

**Brandon Select Board Meeting
July 8, 2024**

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

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

Others In Attendance: Seth Hopkins, Bill Moore, Janet Coolidge, Steven Jupiter, Stephen Cijka, Susan Benedict, Jack Schneider, Linda Gebhard, Billy Bullock, Sandy Mayo

Others by Zoom: Sue Gage, Bruce Jenson

1. Call to Order

The meeting was called to order at 7:15PM by Doug Bailey – Board Chair.

a. Agenda Adoption

Motion by Heather Nelson/Ralph Ethier to approve the agenda. **The motion passed unanimously.**

2. Recurring Matters

a. Approval of Select Board Meeting Minutes – June 24, 2024

Motion by Brian Coolidge/Heather Nelson to approve the Select Board minutes of June 24, 2024. **The motion passed with one abstention – Ralph Ethier.**

b. FY 2023/2024 Warrant – July 7, 2024 - \$279,479.25 and FY 2025/2025 Warrant – July 8, 2024 - \$78,346.58

Seth Hopkins advised there is a warrant for the prior fiscal year and a warrant for the current fiscal year.

Motion by Heather Nelson/Ralph Ethier to approve the warrant of July 7, 2024, in the amount of \$279,479.25 and the warrant of July 8, 2024, in the amount of \$78,346.58. **The motion passed unanimously.**

Ralph Ethier questioned the \$7200 invoice for drinking fountains for the dog park. Bill Moore reported that the Brandon Fire District will be paying for one of the two fountains and this was the least expense cost found. There are 4 different spaces on each of the fountains with a water bottle filler, an ADA accessible fountain, a regular one and a lower fountain for filling dog dishes. There are donations currently in the amount of \$2500 to pay for the Town's portion. One of the fountains will be located between the playground and ball court and the other will be at the other end of the park. The Brandon Fire District will assist with raising the water and Buildings and Grounds will lay the pipe. The project will be a high priority project this summer with the new Buildings and Grounds person now on board.

3. Town Manager's Report

A Town Manager's report was provided by Seth Hopkins and is available for viewing in the Board packet on the Town's website.

Seth Hopkins highlighted additional information about the ERAF (Emergency Relief and Assistance Fund) funding for repairs from the 2023 flood for Newton Road, Birch Hill, Wagner, Kennedy Park, and the wastewater treatment. The Town has received funds from FEMA and Mr. Hopkins inquired to the State what to do about obtaining the ERAF portion. FEMA's funding is 75% and ERAF funding is 17.5%. Mr. Hopkins was advised that the Town just needs to wait for the process to go through as the State is waiting to see if the FEMA funding will be considered at 90% rather than 75%, which is

the minimum for FEMA. The State has all the paperwork and they are just waiting for the final determination from FEMA. Mr. Hopkins stated related to the finances, for the FY24 budget it is 102.91% on the revenue side and FY24 expenses are at 102.67%. At the November 2022 budget workshop, the Board determined \$100,000 could be used for tax relief. The difference is the \$100,000 as it appears the fund balance will be \$94,000. There will be more entries and bills coming in. On the revenue side, Sue Gage advised it is not just the delinquent tax payments in July but is for July and August for FY24. The current year tax sale is in its earliest stages and it was not known if the attorney had sent out the letters yet.

Susan Benedict asked how long the Town waits before sending the delinquent taxes to the attorney and after the attorney sends the notice, what happens. Seth Hopkins advised the Town does not send a property for tax sale if the delinquent amount is less than \$500.00. The Town has previously done a tax sale every year but suspended it during the pandemic and one has not been done for 4 years and is why the amount of delinquent taxes is high with 70 properties being sent to the attorney. There are several weeks where the attorney does deed research after which notices are sent certified mail. Property owners do have an opportunity to enter into a payment plan with the Town with the parameters that a payment plan created should satisfy the entire amount and the additional fees within a year. If one is several years behind it could be a large amount. Mr. Hopkins noted there was a decision during the pandemic to not go to tax sale and turn someone out of their house. Mr. Hopkins has had conversations with some taxpayers that are several years in arrears and the Town tried a number of venues during the pandemic to try to emphasize that there was pandemic relief available and several did avail themselves of that help. He stated there were some that were not able to devote the time and attention to get the help available at the time, but that window is closed. Heather Nelson asked if the Town Manager needs help connecting people with more resources. Mr. Hopkins noted the State has been proactive with towns and the Town Treasurer has done a lot of independent research for all possibilities that could help homeowners. Linda Gebhard asked if it is the same situation for the wastewater. Mr. Hopkins advised wastewater is treated the same but the drinking water is different as the Fire District can't go to tax sale but can shut water off.

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 Rec Director's report submitted:

"A busy weekend in Brandon with the Independence Day celebration. Many thanks to the members of the BIDCC committee and volunteers for their hard work. Planning for 2025 begins this week! If you are interested in helping, please reach out to me. A reconciliation of the fundraising efforts is being done and he will have better answers once completed.

Thanks to the efforts of Brent Wilbur, a weekly pick-up soccer scrimmage group will be happening at Estabrook for kids (grades 7 and up) and adults. Will run 6:00PM – 7:30PM on Mondays through the summer.

Brandon Rec is partnering with Otter Valley Varsity Cheerleading Coach, Kass Bruley, to offer a 4-day cheering camp on July 18, 19, 25, 26 from 6:00PM to 8:00PM at the OV gym. Participants in grades 3 and up will receive instruction, a cheering shirt, and the opportunity to participate in a halftime routine at an OV varsity football game!

The Brandon Carnival is right around the corner. July 25th – July 28th at Estabrook. Entertainment includes: the Brandon Idol singers, PAC wrestling, Camp Broadway performance, Wildlife Encounters, and the Vermont State Trivial championships."

Bill Moore reported a youth work program was helping the Buildings and Grounds department and do fantastic work at no cost to the Town.

Doug Bailey reported he received comments that the parade was very good and also noted he did get to see the students working and it was some good free service for the Town. Mr. Moore stated the Youth Works Program is a great program and they were very helpful with the Town down one staff member in Building and Grounds during June. Mr. Bailey stated they painted and sealed all picnic tables and cleaned all of the town office windows. Heather Nelson also noted the events over the weekend were great. Bill Moore stated there is an article in the Rutland Herald and it was the 8th consecutive year for the

winner of the Swiss Roll eating contest. Mr. Moore noted the volunteer effort for the many events is great and the day would not be successful without all the efforts of the many volunteers and their families. Billy Bullock also thanked Bill Moore for all his efforts over the weekend and noted it was the first time he participated in the event and it was a really good time.

5. Blanket Payroll Authorization for FY25

Seth Hopkins reported the blanket payroll authorization is submitted to put everyone's payroll in the current budget year with the hiring Ian Buckley as a third wastewater system operator, and hiring of Kyle Leedom to Building and Grounds to replace Nate McKeighan and changing Ethan Kelleher to fulltime now that he has graduated from the Police Academy.

Motion by Heather Nelson/Ralph Ethier to approve the Blanket Payroll Authorization for FY25. **The motion passed unanimously.**

6. Appointment of Zoning Administrator 7/15/24 – 7/14/27: Larry Stevens

Seth Hopkins reported the current Zoning Administrator, Jeff Biasuzzi, had a 3-year term that ends July 14th. Concurrently with approval of the budget, expanded time in the Zoning Department is needed but Mr. Biasuzzi does not have the capacity to do additional time. The position was posted internally and there is an internal candidate who is the Rental Housing Coordinator and Health Officer. Mr. Hopkins advised this is a Planning Commission nomination and they have advanced Mr. Stevens' name as the nominee. The Zoning position has been expanded to 3 days and the Rental Housing Coordinator and Health Officer positions are ad hoc with the available time to be used for zoning. Mr. Biasuzzi has offered to provide training.

Motion by Brian Coolidge/Ralph Ethier to appoint Larry Stevens as the Brandon Zoning Administrator for a term of 7/15/24 – 7/14/27 and his continuation as Rental Code Coordinator and Health Officer. **The motion passed unanimously.**

7. Condition and Plan for Neshobe Upper Falls Dam

Seth Hopkins stated the waterfall behind Blue Moon used to be an even waterfall but over the years the south end has failed and created a heavy flow on that end. Mr. Hopkins has had discussion with people from the State and the Zoning Administrator. The options available for the dam would be to do nothing and the dam will eventually fail. The insurance company has advised if no improvements are made, insurance would not be provided after 2026, however, the risk is not great due to the overflow culvert. The second option is to restore the appearance of it in taking the stones out and realigning them across the top, and the third option would be to have an engineering study done to repair the wall and restore the dam. Doug Bailey suggested the Town needs to at least do option 2 to get the dam level across the top. He also suggested determining the cost of option 3. Mr. Bailey noted the waterfall is a draw for Brandon and the Town was going to have it looked at last year prior to the flood. He is in favor of getting option 2 done soon and possibly doing a study on the dam. Brian Coolidge asked if permission is needed to get in the water. Mr. Hopkins advised it is possible at certain times of the year and is an allowable job to replace the stones as the dam belongs to the Town. Heather Nelson asked about downstream damage in the immediate vicinity. Mr. Hopkins stated if the overflow culvert was not there, there could be damage. Mr. Coolidge agreed with Mr. Bailey's suggestions. Susan Benedict noted concern with the water rising on the Neshobe River up to the blacktop on River Street and the Town needs to be aware that people further up the river are preparing for the river to become higher. Mr. Bailey did not have an issue with the dam being lower. Mr. Hopkins advised one person at the State had indicated there might be some funding if the Town wanted to remove it, but there are no funds for the Town to raise it. The Town had contacted a firm recommended by the State but they declined. Markowski reviewed it and are agreeable to doing the job. Mr. Bailey suggested obtaining a quote from Markowski. Sandy Mayo suggested doing option 2 in preparation of doing option 3 for the safety and security of the Town as even with the overflow culvert, the storms are getting larger. Mr. Bailey thought doing option 2 to make the dam look more appropriate and potentially lowering it could help.

Motion by Doug Bailey/Heather Nelson to look at option 2 in replacing some of the stones and determine how sound the dam is and determine what the cost would be for option 3. **The motion passed unanimously.**

8. Annual Financial Plan – Town Highways

Seth Hopkins advised the State requires the Select Board to certify the annual financial plan that commits \$300/mile for each mile of Class 1, 2 and 3 roads. Mr. Hopkins noted the Town has been awarded a grant for the North Street work that was not expected money, but the Town was not approved for High Pond Road or Union Street. Mr. Hopkins noted it makes sense to do the portion of Union Street below Dean's Bridge with the funds that were going to be used for North Street, plus a couple of other projects. It was confirmed that the Town would still be spending the allotted paving funds and the grant awarded was in the \$38,000 range.

Motion by Brian Coolidge/Heather Nelson to endorse the Annual Financial Plan for Town Highways. **The motion passed unanimously.**

9. Financial Management Questionnaire

Seth Hopkins advised the Town Treasurer has completed the questionnaire and is required to bring it before the Select Board for review and acknowledgement. Heather Nelson stated this is to assure that the Town has policies and procedures in place for financial controls and it carries forward into the audit.

10. Late Homestead Penalty

Seth Hopkins advised this is an annual decision for the Select Board to consider whether the Town will access a late homestead penalty. It is the recommendation of the Town Treasurer that a penalty is not accessed. Sue Gaged stated it is an 8% penalty on the education tax and hits small business owners who may have to file for an extension, and if filed late they would not get a homestead and it is a very large penalty.

Motion by Heather Nelson/Ralph Ethier to accept the Town Treasurer's recommendation to not charge a late homestead penalty. **The motion passed unanimously.**

11. Public Comment and Participation

Doug Bailey stated there has been a lot of discussion in the last 3 or 4 board meetings regarding the Brandon Industrial Corporation (BIC) and he wanted to inform the public that BIC has the following new officers: Jim Leary - President, Tom Whittaker – Vice-President, Devon Fuller - Secretary, Pat Wood – Treasurer, and Seth Hopkins - Agent. Going forward all questions about BIC should be addressed to that board. On the item of Mr. Hopkins being the Agent, the Select Board does not feel there is any conflict. It was investigated back to August 1988 and the request is for the Town Manager, whomever they are, to act as the Agent for BIC and this has been recertified many times with the Town Manager being the Agent for 35 years. The solar project was being proposed and the developer asked for the Town Select Board to provide a letter of approval, which is what the Select Board did, and is the only thing the Select Board had to do with BIC. The RRPC will also be providing a letter of support. Mr. Bailey wanted to clarify who the officers are and noted that Mr. Fuller is in the process of sending the paperwork to the State.

Sue Gage advised the tax bills will be going out late and should be mailed the first week of August due to the late school budget approval, with a due date of September 15th. Ms. Gage also noted the Vermont primary election is scheduled for August 13th.

13. Adjournment

Motion by Brian Coolidge/Ralph Ethier to adjourn the Select Board meeting at 8:09PM. **The motion passed unanimously.**

Respectfully submitted,
Charlene Bryant
Recording Secretary