agreed there needs to be a financial plan and she would like an understanding of the roles and expectations.

Tim Guiles supports the need for a long-term plan and what the authority of the budget committee will be. He stressed that everyone is welcome to attend and to try to influence the process as he noted concern if authority is granted to a committee of any kind, we have now elevated some people without the electoral process of voting them into a position. If the budget committee is allowed to weigh in, there could be a group of people that have a certain view and there is a problem with democracy happening. If authority is not given to the committee, Mr. Guiles questioned if there should be a committee and suggested the process would be healthier if all were on even footing and attend meetings and not have a budget committee. Jan Coolidge stated it did not feel the Select Board respected their input, but they did not expect voting authority. Mr. Bailey stated when he was on the committee side, he felt that the Select Board listened and last year when he was on the Select Board, he listened but may not have agreed and feels strongly the budget decisions have to come from the Select Board, with input of the advisory committee. Heather Nelson would appreciate the input from the advisory committee as there are many people that are not able to attend the meetings. Karen Rhodes stated all people have the right to their opinions and overrule the elected officials and there is discourse when there is not equal say and hearing on topics that are concerning people in this Town. Barry Varian stated having been on the committee for five years, last year was the most difficult for members being recognized. It is clearly the Select Board's decision and it sounds like there will be more collaborative discussions going forward as the approach that Mr. Bailey is thinking about should address the prior issues. Sandy Mayo agreed with having a vision and having a plan. She stated the advisory group can say what they want but the Select Board has the final say and suggested that all should have an opinion and not have an advisory group. Neil Silins stated the Select Board has the power to spread limited responsibility as it does that with the Town Manager and asked if it would be possible to give more than just advisory power to the budget committee. Judy Bunde noted she was impressed with how civil this meeting has been as there are a lot of concerns on the part of the Board that they do better. She also thinks that we need to remember how the system works as we elect the Select Board and they have the legal responsibility to approve the budget. To construct the committee in a way that it will work and discuss in detail their obligations and authority is important to understand. She applauded the committee that they are willing to put in the time but people need to understand what is expected. Ms. Nelson stated she could not do more meetings with the tone of the meetings last year. There are different opinions, but we want our town to be a nice place to live and we are all working towards that goal. We need to remember to keep things civil so that all can feel good about each other.

**Motion** by Doug Bailey/Heather to have a five-person advisory committee and ask the Town Manager to request letters of interest to serve on the committee.

Tim Guiles would like a description of the advisory committee for the next meeting. Doug Bailey stated the committee members would agree to attend as many meetings as possible and would understand that it is Select Board that has to approve the budget and it is the committee's job to give their advice and assistance. Susan Benedict asked the Select Board to advertise the qualifications and expectations when requesting the letters of interest. Seth Hopkins advised the Select Board that in Vermont it is beyond the authority of the Select Board to delegate voting to a committee. There could be a vote within the committee to make a recommendation to the Select Board but it would not be a binding vote. Neil Silins suggested the budget advisory vote so that it would be a more unified advisory group to the Select Board rather than having separate voices.

Jan Coolidge stated when the budget committee was originally formed, they would create a list of recommendations for the Select Board.

**The motion passed with one no vote – Tim Guiles.**

Mr. Hopkins stated for the benefit of the public, he will post the vacancies for the budget advisory committee tomorrow and will request interested parties to submit a cover and letter of interest by noon on Thursday, August 22<sup>nd</sup>. The postings will be on FPF, in the newspapers and on the Town's website.

**8. Award Sidewalk & Road Paving Bids**

Seth Hopkins reported there was a successful bidding process with three bidders for both the sidewalk and road paving. In both cases the low amount bid and second lowest bid were within the estimates and available funding. For the sidewalk, the second lowest bid was Bruce Meacham who constructed Newton Road and the lowest bid, Vermont Roadworks is from Brattleboro and Mr. Hopkins received a position recommendation for them. The two lowest bids for road paving were from Wilk Paving and Pike and both are local pavers.

**Motion** by Tim Guiles/Brian Coolidge to award the contracts to the lowest bids for both the sidewalk paving project and the road paving project. **The motion passed unanimously.**

Seth Hopkins stated there would be \$43,000 remaining from \$175,000 of ARPA funds for sidewalks. Tim Guiles stated there are more sidewalks that could be done. Mr. Hopkins suggested it could include the long portions of Carver Street and Pearl Street. He hesitates to do Union Street as this is a project to be replaced with concrete. Mr. Hopkins did look at Forest Dale and the hill part of Rossiter Street. There is \$317,000 in road paving funding with \$244,000 required that will leave about \$73,000.

Vicki Disorda asked why the hoop building was included in the sidewalk bid. Seth Hopkins advised the hoop building is at the highway department and it uses sidewalk-type equipment for the project which is why it was included in the sidewalk work. Mr. Hopkins would recommend considering the use of some of the road funds if this project does not want to be taken out of the sidewalk funding. Heather Nelson stated the cost to do the hoop building is \$8,000 and it would save the Town money to do it at the same time as the sidewalks with the equipment here. Mr. Hopkins advised that it was included in the sidewalks because they are different bidders and is based on the equipment and crews. Tricia Welch asked if the road bid is part of the appropriations outside the budget. Mr. Hopkins reported that \$32,000 is from a Class 2 paving grant and use \$85,000 that the voters approved in the article. The Town can spend \$100,000 that is a highway carry forward from the Arnold District project and only use a portion of the \$100,000 from the 1% Option Tax fund. Pat Snow asked how much money is going to be allowed for Carver Street. Mr. Hopkins reported the even side of Carver Street from where the concrete from Route 7 ends to the Carr residence. Mr. Snow noted the side from the Methodist Church to the Catholic church is bad. He also noted there are parts on Pearl Street that are bad and he has to ride on the edge for the road when the sidewalks are not in good shape. Heather Nelson would prefer to add the \$8,000 to the road project and whatever extra remains to do more sidewalks. She suggested paying with road funding sources for the hoop project from the 1% Options Tax funds as she agreed that more accessibility and walkable our sidewalks are, the better the Town will be.

**Motion** by Doug Bailey/Heather Nelson to spend the full sidewalk funding of \$175,000 that was voted on September 25<sup>th</sup>, excluding the hoop building with the additional sidewalk projects to be decided by the highway chief. **The motion passed unanimously.**

**Motion** by Heather Nelson/Doug Bailey for Vermont Roadworks sidewalk bid of \$8,000 for paving the hoop house to be paid by 1% Options Tax funds rather than ARPA funds. **The motion passed unanimously.**

Doug Bailey stated \$35,000 of the \$100,000 of the 1% Option Tax fund will be used and noted that there is a \$350,000 Union Street project that is a year away for sidewalks and curbs.

**9. Update Blanket Payroll Authorization**

Seth Hopkins reported the August 12<sup>th</sup> revisions include the removal of Shawn Erickson due to retirement, Jeff Biasuzzi due to the end of his term and a correction for Winston Forbes.

**Motion** by Tim Guiles/Heather Nelson to approve the updated blanket payroll authorization with the August 12<sup>th</sup> revisions. **The motion passed unanimously.**

## 10. Public Comment and Participation

Vicki Disorda stated there is rumor of the Town buying the remainder of the dog park property and she asked if there is truth to the rumor. Doug Bailey and Heather Nelson noted they had not heard about this. Bill Moore confirmed that the owner of the high school has made an offer to the Town to purchase that piece of property for \$25,000. Seth Hopkins stated there will be an executive session regarding this subject and the facts will be relayed to the Board to take this item under advisement. The Town has been working under a misconception and Mr. Hopkins spoke with the Town's para legal. She reached out to the attorney and they don't believe that a public vote is required for the Town to purchase property. Karen Rhodes asked if the Town is going to purchase the property, will it be an alternate project or for the dog park. Mr. Moore stated the landowner requested a meeting and made an offer, but there is not a solid plan at this point of whether to consider doing this but there is the possibility that exists that parking could be created on either side of the park but it is in the formative stages. Seth Hopkins stated if the Select Board's view is that they were not interested, that would be the end of the discussion.

Sam Glaser received a notice from the Northeast Mountaineers Airstream Club that they have been working with the Chamber and the Town to host a club event that will park airstreams along Park Street. Mr. Glaser asked where the public discussion happened regarding this event and stated it is ludicrous to have a public event on a residential street and turning Park Street into a campground. Mr. Glaser found it insulting to find out about it by a letter as it is inconsiderate and asked that this be moved to a public location like Estabrook Park. Bill Moore stated when this became an opportunity to have several people come to Town to spend money in our town and it was thought to be a good idea. The Chamber asked if the Town would be amenable and it was brought to the Select Board. Mr. Glaser strongly asked it be moved to another location. Tim Guiles did not remember this coming before the Select Board but noted he appreciated the Economic Development Officer increasing the activities in the town, however, he would not have been supportive to parking trailers on Park Street. He wants to respect economic development happening, but he would not have supported this. Mr. Glaser asked if it is known what will be spent in Town and demanded this be moved somewhere appropriate. Mr. Moore will reach out to the Brandon Chamber as they had been working with the Downtown Brandon Alliance on this event. Mr. Glaser would like a commitment from the Select Board that this be moved as the Economic Development Manager had overstepped his authority. Vicki Disorda stated it would also be taking away business from a local campground. Mr. Guiles stated it needs to be determined what commitment has been made. Mr. Moore apologized as he thought this would be an opportunity for more people to come to Brandon and he will reach out to Bernie Carr of the Chamber to make a move. Sandy Mayo stated the Town is turning into Disneyland and residents have a right to our privacy. She is getting concerned that Brandon is turning into a party town and agreed with Mr. Glaser. Mr. Moore noted concern that two different times he has been accused of being disingenuous and ignorant by Ms. Mayo during the meeting. He stated he chose to make Brandon his home and to insinuate that he wants to make money over his neighbors or the value of his Town is incorrect.

Jan Coolidge reported there was a budget committee meeting scheduled for August 22<sup>nd</sup> and asked if this will still be held. Seth Hopkins stated the current budget committee had not been appointed with terms that end and the committee requested a meeting be warned for the 22<sup>nd</sup>. It was thought the meeting should still be held.

The Board recessed at 9:43.

The Board reconvened at 9:55PM.

**Motion** by Tim Guiles/Doug Bailey to enter into executive session at 9:55PM regarding the negotiating or securing real estate purchase or lease options per 1 V.S.A.313(a)(2). **The motion passed unanimously.**

## 11. Executive Session

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The Board came out of executive session at 10:16PM. There were no actions required.

## **11. Adjournment**

**Motion** by Brian Coolidge/Heather Nelson to adjourn the Select Board meeting at 10:16PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary