

**Brandon Select Board Meeting
January 13, 2025**

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, Jan Coolidge, Steven Jupiter, Neil Silins, Ken Manning, Cynthia Cohen, Jeff Cohen, Wayne Rausenberger, Kerry White, Ray Marcoux, Jeff Haylon, Steve Bisette, Barry Varian, Tricia Welch, Vicki Disorda, Karen Rhodes, Sandy Mayo, Jack Schneider, Cecil Reniche-Smith, Adam Murach

Others by Zoom: Bruce Jenson, Ken McFarland, Tom Kilpeck, Nita Hanson

1. Call to Order

The meeting was called to order at 7:01PM by Doug Bailey – Board Chair.

a. Agenda Adoption

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

Motion by Tim Guiles/Heather Nelson to enter into executive session at 7:02PM regarding the appointment or employment or evaluation of a public officer or employee per 1 V.S.A. in accordance with V.S.A. 313(3)(a)(3) to include Kerry White. **The motion passed unanimously.**

2. Executive Session

The Board came out of executive session at 7:21PM. There were no actions required.

3. Select Board Remarks

Doug Bailey noted there was a big crowd at this evening's meeting and encouraged all to treat everyone with respect and dignity. Heather Nelson stated she knows that all want good things for the Town and she hoped that everyone was respectful as the intent is to make things better for the Town.

4. Recurring Matters

a. Approval of Select Board Meeting Minutes – December 30, 2024

Motion by Heather Nelson/Brian Coolidge to approve the Select Board minutes of December 30, 2024. **The motion passed unanimously.**

b. Warrant – January 13, 2025

Motion by Heather Nelson/Ralph Ethier to approve the warrants of January 13, 2025, in the amount of \$189,386.48. **The motion passed unanimously.**

5. 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 advised there is a summary budget, a 23-page line-by-line budget, and a tax estimator on the Town's website. The Municibid auction is going well with a number of bids received and it is expected to have the results at the next Select Board meeting.

Brian Coolidge suggested trying to sell the electric motorcycle through Municibid as it is not getting a lot of use. Mr. Hopkins will check with the Police Chief regarding the conditions of the grant received for the motorcycle. Mr. Coolidge asked about other resignations in the police department. Mr. Hopkins noted he would provide information during the executive session. Mr. Coolidge is concerned with losing four employees and he would like to have a Board-only exit interview with them if they are receptive to it. Mr. Hopkins stated none of the employees were hired by the Board and their exit interviews were completed by the Town Manager who hired them. Mr. Hopkins noted the Board could vote to do this, but it is generally the Town Manager who holds the interviews. Tim Guiles stated there are resignation letters from the employees that describes their reason for leaving. Heather Nelson would like the information that the Town Manager has and Mr. Hopkins noted because it is a matter of personnel discussions, that would be executive session material. Mr. Coolidge stated before the December 30th meeting, the police delivered the Select Board meeting packets and he would prefer to pick his packet up as he does not think it is good use of the police department's time. Mr. Hopkins noted he responded to Mr. Coolidge concerning this subject but had not heard back from him. The Select Board packets have been emailed and going forward a paper packet will be available at the town office. Mr. Hopkins noted he delivered the packets on Friday. Tim Guiles would prefer receiving them electronically.

Neil Silins was not aware of how many staff left and asked what departments they were in and how long they were employees. Seth Hopkins advised there were four police officers that left in the last month and they had been with the Town for approximately 2 years. Officer Ainwick is now with the Town of Middlebury and Officers Rimmer, Mannino, and Stendardo have accepted offers from the City of Rutland. Mr. Hopkins noted he sent the Select Board a memo but he cannot comment on individual reasons. Officer Ainwick received a \$4/hour increase and the Rutland City Police Department offers 24-hour on-duty so those officers would not be on-call and overtime is built into their schedule. Mr. Hopkins noted Rutland City highlights these items in their recruitment letters. The officers all stated it was a resignation that was an opportunity to go to another agency and not anything they were lacking in terms of support. Mr. Silins stated it seems unusual that the Town can't match or compete with offers and that they were all done at the same time. Mr. Hopkins stated the resignations in favor of Rutland happened when it became clear the Town cannot fund a 24-hour on-duty schedule and they would be working with on-call hours.

6. Community Development Report

Bill Moore reviewed his report that is available for viewing in the Board packet on the Town's website.

“Due to the popularity of the classes, we have added the 3rd day of B-Rec Dance classes with Miss Michaela. Wednesdays will host an additional mini and intermediate hip-hop dance classes. The registration for adult dance class will remain open through the end of January, since there is no end of the year recital for that adult class.

The Sweatin' to the Oldies adult fitness group meets on Thursday nights upstairs at the town hall. Re- experience this 90's fitness craze on the big screen while working out with friends!

The town hall will play host to the one-off Winter at the Riverbend 2025! The Brandon Area Chamber of Commerce Summer Concert series experienced some weather-related cancellations in 2024. They will be making them up with 3 winter concerts at 3 indoor venues this winter. On Saturday, January 25th from 6PM to 8PM Deb Brisson and the Hay Burners (rootsy, soulful and bluesy, rockin' alt country) will kick it all off. Red Clover will be on hand with beer for sale and there will be space for sitting and dancing! Free thanks to the generous summer sponsors. The town hall will be the rain-location for the summer series going forward (hence the one-off nature of Winter at the Riverbend)

We are forming an ad-hoc committee to help with programming for the town hall. If interested, please reach out to me.”

Mr. Moore stated also related to the town hall, the first night of this year's Brandon Idol competition was held this past Friday night. Denis Marden was also celebrated at the event for all his hard work with the town hall.

Brian Coolidge asked if the Fire District has paid their share for the fountain. Bill Moore will check with Jackie Savela and report back to the Board. They have been billed, but he did not know if they have paid yet.

Karen Rhodes stated at the summer concerts behind the Brandon Inn, people brought their own alcohol beverages. Mr. Moore stated attendees of the summer concert series were not supposed to bring their own alcohol beverages, but the Brandon Inn had beverages for sale. When the concerts are in the town hall, no one can bring alcohol in and the Red Clover will be selling beverages for the event.

7. Update Employee Blanket Payroll Authorization

Seth Hopkins advised he placed the changes to be approved at the top of the document that included an update to Vermont's minimum wage of \$14.01/hour, and the removal of Aidan Ainwick and Karen Folger due to resignations. An additional revision will be provided at the next meeting. Brian Coolidge noted Steve Cijka is still listed.

Motion by Heather Nelson/Tim Guiles to approve the updated employee blanket payroll authorization with the removal of Steve Cijka. **The motion passed unanimously.**

8. New Statewide Ethics Requirements

Seth Hopkins included in the Board packet information from the Secretary of State summarizing the changes in the statewide ethics requirements. They are requesting the Board designate a liaison to the State Ethics Commission and designate the official(s) to receive complaints that can be either a municipal officer or a body. Tim Guiles asked if Mr. Hopkins was interested in being one of the officers as he thought the Town Manager should be one of the people. Mr. Guiles also suggested the Board Chair be designated to receive the complaints. Mr. Hopkins reported a neighboring community just authorized the town manager to be both. Mr. Guiles stated the system is very transparent and the State will have some role in assuring the complaints have legitimacy. Having the two positions in the Town is a good idea.

Motion by Tim Guiles/Ralph Ethier for the Town Manager to be the liaison and the Select Board be the receiver of the complaints for the Statewide Ethics Commission.

Motion by Heather Nelson/Brian Coolidge to table the original motion to the next meeting. **The motion failed.**

Heather Nelson was comfortable with Mr. Hopkins and Mr. Bailey but hadn't thought it through and suggested the Town Clerk would be a good option. Ms. Nelson's concern was having to express a concern to the Board that could be intimidating. She thought the Town Clerk is her own entity and could be the one who receives the complaints. Cecil Reniche-Smith stated that the Board is not the boss of Ms. Gage, not having her in this conversation is problematic. Vicki Disorda had a concern with the nomination as she does have a complaint and it is with the person that is nominated, so who would she go to with her complaint. Tim Guiles stated the person has to take the complaint and it goes to the State and they have a system so that the complaints can be tracked and the local person does not have the capacity to snuff them out. The State is trying to have everyone under the same guidelines and rules. Ms. Nelson felt strongly that whoever receives the complaints and depending on the nature of the complaints, she would like to give people options. Jeff Cohen recommend it could be all members of the Select Board, as opposed to one member of the board so that everyone has at least one member that they would feel comfortable speaking to. Mr. Guiles agreed with Mr. Cohen's suggestion. Karen Rhodes stated this is going through governance about governance, and it does not sound like how the State does business. Mr. Hopkins advised this applies to many individuals that includes municipal officers, Select Board members, quais judicial boards, auditors, building inspectors, chief administrative officers, tax collectors, listers, assessors, mayors, moderators, road commissioners, trustees of public funds and water commissioners. It is encompassing and the VLCT document indicated that each municipality must designate these positions within 30 days. The Board can assign a municipal officer or body to receive complaints for the municipal code of ethics.

Tim Guiles and Ralph Ethier requested an amendment to the motion that the entire Select Board be the receiver of complaints regarding the code of ethics.

The motion passed unanimously.

9. Approve 2025 Certificate of Highway Mileage

Doug Bailey advised this is a certificate that has not changed this year and is approved for the State every year.

Motion by Brian Coolidge/Tim Guiles to approve the 2025 Certificate of Highway Mileage as presented. **The motion passed unanimously.**

10. Downtown Vibrancy Fund Letter of Attestation

Seth Hopkins stated this is a requirement for the renewal of the \$25,000 grant that supports the Downtown Brandon Alliance and is not funded from the Town. They have received this once and this is a renewal.

Motion by Tim Guiles/Ralph Ethier to approve the Downtown Vibrancy Fund – Municipal Letter of Attestation. **The motion passed unanimously.**

11. Set Date for Public Budget Presentation

Doug Bailey suggested a public meeting to present the budget prior to the town meeting, as many people vote in advance of the town meeting. Mr. Bailey proposed either the end of January or early February to have a budget presentation in the town hall with the Select Board and Budget Advisory Committee present. There was a consensus to schedule a budget presentation for Thursday, January 30th at 7PM.

12. Follow-up on Parking Committee Progress

Heather Nelson reported the Parking Committee has held a couple of meetings and worked on ideas for parking around Town. They developed a number of things to put in motion and the idea was to take a read on the parking situation and see where parking could be increased. They identified Park Street as it now has parallel parking spaces but the spaces were not marked and not used as efficiently. The parking spaces have been lined that has increased how the spaces are used. They also identified some short-term ideas, intermediate ideas, and seed ideas. Some of the places would involve asking property owners to allow parking on their property, and there are also some spots around Seminary Hill Park to consider in making the parking more efficient. Bill Moore stated the Parking Committee was appointed by the Select Board and he wanted to make it clear that with the Town acquiring the dog park they are not going to impinge upon the green space and there will always be a park. There is parking on East Seminary and there has been talk about a couple of spaces at the head of the dog park. On East Seminary there is occasional parking and that is where there is discussion about delineation. Ms. Nelson stated a lot of the short-term work is painting the spaces to delineate the parking. Cecil Reniche-Smith stated there are a couple of sidewalks that are level to the street and some cars park on the sidewalk that defeats the purpose of having a nice sidewalk for people. Ms. Reniche-Smith suggested hazard lines for Seminary Street to delineate the sidewalk and street to make it easier so that everyone can use the street and the sidewalk. Ms. Nelson advised Park Street was one that could get done quickly, but others discussed will be done in the spring. Mr. Moore noted that it could be added to the Highway Department painting. Doug Bailey reported he attended a meeting with the Town Manager and the Police Chief regarding the traffic ordinance and the Chief would chat with the officers about follow-up on the Carver Street issues. Ms. Nelson stated at some point the Committee may trial some 15-minute parking spots in front of the town hall.

13. Possible Appointment to Vacancy on Otter Creek Watershed Insect Control District

Motion by Tim Guiles/Heather Nelson to appoint Kerry White as a Brandon Representative to the Otter Creek Watershed Insect Control District. **The motion passed unanimously.**

Doug Bailey thanked Mr. White for his interest in joining the mosquito district board.

14. Otter Creek Watershed Insect Control District Position re: Salisbury Assessment

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Wayne Rausenberger, one of Brandon's representatives to the Otter Creen Watershed Insect Control District provided information to the Select Board that the District received regarding concerns from the Town of Salisbury. Every year at town meeting, Salisbury votes whether they want service or not. In March 2024 they voted for service from July 2024 through June 2025. In December, the District's treasurer sent an invoice for \$25,440.00 for their assessment. On December 16th, the District's treasurer received \$7,572.00 that only covers larvicide. The Salisbury Select Board felt they did not get service from July 2024 to the end of the year and were not going to pay. They currently owe \$17,868.00 which means that in the spring, if they have paid their assessment, they would get service starting in April. If they do not pay, they will not receive service. If they vote for service this year, that service would not start until July 1st. The District board is looking for guidance from each of the member towns if they would like the District to accept the \$7,572.00 with the understanding there would be no adulticide treatment, or to notify Salisbury that until the balance is paid they would receive no adulticide and their representative to the Board of Trustees could be suspended, or notify Salisbury that the delinquent balance is due and if payment in full is not received, the District will pursue legal action. Mr. Rausenberger asked if the Board would like to pursue one of those options or if there is another option they would suggest. Doug Bailey stated it was an odd year for mosquitos with less spraying, but in allowing Salisbury to not pay what they owe, all towns could do that. Mr. Bailey thought they should be billed because in any year if coming to the end of the year and there are still funds available, it could be placed in a reserve and would have valued uses. Mr. Bailey suggested the third suggestion is what the District should move forward with. Tim Guiles interpreted their action differently as they went through a vote and it was the will of their people to receive services. There is reasonable disagreement for the adulticide and he would support the first suggestion to accept their payment. Mr. Rausenberger stated the voters voted to pay the \$25,000 regardless and the Salisbury Select Board took it upon themselves to say they were not going to pay. Mr. Guiles did not recommend legal proceedings due to incurring legal costs. Mr. Rausenberger was looking for a suggestion from the Town's Select Board that will be brought back to the Watershed District's board who will take all of the suggestions and make a decision. Ralph Ethier thought they owe the entire invoice as their voters voted to pay it. Heather Nelson agreed with Mr. Ethier. Brian Coolidge liked the suggestion that they owe the balance, but he would not want to incur legal fees. Mr. Bailey stated there are many fixed costs and paying for only part of the service, the District would suffer, particularly if all towns did that.

15. Public Comment and Participation

Neil Silins reported there was a Brandon Biggest Tree competition that had 17 entrees and on February 5th there will be an awards presentation ceremony. Mr. Silins will advertise for the event that will be held downstairs of the town hall.

Trisha Welch noted distress with hearing the Town has lost four police officers and asked if hiring has begun and how long it will take to replace them. Doug Bailey advised he met with Mr. Moore, Mr. Hopkins and the Police Chief and has asked him to expedite the hiring to find new officers. There is concern that officers have to be certified through the State's police academy and personnel will have to be found and enrolled in the next class. The Police Chief has been asked to try to find certified officers. The Chief has also been authorized to search for an experienced officer who could be a lieutenant that would be at a higher pay. Seth Hopkins reported there have been conversations with the Police Chief, the Police Academy, VLCT and a meeting with the State Police. Ms. Welch stated during the budget process, people were against the police. Tim Guiles stated the Board was in support of the police budget. Barry Varian stated the police staffing deficit has been long standing and a tenure of two years speaks to being a turnstile for training needs. If it is believed that the driving issue is the schedule with 24-hour on-call, that is a concern and retention needs to be a major focus as he does not think seasoned officers will be found. Mr. Varian suggested at the budget presentation meeting to let the township know if that is the issue and what the cost would be of fixing that. This year's budget does not fix that but it needs to be looked at differently going forward. There is no fix of the officers that have left, but the Town needs to look at doing things differently. Mr. Bailey stated the Town has been through this numerous times and the cost of training an officer is a lot and then to lose them soon is what has been happening for a long time. It is what happens in many small towns as they do the training and then officers go somewhere else. Mr. Varian stated if the issue is 24-hour duty versus on-call, it is a tangible problem that can be fixed.

Ken Manning stated he knows that in Burlington and Rutland officers have been forced out and suggested hiring those people. Mr. Bailey noted the State Police have an age limit and that is something that the Town is looking into. Mr. Manning also questioned what the Town is doing with the delinquent taxes that are owed. Mr. Hopkins has talked with the attorneys and they have a letter prepared to send out and have requested an updated list of the delinquencies. At the time the list was

sent to them, there were 70 accounts. Mr. Hopkins noted it is thought that a letter from the attorneys will be more forceful and it is a priority to get this done.

Vicki Disorda stated the Board has voted on the budget but due to losing 75% of the police department, they might want to rethink that. Doug Bailey stated to get 24-hour coverage it would be an increase of \$300,000. At the highest, there has been 6 officers and the Chief, and the budget had been increased to retain officers, but that has not happened and to get 24-hour, 7 days/week coverage is significantly more. There appears to be a contradiction between what the community wants and what they are willing to pay, as this would be a 12% increase if it went to 24-hour coverage. Mr. Bailey stated the Board needs to get direction from the community as to what they are willing to pay. Ms. Disorda stated it would be a good time to talk about creating neighborhood watch groups. Jeff Haylon asked how much it costs to train a police officer and would it be possible to have them under contract for a certain number of years. Mr. Hopkins advised this was tried when he was on the Select Board but it turns out to be not enforceable as the police force is in a collective bargaining unit and that would supersede it. Mr. Hopkins noted the State Police had an observation and their position is the Vermont State Police turn out to be a small town as they recruit and train and do the field work, and then an officer will move to another state for a higher compensation package. Tim Guiles stated these are all predictable departures and they were planning to move, and he suggested recruiting locally for someone who lives in Town and support someone who is committed to Brandon. Mr. Haylon suggested adding more specificity on a question for the ballot so that people can then consider the financial ramifications. Mr. Bailey noted that the positions are going to be advertised in several locations.

Ray Marcoux asked why the sidewalk snowplow is not being used in front of all businesses. Doug Bailey noted that previously all business owners shoveled in front of their own businesses.

Heather Nelson advised the public that there is Narcan available at the town office. It is free, no questions asked and it is in hopes that people will use it.

Ken Manning asked if the Town will be getting another police dog. Seth Hopkins advised there would not be another police dog for the Town. Mr. Manning asked if the original back seat was saved so that the canine cruiser could be converted to a regular cruiser and what was the cost going to be to put the cruiser back into service. Mr. Hopkins noted that the change in decaling for the cruiser will be much less to remove that wording.

The Select Board recessed at 8:50PM.

The Select Board reconvened at 9:01PM.

Motion by Tim Guiles/Brian Coolidge to enter into executive session at 9:01PM regarding the appointment or employment or evaluation of a public officer or employee per 1 V.S.A. in accordance with V.S.A. 313(3)(a)(3) to include the Town Management Team. **The motion passed unanimously.**

16. Executive Session

The Board came out of executive session at 9:39PM. There were no actions required.

17. Adjournment

Motion by Brian Coolidge/Heather Nelson to adjourn the Select Board meeting at 9:39PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary