

**Brandon Select Board Meeting  
May 12, 2025**

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

**Board Members In Attendance:** Doug Bailey, Brian Coolidge, Ralph Ethier, Cecil Reniche-Smith, Jeff Haylon

**Others In Attendance:** Seth Hopkins, Bill Moore, Peter Franzoni, Jack Schnieder, Steven Jupiter, Karen Rhodes, Denise Franzoni, Patricia Welch, Sue Gage, Ettorinia Spazzano, Frank Spazzano, Janet Coolidge, Thomas White, Barbara Smith-White, Jon Peterson, Faith Daya, Bob Clark, Paula Ashley, Jim Leary, Todd Nielson, Beate Ankjaer-Jensen, Kate Schirmev-Smith, Brent Buehler, Barbara Richard, Carmel Caney, Kathy Clark, Molly Kennedy, Ken McFarland, Lauren Thomas, Steven Thomas, Zoe Armao, Tessa Cattermak, Matt Craig, Ryan Woods, Carl Zunnell, Barbara Richardson, Laurel Carey, Andrew Cliver, Vicki Disorda, Barry Varian, Bianca, Matt Drake

**Others by Zoom:** Neil Silins, Mary Long, Jessica Doos, Keith Whitcomb

**1. Call to order**

The meeting was called to order by Doug Bailey at 7:03PM.

**a) Agenda Adoption – Motion** by Cecil Reniche-Smith/Jeff Haylon to adopt the agenda, as amended. **The motion passed unanimously.**

Move Item 10 regarding proposed resolution to immediately following Item 2.

**2. Select Board Members' Remarks**

Doug Bailey reminded the attendees that there is a large crowd and to treat everyone with respect and keep remarks polite and kind, as there are differences of opinion. For the record and zoom attendees, anyone wishing to speak must go to the podium and state their name due to an experiment with AI notetaking for potential savings of money at a later time. Cecil Reniche-Smith stated when someone is speaking, please address any questions to the Select Board. Mr. Bailey will call people forward to speak at the podium. Ms. Reniche-Smith also advised people to wait to get to the podium before starting to speak for those on zoom to hear.

**10. Proposed Resolution Regarding Due Process and the Constitutional Rights of all Brandon Residents**

Sue Gage, Brandon resident and Town Clerk, requested this resolution be forwarded to the Board for consideration. It was sent to the Board members and her by Peter Franzoni. Ms. Gage read the following:

*"Dear Brandon Select Board Members...I respectfully submit the attached resolution for your review and support. This resolution seeks to reaffirm the Board's commitment to the Vermont Constitution and the Constitution of the United States- specifically, their guarantees of due process, safety, and fairness for all individuals. It is symbolic in nature. I understand the statutory limitations of your elected position, but sometimes we are called as elected officers to reaffirm our commitments, especially when it sends a message to our constituents that we respect them, we are committed to their safety and we morally oppose any steps that compromise their rights and privileges within our town and within our state.*

*The Vermont Constitution explicitly recognizes that every person possesses "certain natural, inherent, and unalienable rights," including the right to pursue "happiness and safety". Article 7 states that government is established for the "common benefit, protection, and security of the people," and Article 4 guarantees that "every person within this state" is entitled to seek legal remedies and obtain justice "promptly and without delay." Furthermore, Article 9 protects every individual's right "to be protected in the enjoyment of life, liberty, and property." These principles collectively make clear that the right to safety and justice is guaranteed to all who reside in Brandon, and in Vermont, regardless of status.*

*The U.S. Constitution reinforces this mandate through the Fourteenth Amendment, which prohibits any state from depriving "any person" of life or liberty without due process of law, or denying any person equal protection under the law. Originally*

*ratified to extend protections to formerly enslaved individuals, the Fourteenth Amendment embodies the foundational principle that liberty and justice must apply to all persons-without exception.*

*These constitutional provisions place an affirmative duty on government to protect all residents from harm. Vermont law further affirms that public officers are "trustees and servants" of the people, accountable to them in their official duties. There is no constitutional justification for limiting the right to bodily security based on immigration status or membership in any other marginalized group.*

*The principles of the Fourteenth Amendment and Vermont's founding documents remind us that safety is not a privilege, but a right essential to liberty and justice. Therefore, I respectfully urge the Select Board to adopt the attached resolution and, in doing so, reaffirm its solemn oath to uphold these constitutional obligations. Adopting this resolution will send a clear message that Brandon stands firmly in support of the constitutional rights and dignity of all who call our town home.*

*Thank you for your time and thoughtful consideration of this important matter.*

*Sincerely, Sue Gage, Town Clerk and Treasurer"*

Cecil Reniche-Smith asked if this is the original draft and Ms. Gage confirmed that this was the original draft submitted.

Jon Peterson noted he has been a teacher for 50 years and sees the current events through history. Mr. Peterson stated many states with the urging of municipalities passed personal liberty laws that stated people are entitled to due process. Given this became Vermont law and Brandon's active participation in anti-slavery, this is consistent with the traditions and history of our Town and the State of Vermont to support this resolution.

Peter Franzoni, a Rutland citizen, thanked the Town for allowing him to speak. His family immigrated from Italy and his grandfather was the first Vermont detective. Mr. Franzoni has helped many children and families in the area in a position that he held and has spent many years with the people of this community and considers this Town part of his home. He is a veteran and is proud of his service and has been of service to many veterans and it has been his honor to assist them, especially the combat veterans and noted he is humbled by his interactions with those individuals. Mr. Franzoni stated we have due process in America and do not disappear our citizens or anyone from America. We are asking the local boards to assure that our veterans sacrifice meant something. The constitution is the basis of the law. Mr. Franzoni recited the Preamble to the Constitution: *"We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."* He noted when they wrote that they could have put what they wanted in the beginning but said everyone that was in America at that time and everyone after them. He noted that without our constitution there is no justice or liberty. If we are removing the rules, it could happen to everyone. He noted a federal agent could take you away and you could not call anyone, and if there is no due process you can't prove what you are being accused of. In DC, it is all about money. Everyone is scared on both sides of the isle, and they have us all hating each other. He asked the Select Board to pledge to a simple resolution.

Jan Coolidge suggested the Select Board table this discussion if the resolution was changed from what was posted. Cecil Reniche-Smith advised it had not been changed from the original one proposed.

Zoe Armao stated she has been a Brandon resident for 4 years and both of her boys were born here. Her family are immigrants and she is a first generation from Poland. Her grandmother was 6 years old when Hitler died and history is not that far behind us. Her relatives lived in Nazi occupied Poland and she understands what they lived. What we are seeing is how they were living, in fear. We are afraid of what is going to happen. This was a real experience with her mother growing up in government-issued condos. They were not allowed to speak ill of the government. Due process can be taken away and both her mother and grandmother are terrified as green card holders. This resolution is a small part starting on a town level, and putting pen to paper is a small step for people. She asked the Select Board to please let this be a moment because history and your townspeople will look kindly on you.

Bianca, a resident of Brandon, advised she became a naturalized citizen in 1986 and is approaching the age of 65. She called the Social Security office and was advised that she had to prove she was an American citizen. They said that she never contacted them in 1986 so that made her realize that if she had been stopped by ICE they could have taken her away without

due process as she would not have been able to prove her citizenship with the document she had at home. She is sure that DOGE has her information and she could have disappeared. She stated this can happen to people in our Town and asked the Select Board to do the right thing and make sure the people of Brandon know that the Select Board has their back.

Ken McFarland, a resident of Brandon, supported everything that has been said and appreciated the comments. He asked the Select Board to adopt the resolution and thanked them for their service.

Cecil Reniche-Smith asked if everyone has read the resolution and it was confirmed that they have. She thanked Mr. Franzoni and Sue Gage for bringing it to their attention. As a general rule, the Select Board tries to keep out of things that are not in our sandbox and not address state or federal issues and have a policy to that affect that could be waived. This is on par with the declaration of inclusion and the Select Board recently adopted an amended version. The resolution is simply stating what should be the obvious that the constitution of United States and Vermont applies to everything we do and guarantees life, liberty and the pursuit of happiness, and due process. We may have questions about parts of the resolution but she does not see this as overstepping and the Board wants to be on the right side of history. There is a phrase that history does not repeat itself, but it rhymes.

Jeff Haylon thanked all who were in attendance. He has not been on the Select Board very long and this is a big thing. He agreed with the resolution but also thought the Select Board and State should stay in their own sandboxes. He stated that one of his mentors would say it is time for shepherds and not sheep and if a vote is called, he intended to vote yes for this.

Ralph Ethier agreed with everything but thought that the Town should write its own resolution.

Claire Astone asked if the vote would be done in public and she did think it is worth re-inventing the wheel. In terms of what was read, it sounds familiar to people who have studied the constitution. She thought what was written was beautiful and she liked the comment about shepherds as people are scared and she hopes the Select Board vote will be open and she appreciates the Select Board's service.

Doug Bailey noted he had numerous conversations about this subject and appreciates all that has been said. It has been his feeling we play in a small sandbox and want to do things that are good for Brandon and the Board doesn't get involved in state or federal areas. In talking with Ms. Reniche-Smith, he suggested a change to the document and his feeling was the document has many bullet points and defines it as anti-administration. He had suggested taking out the second whereas and removing about the current administration messing up. Once that administration is gone, the Town is tied to this, however, if there is a motion for the original resolution, he will support it. He noted he really tries hard to keep state and federal politics out of this room, but this is a case where things are amiss.

**Motion** by Cecil Reniche-Smith/Jeff Haylon that the Select Board adopt the following resolution:

“WHEREAS, the United States Constitution guarantees due process, equal protection, and fundamental rights to all persons-regardless of citizenship, immigration status, race, religion, or political belief; and

WHEREAS, recent action by federal authorities, including the detention of legal residents in Vermont without clear justification or timely access to legal counsel, represent a dangerous escalation of government overreach and a violation of these constitutional protections; and

WHEREAS, history has shown that when the rights of any group are violated, it opens the door for similar abuses to be carried out against others-first against immigrants, then against dissenters, and eventually against anyone who does not conform to the views of those in power; and

WHEREAS, the silence of public officials in the face of such abuses amounts to complicity, and failure to act now will only embolden those who seek to dismantle the rule of law and divide our communities through fear;

NOW, THEREFORE, BE IT RESOLVED that the Select Board of the Town of Brandon unequivocally condemns all violations of due process and the weaponization of government power over any individuals;

BE IT FURTHER RESOLVED that the Town of Brandon affirms its unwavering commitment to protecting the constitutional rights of all people in our town, regardless of citizenship status, national origin, political belief, or any other identity;

BE IT FURTHER RESOLVED that the Brandon Select Board pledges to oppose any policy or action- local, state, or federal- that targets individuals based on who they are, where they come from, or what they believe, and to defend Brandon as a community rooted in justice, accountability, and the equal dignity of all.”

**The motion passed unanimously.**

### **3. Recurring Matters**

#### ***a) Select Board Minutes – April 28, 2025***

**Motion** by Jeff Haylon/Cecil Reniche-Smith to approve the meeting minutes of April 28, 2025. **The motion passed unanimously.**

#### ***b) Warrant – May 12, 2025 - \$152,943.89***

**Motion** by Brian Coolidge/Jeff Haylon to approve the warrant in the amount of \$152,943.89. **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. Mr. Hopkins provided the following highlights from his report:

Sanderson bridge will be closed on weekdays at some point for repair. Naylor/Breen is waiting for a large beam and the bridge will be closed to allow people to work.

There are no signs, including temporary or sandwich, permitted in Central Park as it is a very active place and more distractions are not in the best interest of public safety. Larry Stevens, the Town’s Code Enforcement Officer, may provide information for other areas around town.

Mr. Hopkins sent out an RFP for the waterfall and a bid request for the police cruiser. The Town did not receive the grant for Class 2 paving funds. The funds requested exceeded the amount they could provide as they are distributed by an equity formula. Two years ago, the Town received six figure funding, a smaller amount last year, and this year nothing, but will be in a better position next year.

Mr. Hopkins met with Jeremy Disorda about Class 3 roads to pave this year. His estimates would be the Town Farm Road from where they stopped work north that would be about \$160,000 to resurface and Wheeler Road from the bridge to the end of paving at Richmond Road would be about \$230,000. Mr. Hopkins also met with Sue Gage and reviewed the 1% Local Option Tax fund. The quarterly distribution of \$66,000 was received and with that amount the fund is approximately \$480,000. The Board did commit to making the annual payment for the highway truck that will be \$25,000 per year and also the grant match for Union Street.

Regarding delinquent taxes, since July 2024 the Town has collected \$163,123.90. Since the attorney letter, the Town had the largest month with \$33,840 and the number of properties for tax sale that had been 74 is now 33 properties.

Kudos to Sue Gage in being on the Town Clerk’s Honor Role. Thanks to Jim Leary for coordinating a successful Green-Up Day. Mr. Hopkins also noted the Police Chief has hired Emily Taylor for the temporary part-time position. She grew up in Brandon and Mr. Hopkins extended a welcome as part of the staff.

Mr. Hopkins provided the Select Board an evaluation of the 2016 SUV that Gerard Lowell spoke about. Mr. Hopkins requested the Select Board discuss this as old business and let him know whether to retain it given the work required or authorize him to auction it off.

Tanner Romano has resigned as a Trustee of Public Funds. His term was to expire of March 2026. Mr. Hopkins suggested announcing the vacancy and requesting letters of interest to be due next Thursday. The Board could interview interested candidates at the next Select Board meeting.

Cecil Reniche-Smith asked what additional work is needed on the SUV. Mr. Hopkins advised Gerard Lowell stated there is an exhaust problem that would cost \$2,000, a mirror in need of replacement and the rocker panels repaired at a cost of \$2,500. Ms. Reniche-Smith asked if the cost of repair is greater than the current value of the vehicle. Mr. Hopkins stated due to mileage, condition, and year it was thought to be. Doug Bailey did not think it is the safest vehicle to put a police officer in and if not needed now, he suggested putting up for auction. Mr. Hopkins noted it would be hoped to get delivery on the new cruiser around the beginning of July however some of the bids may need upfitting and that could be an additional six weeks but receipt should be by Labor Day. Ralph Ethier suggested selling the SUV at that time in case it is needed.

Doug Bailey stated it was suggested to spend \$100,000 from local option tax for paving. He asked Mr. Hopkins to provide an update of the Town's cash reserve at the next meeting to consider using some of that funding with the 1% tax money to get one of the two roads paved. He would prefer doing one road from start to finish rather than doing a partial. Mr. Hopkins stated every report has a snapshot and the fund balance does not change. There is some accounting that has to be done and he will ask the bookkeeper and treasurer to do an update. Mr. Bailey would like to see where the funding is at the end of the fiscal year. Mr. Hopkins noted it will be important to be able to go out to bid soon.

Jeff Haylon asked the status of the roof repair for the town hall. Mr. Hopkins advised it is expected the staging will start this week. The lower entrance will remain open and they will extend the porch towards Route 7. The front door entrance may not be able to be used. Bill Moore stated the Summer Concert Series that started at the Gazebo has decided to make the town hall its rain location, so those could be impacted. It was also noted the parking spaces next to the town hall are not going to be accessible.

Brent Buehler asked if there is a warning system on the Sanderson Bridge. Mr. Hopkins advised he has talked with the State wetlands division about making a broader turn around on the town side of the bridge. He will work with Jeremy Disorda and Chief Kachajian on this subject. There has been discussion about a telephone pole that swings but will depend on the insurance company. Mr. Buehler also thanked Mr. Hopkins for his presentation to the Trustees of Public Funds.

Claire Astone asked about Wheeler Road and Town Farm Road as they are great places to bike and people drive fast on pavement and many neighbors complain about traffic. Once it is paved, she is concerned about the traffic speed and suggested perhaps speed bumps should be put in. Doug Bailey stated there was a speed bump proposed in another part of the Town and the snowplows were severely damaged from it. Mr. Hopkins advised this is topping not new pavement.

Karen Rhodes stated Jane Young, Faith Guyette and she prepared a document for the Select Board to review regarding the trust. There are some suggestions as to how to look at distributions. Ms. Rhodes distributed the document to the Board and requested they read it and report back to the citizens that have questions. Ms. Rhodes noted she could be reached at Kjmc2@comcast.net.

## **5. Community Development Report**

Bill Moore provided the following Community Development Report:

*"The summer programming is heating up with some new and not-new offerings:*

*- Summer Softball will be offered again this year. With a 7-week season that starts in June, girls entering grades 7 - 9 will play home games at Otter Valley. This is a partnership with Pittsford Rec.*

*- Thanks to another partnership a weekly summer wrestling clinic featuring instructors from the nationally ranked Vermont State University- Castleton program will be on tap at Otter Valley. This is a partnership with the Parents of Wrestling Booster Club. Starts June 17<sup>th</sup>.*

- An outdoor camp with adventure photographer, Josh Hummel, is a first-year offering being held at Estabrook Park July 28 - August 1.

- Still to be announced (Lego Robotics, Branbury Arts Camps, Basketball Camp, Football Camp)

*The Brandon Vermont Coed Softball League started their league schedule on May 11th. 8 teams of adults will be playing at Estabrook Park on Sundays through August 24th. This past week was their first week. It had moved to Addison County and has now come back to Brandon. We are excited that adults will be using the field.*

*On May 25th, in partnership with The Brandon Museum at the Stephen A Douglas Birthplace, we will host a free showing of "Death in the Wilderness: A Love Story" with a Q&A session with filmmaker/historian/professor Dr. Kevin Thornton. Brandon's beautiful flower girl ceremony began at least as early as 1902 and has been an unbroken annual tradition since. The history of the flower girl tradition is told in this award-winning documentary. May 26<sup>th</sup> will be the Memorial Day parade and the flower girl ceremony will be part of that.*

*The folks at Ex Mortis Management had to cancel their May 31st metal concert BUT Red Clover Ale Co. will be sponsoring Central NY outfit Randy Miritello and the Hop City Hellcats who are an Americana, bluegrass, honkytonk, cosmic country act with excellent songwriting, killer instrumentation, and an energetic drive. Suggested donation of \$10 at the door to benefit the Town Hall. Doors open at 6:30pm."*

Mr. Moore advised Mr. Hopkins and he met with VTrans and discovered that the match for the Union Street project would be an 80/20 match that would provide the Town with more funds.

Matt Drake, a resident of Union Street, questioned what the Union Street project consist of. It was noted this would be sidewalk replacement where Segment 6 ended to the railroad tracks and connection to the storm water on both sides of the street. Mr. Drake stated the speeding is bad on Union Street, urged the Board to consider some kind of reminder like the sign that tells how fast they are going and add a camera that could be taken to the Police with photo evidence. In terms of the sidewalk, Brandon is a walkable town if you are in the center. He would suggest a loop that would continue what has been proposed to go to the bottom of the hill. A walking path could be created from Union Street to Maple Street, which would be a benefit to the entire community.

Brent Buehler asked how many participants were in the Witches Walk. Bill Moore thought there were 20 participants. Mr. Buehler also agreed with Mr. Drake about the speed.

## **6. Appoint Emergency Management Director (Seth Hopkins) and Coordinator (Jeff Haylon) Through Next LEMP Adoption**

Seth Hopkins reported he completed a course and is a certified management director. Mr. Hopkins spoke with Jeff Haylon who is willing to take on the education and the role as coordinator.

**Motion** by Brian Coolidge/Cecil Reniche-Smith to appoint Seth Hopkins as the Emergency Management Director and Jeff Haylon as the Coordinator through the next LEMP adoption. **The motion passed – Jeff Haylon recused from voting.**

## **7. Local Emergency Management Plan (LEMP) Update and Adoption**

Seth Hopkins provided the required part of the update in the packet and noted it is a light process to update. There was a cover-to-cover revision done 3 years ago and every 5<sup>th</sup> year it should have a thorough review. The update is for elected officers and department head changes and is a lot of the Town's state reimbursement for public works.

**Motion** by Cecil Reniche-Smith/Ralph Ethier to adopt the Local Emergency Management Plan as updated. **The motion passed unanimously.**

## **8. Proposed Town Highway Service Contract with Town of Goshen**

Seth Hopkins advised this was an arrangement requested by the Goshen Road foreman and Select Board Chair through Jeremy Disorda. Mr. Disorda and Mr. Hopkins weighed the pros and cons and the amount of work to be done by Brandon staff is limited and is specific, and it is further specified if scheduling is not convenient, it won't be done. Mr. Hopkins contacted the Town's insurance company and they indicated there is sufficient liability insurance and no extra coverage is needed. This agreement is an interlocal contract and is a one-year contract that is renewable for one-year terms and adjustments could be made to the labor and equipment rates. Mr. Disorda does not think this will compromise services for Brandon. They are asking for one street sweeping of paved roads, one roadside mowing in summer, and a dirt road grading in spring, summer, and fall. The Town's grader is the top of the line and our crew is good at using it and their grader is aged and not effective to use. Goshen has a lot of drainage issues to work on and Brandon's equipment is suited to take care of the jobs outlined.

Cecil Reniche-Smith stated during the periods when a Brandon employee is working in Goshen, will their schedule be adjusted to not incur overtime. Mr. Hopkins advised this is intended to be an assignment of the employee's work week. Jeff Haylon stated if Mr. Disorda thinks it will work, he does not see it as an issue. Mr. Hopkins stated Goshen will provide some benefits and pay equipment time where there would normally be no revenue when the equipment is not being used.

**Motion** by Brian Coolidge/Cecil Reniche-Smith to approve the Town Highway Service contract with the Town of Goshen. **The motion passed unanimously.**

Neil Silins questioned if it would be the Town's or Goshen's insurance when the employee and equipment are working in Goshen. Mr. Hopkins stated the Town's insurer indicate the Town's insurance is sufficient and no extra is needed to work in the Town of Goshen. Mr. Hopkins also noted Goshen was voting on this subject tonight and if approved by both towns, it could start immediately.

## **9. Participation in FY26 Grants-in-Aid Municipal Roads General Permit**

Mr. Hopkins reported this has been done successfully in the past. The State divides the town roads into segments and shows what roads are well drained or poorly drained and assist in getting grades up to standard. This is about hydrologically connected roads and the Town's match is in-kind work with no cash layout with a reimbursement from the State of an 80/20 match.

**Motion** by Cecil Reniche-Smith/Brian Coolidge to approve participation in the FY26 Grants-in-Aid Municipal Roads General Permit as presented. **The motion passed unanimously.**

## **11. Public Comment and Participation**

Seth Hopkins stated the Trustees of Public Funds inquired about using the Town's attorney to get a reading of the will. He communicated with the town's attorney as he did not want a conflict of interest and the attorney concurred that it would be. The Trustees have been advised that the attorney recommend seeking alternate counsel.

Brent Buehler stated the Trustees don't agree with Mr. Hopkin's assessment and continue the debacle and he hoped that the Select Board will institute Article 3 in the Conflict-of-Interest document to answer questions and if they are not in agreement to go to Article 4 and ask for resignations. He noted Mr. Romano's resignation indicated they raised \$300,000 of the fund, but Mr. Buehler stated they didn't do that. In questions about the VCC for \$10,000, it was indicated it was used for architectural services and bonding, and that is not feasibility study, and there is no accountability for this. He also requested the Trustees add to the next agenda \$20,000 for the water sampling at the sewer plant. They said that he could bring it up but not add it to that agenda. Also, in Mr. Romano's resignation, it indicated that Mr. Hopkins, Ms. Reniche-Smith and Mr. Haylon were going to clear their names. Mr. Buehler hoped the Select Board would support Mr. Hopkins to use the funds for what they were meant to be used for. If the sewer treatment plant does not have a name, it should be the Shirley Farr treatment plant.

Cecil Reniche-Smith stated the Town's Conflict of Interest policy does not apply to the Trustee of Public Fund's interpretation of the Shirley Farr trust. Whether their decisions are correct may be a question but it is not covered by that policy. There are concerns about decisions they have made, but they are not conflicts of interest. One possibility the Town could follow is the option of seeking a declaratory judgment but is usually for disputes over contracts. It is not technically a

lawsuit but it is a binding decision but she was not sure if it should or could be discussed as it was something that Mr. Romano mentioned in his letter. Mr. Hopkins clarified he is not speaking for the Trustees on their position, but he is trying to prevent a conflict of representation. He stated it would be bad to use public money to fight the Trustees, but he does not know what their position will be. It is hoped that an independent counsel will agree that the Town is the owner of the trust.

Claire Astone stated this matter is important to many people in the community. She thinks it was a big charade with the community center and the Town should not be in a battle over the money left for this Town. The Town can't get the money that it requests and she thought there was another payout for the Energy Committee. She does not understand why SolarFest got \$20,000 for a pathway through the swamp. That benefits SolarFest and not the people of Brandon. The school already has a \$28 million budget and they are getting athletic funding and the Town can't keep giving away money when it is not what the money was intended for. She wants people to be held accountable and is glad that Tanner Romano resigned. She did not agree with the Trustees asking to use the Town's attorney. Seth Hopkins stated the legal expenses of the Trust can be used for the Trustees of Public Funds. Ms. Astone thinks we need to stand on principle and these are citizens that the community does not have trust in.

Vicki Disorda has concerns about Mr. Romano's resignation letter with the sentence about Ms. Reniche-Smith and Mr. Haylon clearing his name. She is concerned about promises being made with an ethics violation that has not been resolved and board members making promises. She also has concerns about relations as a Trustee of the Public Library. She noted there was also a boundary line adjustment on February 10<sup>th</sup> that mentioned 2 parcels and the second parcel belonged to the Workforce Housing LCC which is registered to one of the Trustees. She reminded the Board about the Vermont constitution, Article 7. Cecil Reniche-Smith stated no promises were made in the conversations while investigating the complaint. They interviewed Ms. Minor and Mr. Romano. She can't control what Mr. Romano can say or think. She stated a report will be written with their findings. Jeff Haylon noted he was shocked and concerned about that postscript but no commitments were made. Doug Bailey stated with regard to the boundary line adjust previously brought up, it was a boundary line error and did not change the boundary lines of the company in question and the property went with the property the Humane Society obtained. Mr. Moore stated there is no massive conspiracy to enrich Tanner Romano. Mei Mei Brown, who previously worked for Act 250, discovered this property that was thought to be the Town's, but had been taken care of by the prior owner of the property. The Town had no plans to do anything with that land and the boundary line adjustment was made when the Humane Society was taking over the property. There was no enrichment and the idea that Ms. Disorda thinks that level exists is absurd. Ms. Disorda stated she knows the property involved Workforce Housing LLC in the original presentation and this is a friendly reminder. You are only as strong as your weakest member and your weakest member are the Trustees of Public Funds. She hopes that holding everyone accountable is essential for the community to have confidence. She would like to trust that everything is on the up and up. She does not have a problem with the land going to the Humane Society. Doug Bailey stated the Brandon Select Board has had zero input on the Trustees who are elected officials by the voters. The Select Board got involved due to the ethics complaint but the Select Board cannot tell them what to do. They have never been advised by the Town in the past and the Select Board is trying to move forward. Under Vermont law if there is money given to a town, there has to be trustees appointed and the citizens of Brandon elected them. Ms. Disorda stated at the Trustees meeting, Mr. Bailey told them to hang in there and she felt that the community were the bad guys. Mr. Bailey stated a year ago the Select Board was under duress and they worked on the items of concern. The Trustees are not accustomed to having meetings with many people and he was allowing them the wisdom he has from being on the Select Board for 10 years. Everyone has their own opinion and he will be happy when it is resolved.

Brent Buehler stated it is admirable to admit when mistakes are made. Mr. Hopkins had outlined it is the Town's money and should be used for sewer and sanitation and the application for funds should come through him. Mr. Hopkins hoped the Select Board would support Mr. Hopkins. Mr. Buehler noted they have tabled everything until they could consult an attorney and if they are unsure about their mission, they should not disperse another \$10,000 to SolarFest in July. We are now paying attention and they need to admit they made a mistake.

Ms. Reniche-Smith advised the Select Board can't control how the Trustees disperse the funds, as it is their elected job. The Town can submit requests but the only way to fight them would be to use taxpayer money and take them to court.

Jan Coolidge stated the Town has a conflict of interest and ethics policy and there is a link to the Trustees of Public Funds on the Town's website. Their positions are voted on the Town's ballot so why do they not fall under the Town. Ms. Reniche-Smith stated the policies do fall under the Town, but the decisions they make are not conflict of interest and are their fiduciary responsibilities and the conflict-of-interest policy can't be used to go after their funding decisions. If there is a



decision that financially benefits one of them, that is when it falls under the conflict of interest. Ms. Reniche-Smith noted the State statute gives them their authority. Doug Bailey advised the Trustees report in the Town Report every year of what they have reviewed and whether they have funded or not funded.

Karen Rhodes stated at the last Trustee meeting, Mr. Hopkins stated taxpayer money could be saved if their funds were used for sewer or mosquito spraying. She suggested defending the Trust and maintain a safe and sanitary community.

Claire Astone stated there is not a lot of common sense with a \$12 million community center that had monthly fees and would add to the property taxes. The VCC is not incorporated or is a non-profit and there is the possibility of construction where they will make money. Doug Bailey stated the entire VCC item was put to bed. Ms. Astone stated the entire meeting was kept under wraps and this does not allow people to play both sides of the isle and to say there is no foul play is blind. Ms. Astone stated she is worried about Naylor/Breen and the contracts that the Town is providing them. Mr. Moore stated regarding the workforce housing project it is common practice to create an LLC to make things happen to be able to apply for funds. Mr. Romano was looking to build workforce housing for the area. Ms. Astone stated that if Naylor/Breen or Mr. Romano's name comes up, she is going to look closely. She thanked Mr. Hopkins for his statement last week. Mr. Hopkins stated the Trustees have to keep the money safe and optimize return and if the Town asks for funding in line with the bequest, they should meet it. They have an obligation to tell the Town no if it was to request funds to buy a police car, but if the Town needs wastewater sampling equipment they should say yes. Ms. Astone stated Mr. Romano is the kind of person that thinks he can threaten people and we are not afraid of him. When people come with a lot of money and are getting breaks, it is not okay.

Neil Silins asked if the Trustees are covered by the same conflict of interest policy. Cecil Reniche-Smith stated they are covered under the Town's policies but a lot of the decisions that are questionable and concerning go to the interpretation of the will and is not covered by the conflict-of-interest policy but may be an issue of fiduciary duties and is not something the Select Board can act on or investigate. Doug Bailey stated in the code of ethics, it would be for someone benefiting or a perceived conflict of interest and that is harder to define and clarify.

Faith Daya encouraged the Board to go back in time and read the minutes as they were in violation with the open meeting law. She thinks the Town be it the Select Board, should have a responsibility of how the funds are spent. It is a mandated committee but Shirley Farr's wishes need to be met and the spending that happened is in violation of the trust.

Vicki Disorda stated that their minute taking is very transparent. She thinks the offense is real and to the conspiracy theory, it appears clear. Ms. Disorda read the boundary line adjustment motion. Ms. Reniche-Smith stated the motions have to be detailed.

The Board recessed the meeting at 9:24PM.

**Motion** by Cecil Reniche-Smith/Brian Coolidge to enter into executive session at 9:35PM in accordance with 1V.S.A.313(a)(3) regarding the evaluation of a public officer. **The motion passed unanimously.**

The Board came out of executive session at 10:12PM.

In a previous executive session, the Select Board suggested a letter updating the community on the status of police hiring and have approved that for publication.

**Motion** by Cecil Reniche-Smith/Ralph Ethier to approve the letter updating community on status of police hiring. **The motion passed unanimously.**

Adoption of the report concerning Tanner Romano and Laura Miner of the Trustees of Public Funds was discussed by the Select Board. A copy will be immediately sent to the complainants, Tanner Romano, and Laura Miner, to be released publicly 24 hours later.

**Motion** by Cecil Reniche-Smith/Ralph Ethier to adopt the report concerning Tanner Romano and Laura Miner of the Trustees of Public Funds. **The motion passed unanimously.**

### 13. Adjournment

Brandon Select Board Meeting  
May 12, 2025

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

Respectfully submitted,

Charlene Bryant  
Recording Secretary