

**Brandon Select Board Meeting
October 14, 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, Billy Bullock, Neil Silins, Jan Coolidge, Steve Bisette, Ray Marcoux, Steven Jupiter, Cecil-Reniche Smith, Tricia Welch, Ken Manning, Karen Rhodes, Judy Bunde, Susan Benedict, Vicki Disorda, Chris Conlin

Others by Zoom: Bruce Jensen, Jack Schneider, Tom Kilpeck

1. Call to Order

The meeting was called to order at 7:08PM by Doug Bailey – Board Chair.

a. Agenda Adoption

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

Addition of second executive session regarding the appointment or employment or evaluation of a public officer or employee per 1 V.S.A.313(3)(a)(3)

2. Select Board Remarks

Doug Bailey stated all in attendance are neighbors and encouraged all to be respectful with their comments.

3. Recurring Matters

a. Approval of Select Board Meeting Minutes – September 23, 2024

Motion by Brian Coolidge/Heather Nelson to approve the Select Board minutes of September 23, 2024, as amended. **The motion passed unanimously.**

Addition of Jan Coolidge to meeting attendees.

b. Select Board & Budget Advisory Committee Minutes – September 30, 2024

Motion by Brian Coolidge/Ralph Ethier to approve the Select Board & Budget Advisory Committee minutes of September 30, 2024. **The motion passed unanimously.**

c. Warrant – October 14, 2024 - \$590,620.51

Motion by Heather Nelson/Brian Coolidge to approve the warrants of October 14, 2024, in the amount of \$590,620.51. **The motion passed unanimously.**

Doug Bailey asked about the Otter Creek Engineering invoice for wetland delineation. Bill Moore reported it is for the Town's property behind the American Legion for a possible park and is money that was donated for recreation trails. The delineation was given. Heather Nelson asked about the US Bank bond payments. Seth Hopkins reported these are the semi-annual bond payments with a number of adjusted entries so that the principle gets noted properly. Jackie Savala and Sue Gage make sure that the Town's books are all in order. Tim Guiles noted there was an electric snow shovel purchased. Seth

Hopkins reported this will be used for the sidewalks when the sidewalk snowplow cannot be used. Mr. Guiles questioned the invoice for uniform maintenance and Mr. Hopkins advised it was for alternations for a police officer's uniform.

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.

Seth Hopkins highlighted the following from his report: The VLCT awarded the municipal road crews the Municipal Service Award for their flood response and recognizing the hard work of the town crews. The Town heard from VTrans about the 4-way intersection and they indicated the Town can assign it as a four-way stop and recommend public outreach prior to a change. Mr. Hopkins suggested there could be a more comprehensive review of the Town's traffic ordinance done. Mr. Hopkins reported the sidewalks on Pearl Street and Carver Street were completed and additional sidewalk improvements will be done along West Seminary Street. The road paving will also be done later this month. Kyle Leedom has completed resealing the front steps of the town hall. A truck hit Sanderson Bridge on October 4th and bids have been received for the repair and the Town will work with the insurer on a claim. On October 11th, the guardrail approach to the bridge was also heavily damaged and the Town will work with the driver's insurance company. There is a vacancy on the Historic Preservation Committee and this is a local government status requirement. The committee meets quarterly and have been unable to meet as there would not be a quorum. Mr. Hopkins encouraged anyone interested in this committee to apply for the vacancy.

Tim Guiles stated there are places on Carver Street where people park on the sidewalk and it makes it difficult to walk in those areas. Mr. Guiles asked if there could be a solution to this problem. Seth Hopkins will meet with the Police Chief regarding this matter.

Heather Nelson requested an update on whether the asphalt company can do the tennis courts. Bill Moore reported he spoke with the company and they indicated there is the possibility the work could be done in the spring.

Brian Coolidge asked if the payments from the individual that hit the lamppost are still being made. Mr. Hopkins noted that the payments are still being made regularly. Mr. Coolidge asked the cost of the new decals on the police cars and if the funding was in the police budget. Seth Hopkins advised they were funded from the police budget and he will get the information on the cost. Mr. Coolidge stated two years ago the police budget was over by \$30,000 and last year it was \$43,000 over budget and questioned where the overage is made up from. Mr. Hopkins advised the funds come from the unrestricted general fund and last year every other department was under budget and the overage in the police budget absorbed those funds first before using the unrestricted fund.

Doug Bailey asked when the vacancy on the Historic Preservation committee will be posted. Mr. Hopkins will create a list of all vacancies and post it on FPF, the Reporter and the Town's website.

With regard to the unrestricted fund, Ralph Ethier asked if the Town is still at about the minimum of 15%. Mr. Hopkins advised that figure would be \$495,000 and the Town is currently at \$441,000. Doug Bailey stated if the delinquent taxes were collected, the Town would likely be more in the middle. Seth Hopkins will follow-up with the attorney on this subject.

Vicki Disorda expressed an interest in the Historic Preservation committee vacancy.

Chris Conlin stated with the new Route 7, there was a collection box to sift out the water that has to be cleaned and Mr. Conlin asked if there was money set aside for that work. Seth Hopkins reported there is money in the Highway Department budget. The Town is to inspect it every year and clean it every 2 years and the stormwater responsibility is the Highway Department's budget. Heather Nelson noted the piece of machinery needed is very expensive to own and it is more cost effective to rent the equipment for a week. Mr. Conlin also noted that the airstream event made a mess of the back lawn of the Brandon Inn and needs to be repaired. Bill Moore advised he has been in contact with the Inn. Seth Hopkins has spoken with the owner of the Inn and he did not express concern about water and the Town crew will repair the lawn. The Inn's owner was glad that the event was there and that it was successful.

5. Community Development Report

Bill Moore noted the Brandon Rec's Halloween Ball is scheduled for October 19th at the Brandon Inn from 8PM to 11PM. Tickets are \$25 and can be purchased online.

Neil Silins stated there is mixed information about the airstream event and thought it was the Chamber who organized it and asked if they have the responsibility for repairing the lawn. Seth Hopkins stated he, Mr. Moore, Pat Wood and Bernie Carr approached the Brandon Inn about the event. The plan had been to use a public street that would have been the Town's responsibility. The Town asked if the Inn would be the venue and Mr. Hopkins did not think the Chamber has the where with all to do the repairs. It was an economic generator for the Town and the Town has used the Brandon Inn lawn as a public park. The Inn has been gracious to allow the Town to use the property for events and it behooves the Town to make good any damages. Cecil Reniche-Smith noted she was around Town that weekend and visited with the airstream people and they were buying out the pastries in the bakery, filling the restaurants and were at all of the shops. It would be interesting to talk to the shop owners as there was a lot of money coming into Town because of the airstream rally. Susan Fitzgerald asked if the money coming in would make her taxes go down. Mr. Hopkins reported there are funds that come from the 1% local option tax and the Town makes about ¼ million in receipts from the 1% tax.

6. Consider Planning Commission Nomination of Natalie Steen as Acting Zoning Administrator

Seth Hopkins advised that an Acting Zoning Administrator position is an unpaid, unstipend position for those times when the Zoning Administrator is not available or due to a conflict of interest. Natalie Steen has been on the Planning Commission for a number of years and is well-versed. The Planning Commission has nominated her for this position and she would be an excellent candidate when the Zoning Administrator cannot act.

Motion by Heather Nelson/Tim Guiles to appoint Natalie Steen as Acting Zoning Administrator in the event of a conflict of interest of the Zoning Administrator. **The motion passed unanimously.**

Heather Nelson noted Ms. Steen is an active member on several boards. Doug Bailey reiterated she would only be acting if Larry Stevens was unable and it would not be an active position.

7. Green Fleet Presentation

Tim Guiles reported at the end of each fiscal year he gathers data on the Town's carbon footprint. The State has established three goals for a 26% reduction of carbon by 2025, 40% reduction by 2030 and 80% reduction by 2050. The Town uses gas, diesel and propane. The propane usage has been steady and declining slightly. The wastewater department was higher this year and is attributed to the large construction project but Mr. Guiles is optimistic their usage can be reduced. The gas usage is less in many ways by slowly transitioning to electric and is on a declining curve, except for the police department that has increased 20% due to an increase in staffing. Heating oil is a large carbon producer and the Town has decreased this with the addition of heat pumps and moving to propane in some usages. The Town's overall carbon footprint was 329 and this year it is 311. It is mostly attributable to diesel usage that the Town does not have a lot of control over due to heavy equipment use. The good news is that the arc is not going up and there is an awareness to reduce the carbon footprint. Mr. Guiles suggested one way to meet the 2025 goal would be to shift away from propane to heat pumps and use propane as the backup. Another way would be to continue cutting back from heating oil and moving towards heat pumps whenever possible. An improved highway garage will assist in this effort. Gas usage is a function of moving from gas cars to electric cars and is a known solution to reducing carbon that other police departments have considered. When looking at the 2050 and 2080 numbers of where the Town needs to go, it will only be achieved by solving the problem of large vehicles. There are larger vehicles that are electric and will become an option. To do our part in reducing the carbon footprint it will mean transitioning vehicles to electric vehicles. Doug Bailey noted that not only are there more police officers, but the cars previously were used for the officers to commute from home, but that practice has ended and may also make a difference. The police department is also going from 7 cars to a 5-car fleet and may be a benefit.

Vicki Disorda stated there was an article on Guardian.com that is relevant as it is Indigenous Peoples Day and is an article titled, How US's Transition to Electric Vehicles Threatens Environmental Havoc. Ms. Disorda read the following:

“The transition, fueled by the rollout of historic funding for electric vehicles through Joe Biden's Inflation Reduction and Infrastructure Investment and Jobs Acts, could require three times as much lithium as is currently produced for the entire global market, causing needless water shortages, Indigenous land grabs, and ecosystem destruction inside and outside our borders.

Biden's strategy to fully decarbonize the transportation sector by 2050 may be a good idea, but there's a catch: lithium. Electric vehicles are already the largest source of demand for lithium - the soft, white metal common to all current rechargeable batteries.

The global demand for lithium, also known as white gold, is predicted to rise over 40 times by 2040, driven predominantly by the shift to electric vehicles.

Additionally, "The Inflation Reduction Act's EV purchase incentives apply only to vehicles whose battery minerals come from a list of countries that notably does not include China, which today is the source of most of the world's EV battery metals." (caranddriver.com)

The US's transition to electric vehicles is of major global significance.

The transition to lithium battery-powered electric vehicles by 2050 will deepen global environmental and social inequalities linked to mining - and may even jeopardize the global heating target.

The speed of the transition - as well as who benefits and who suffers from it (indigenous people) - will depend on the number and size of electric vehicles (and batteries) Americans opt for going forward.

Transportation is the biggest source of carbon emissions in the US - and the only sector in which emissions are still rising. 'Preserving the status quo might seem like the politically easier option, but it's not the fairest way to decarbonize,'

Mining lithium is a fraught business, and the rise in demand for EVs is contributing to a rise in social and environmental harms - and global supply chain bottlenecks.

Lithium mining is, like all mining, environmentally and socially harmful. More than half the current lithium production, which is very water intensive, takes place in regions blighted by water shortages that are likely to get worse due to global heating.

Most forecasters predict a supply crunch in the next five to 10 years - a period when rapid decarbonization must take place to avert even more catastrophic global heating. The price of lithium batteries - the most expensive component of an EV - went up for the first-time last year as demand outweighed supply.

Lithium car batteries, which are the main batteries used in electric vehicles, are not as easily recycled as lead-acid batteries and recycling them is an energy-intensive and costly process.

This is not yet a comprehensive or globally socially responsible change. More thought needs to go into this before we start throwing tax-payer money at the latest politically motivated Act.

'We can either electrify the status quo to reach zero emissions, or the energy transition can be used as an opportunity to rethink what's environmentally and socially just, both in the US and globally.'-and explore possibilities for a future without fossil fuels that minimizes mineral extraction and new harms to communities in lithium-rich areas."

8. Road Closure Request

- . *Saturday, November 9, 2024 – 10:30AM – 11:00AM*
- . *Scout's Salute to Veterans Parade*
- . *Park Street from Celebration Rentals (#86) West to Brandon Inn (#20)*

Seth Hopkins advised the Scouts provided a conceptual with a map and time details. This is a formal request to close Park Street from Celebration Rentals to the Brandon Inn on November 9th from 10:30AM – 11:00AM. The event would march down Park Street followed by a ceremony and lunch for the participants. Mr. Hopkins noted only the Select Board can approve a road closure. Doug Bailey suggested asking the Police Department to assist. Mr. Hopkins noted they are looking to use the parking lot behind the Brandon Inn and at the Masonic Lodge.

Motion by Ralph Ethier/Heather Nelson to approve the road closure for the Brandon Scouts on November 9th as outlined above. **The motion passed with one no vote – Tim Guiles.**

9. Public Hearing: Objection to Removal of a Shade Tree Between #42 and #44 Park Street per 24 V.S.A.2509

Seth Hopkins advised Helyn Anderson was unable to attend the meeting and requested to postpone the hearing until the October 28th meeting. She received Adam McCullough's report regarding the discussion of options and rendering of final decision. Mr. Hopkins noted Adam McCullough's assessment of the tree was as an urban forester and Mr. McCullough provided two tree risk assessment forms that he completed on this tree in recent weeks. It was noted that it was not a time-sensitive issue and all were in agreement to postpone the hearing.

Motion by Tim Guiles/Doug Bailey to postpone the hearing regarding the removal of a shade tree to the October 28th meeting. **The motion passed with one abstention – Heather Nelson.**

10. Public Comment and Participation

Tricia Welch stated she read that President Biden has indicated all lead water pipes will require replacement and asked if the Town has any of them and if so, who would pay for the replacement. Seth Hopkins advised the Fire District is aware of this as they provide the water to the municipality. They will be doing a lead service line audit for Brandon.

Vicki Disorda advised the United Methodist Church will be hosting a lasagna dinner this Saturday from 5PM to 7PM. The cost of the dinner is \$10.00 for adults and \$6.00 for children.

Doug Bailey reported the third Budget committee meeting will be held tomorrow beginning at 7:30PM downstairs in the Town Hall and is open to the public. The Candidates forum will be held upstairs in the Town Hall the same night. The next Budget committee meeting is scheduled for Monday, November 4th at 6:00PM. Mr. Bailey noted the meetings have been productive.

Ray Marcoux stated recently his son called the police station to file a complaint because someone passed three cars coming into Town. When speaking to the person that answered the phone, his son was given suggestions and when he indicated he wanted to talk with a police officer and not a receptionist, the person hung up on him. Mr. Marcoux expressed concern that his son should not have been disconnected. Seth Hopkins advised he will speak to the Police Chief about this incident. Mr. Marcoux also noted not letting the cars run could also assist with reducing the carbon footprint.

Vicki Disorda thanked the police for putting one of their speed carts in the middle of Union Street and she hoped it would slow the traffic down. Earlier this year, Ms. Disorda requested lowering the speed limit to 25mph due to the excessive speed as there are very young children living on this street. Seth Hopkins stated this is another point towards a comprehensive traffic study and suggested two Select Board members be part of that working group. Mr. Hopkins noted this is the largest ordinance that the Town has. Doug Bailey volunteered to be on the working group. Heather Nelson questioned when the last time the Town did a big picture look at the traffic ordinance. Mr. Hopkins stated the traffic ordinance was last done about 30 years ago. Ralph Ethier also volunteered to be on the traffic ordinance committee. Susan Fitzgerald expressed concern that cars drive very fast down River Street and turn around at the corner of Pleasant Street and River Street, and a turnaround space is needed. Karen Rhodes asked if the traffic light timing could be looked at. Mr. Hopkins reported he met with the

traffic signal company and reviewed the timers and they seem to be in disbelief that the traffic backs up as much as it does. Mr. Hopkins has seen this and has had to wait a long time and the company is aware and said that it cannot be an immediate adjustment. They are willing to do it and understand the Town wants a remedie. They will go back to the engineers and come back with a program. Ms. Rhodes noted concern that cars cut through the Brandon Inn parking lot and people are going to be injured. Heather Nelson stated Mr. Hopkins had shared that whoever changes the lights is personally liable and it has to be the company and not the Town. Mr. Hopkins advised the police officers have had training in traffic control and can change the lights to flashing, but the traffic signal company indicated if the Town does that and there is not a traffic signal certification the Town is responsible for disabling the traffic lights. The police will assist on special occasions when there is a good reason to disable it and the Town is trying to come up with an intentional solution. Mr. Bailey stated when the lights were blinking the traffic went through but the pedestrian crosswalk lights did not work. When solving one problem one is creating another.

The Select Board recessed at 8:14PM.

The Select Board reconvened at 8:28PM.

Motion by Tim Guiles/Heather Nelson to find that premature general public knowledge of confidential attorney-client communication made for the purpose of providing professional legal services to the Town will clearly place the Town at a substantial disadvantage by disclosing said advice and the Town's position in a possible civil matter. **The motion passed unanimously.**

Motion by Tim Guiles/Heather Nelson to enter into executive session at 8:28PM to discuss confidential attorney-client communication made for the purpose of providing professional legal services to the Town, per 1 V.S.A.313(a)(1) to include the Town Manager. **The motion passed unanimously.**

11. Executive Session

The Board came out of executive session at 8:52PM. There was no action required.

Motion by Brian Coolidge/Heather Nelson to enter into executive session at 8:52PM regarding the appointment or employment or evaluation of a public officer or employee per 1 V.S.A.313(3)(a)(3) to include the Town Manager. **The motion passed unanimously.**

12. Executive Session

The Board came out of executive session at 9:53PM. There was no action required.

12. Adjournment

Motion by Brian Coolidge/Heather Nelson to adjourn the Select Board meeting at 9:53PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary