

**Brandon Select Board Meeting
January 27, 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, Tim Guiles

Others In Attendance: Seth Hopkins, Bill Moore, Tricia Welch, Patrick Snow, Ray Marcoux, Jeff Haylon, Vicki Disorda, Karen Rhodes, Sandy Mayo, Cecil Reniche-Smith, Jack Schneider, Jeff Cohen, Cindy Cohen, Janet Coolidge, Steve Bisette, Steven Jupiter, Mike Bailey, Isaiah Webb, Sue Gage, Ken Manning, Tom Kilpeck, Jim Emerson

Others by Zoom: Bruce Jenson, Adam Murach, Chris Brickell, Neil Silins, J. Johnson

1. Call to Order

The meeting was called to order at 7:02PM by Doug Bailey – Board Chair.

a. Agenda Adoption

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

Addition of an executive session to include the Town Clerk

2. Select Board Remarks

Doug Bailey encouraged all to be civil and treat each other nicely. For any public comments, all were asked to speak at the podium for public record. Heather Nelson noted all are here for the good of the Town and everyone has good intentions.

3. Recurring Matters

a. Approval of Select Board Meeting Minutes – January 13, 2025

Motion by Brian Coolidge/Ralph Ethier to approve the Select Board minutes of January 13, 2025. **The motion passed unanimously.**

b. Approval of Select Board Special Meeting Minutes – January 17, 2025

Motion by Ralph Ethier/Heather Nelson to approve the Select Board minutes of January 17, 2025. **The motion passed.**

c. Warrant – January 27, 2025

Motion by Tim Guiles/Brian Coolidge to approve the warrants of January 27, 2025, in the amount of \$104,244.57. **The motion passed unanimously.**

Doug Bailey questioned the \$500 invoice for Lucky Stiff Music. Bill Moore reported at the beginning of September there was an adult theater program and this musician had not received payment for this event. Mr. Bailey also questioned the \$3,298 invoice for Watershed Consulting. Seth Hopkins advised this is regarding a grant the Town is a pass-through for concerning the 3-acre Impervious Surface Rule. The Town paid for engineering and the State will reimburse the Town once the project is complete.

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.

Brandon Select Board Meeting

January 27, 2025

pg. 1

Mr. Hopkins noted that Chief Kachajian has secured a commitment from the Vermont State Police (VSP) to cover the community when officers are not on duty. Calls will be screened by Brandon officers to determine if the VSP is to be dispatched to assure that there is local decision-making informing the response priorities in this reduced level of service.

The Town had a successful Municibid auction and the results were 28 bids on the Dodge Charger with a winning bid of \$3,100, 30 bids on the Ford Taurus with a winning bid of \$4,200, 66 bids on the Chevy Silverado with a winning bid of \$4,652 and 92 bids on the International dump truck with a winning bid of \$16,700 for a total revenue of \$28,652.

Brian Coolidge asked if there was any feedback on the police department's electric motorcycle and Mr. Hopkins noted there has not been any received to date. Mr. Coolidge questioned if Mr. Hopkins had received any complaints about the roads around Park and Marble Streets and the Country Club Road. Mr. Hopkins stated there was a complaint regarding the work initially done on the Country Club Road and Marble Street. Mr. Coolidge hoped that the Water District would take care of them. Mr. Hopkins stated they were put in touch with VTrans and there is a plan.

Mr. Hopkins reported the Sanderson Bridge was struck a 3rd time at the town end, but the truck came from the far end and damaged the bridge coming out of it. This is the first time that the driver or vehicle could not be identified and the Town is working with Naylor/Breen to incorporate the repair with the work that they are scheduled to do. The bridge is safe and they can fold the work into what they were going to do on the West end of the bridge. Mr. Hopkins and Mr. Disorda have been discussing different strategies to avoid future damage. There were quotes received for flashing lights but are in the \$40,000 to \$50,000 range.

Doug Bailey asked about the status of the town report. Seth Hopkins advised the town report is at the printer and will be mailed to every household with a registered voter. A digital version of the report will be on the Town's website tomorrow.

Sue Gage stated the school will not be included in the town report this year as they opted not to include their information. Mr. Hopkins reported the Town will carry the cost for all of the postage this year as it used to be a collaborative effort.

Vicki Disorda had asked the Board Chair about having the town employees' salaries put back in the report and questioned the status of this request. Mr. Hopkins stated the salaries were not published, but the information can be made available. Mr. Hopkins advised the Board had voted to not include it for people's privacy but the information can be provided, and the Board can vote to include them in the future. Doug Bailey noted concern that this information can be used when people are stealing people's identities. Sue Gage reported this information was requested by Open the Books Vermont and can be found there. Ms. Disorda asked if the concern for identify theft would be the same for the information in the Board's meeting packet. Mr. Hopkins stated the hourly rate is generally not a verifying question and noted there is a distinction between making information available and publishing it.

5. Community Development Report

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

“. Recreation sponsorship opportunities are opening up for baseball. These range from banners to team naming rights for youth that will be participating in the Randy Adams Youth Baseball League.

. Youth baseball registration will be opening up on February 17th. Will be looking for coaches.

. Ben Wimett from the Vermont Assistive Technology Program/University of Vermont will be moving into the town hall office space this week. He is also assisting with moving all of our heat controls to digital solutions that should allow for the temperatures in these meeting spaces to be more comfortable while also balancing the need to be energy conscious.

. The working group for the event calendar solution met and are closer than ever to having a functional digital solution that will easily transfer to analog.

. The Rutland Regional Medical Center sponsored "Sweating to the Oldies" group has added a second day. In addition to Thursdays at 6pm, there will be a Sunday at 2pm. Both of these are generally held upstairs on the big screen at the town hall and will run through May 1st."

Brian Coolidge asked if the Water District has paid their portion of the water fountain. Bill Moore reported that Jackie Savela has advised that the payment has not been received and she will be contacting them regarding the payment.

6. Reappointment of Otter Creek Communications Union District Rep & Alternate

Seth Hopkins stated currently Peter Werner is the Representative and Bill Moore is the Alternate to the Otter Creek Communications Union District and they are willing to continue serving on this board.

Motion by Heather Nelson/Tim Guiles to reappoint Peter Werner as the Representative and Bill Moore as the Alternate to the Otter Creek Communications Union District. **The motion passed unanimously.**

7. Request for Letter of Support for Grant Application: Walking Path for Solar Fest

Seth Hopkins provided information that was received regarding a request from Solar Fest for a letter of support for a grant application for a walking path that included a map of the proposed path, and a letter of support from both the RRPC and the Downtown Brandon Alliance. Mike Bailey of Solar Fest reported they are applying for a \$50,000 Recreation Trails grant to help connect the downtown to Estabrook Park and beyond. Their segment would start at the florist shop where the sidewalk ends and continue .4 mile avoiding the wetlands and wetland buffer. The trail will cut across the top of the ridge that would provide magnificent views of the mountains and downtown Brandon. It would provide natural beauty and a safe path away from traffic and was found to be part of Brandon Greenways project. The RRPC and Downtown Brandon Alliance have provided letters of support. Tim Kingston reviewed the property due to the sewer right of way and there would be no problem with accessing the sewer for maintenance. Bill Moore has been working on an MOU to allow for obtaining private funding.

Heather Nelson asked if there would be a Town match required. Mr. Bailey stated there is a 20% match from Solar Fest but nothing from the Town. They are contributing \$10,000 in labor and support, plus some other grants. Mr. Bailey stated this would end at Steinberg Road. There is a commitment from Elemental Partners who are planning a road using the existing 50 feet that will put them within 80 feet of Estabrook Park. Mr. Bailey noted the path will be for non-motorized bikes and walking and there is a plan for ADA compliance. Solar Fest will be responsible for maintaining the path and will be part of the MOU. Karen Rhodes asked if it includes electric bikes and Mr. Bailey confirmed electric bikes are not considered motorized.

Motion by Tim Guiles/Heather Nelson to authorize the Town Manager write a letter of support for the walking path for SolarFest. **The motion passed unanimously.**

8. Update on Contact with Pittsford Select Board re: Carver Street

Doug Bailey reported that Ralph Ethier and he met with the Pittsford Select Board last Wednesday about the dumping on Carver Street. They advised that they had discussed something similar to what this Select Board had discussed regarding cameras. They are agreeable to signage if that were to be done, with fines assessed. Dave Mills had some suggestions in certain areas of the road that Mr. Bailey was not familiar with. There are some places the town could shut off access to so that vehicles cannot get close for dumping. Mr. Bailey stated in driving the area there is the usual array of mattresses, refrigerators, shop vacs and a truck cap and was amazed at how much is being dumped in this area. It was agreed that lines of communication will be kept open in trying to find solutions to this problem. Ralph Ethier stated Mr. Mills is also concerned that his field is being used for target practice and people are leaving glass bottles in the field.

Karen Rhodes asked if it is the State's responsibility to remove the garage. Mr. Bailey advised the State is not responsible for picking up trash on a town road. Isiaah Webb noted he agreed with everything Mr. Mills had said at the meeting and his suggestions are a good starting point. Tricia Welch thought the situation is only going to get worse due to the reduced police force in Town. Vicki Disorda stated the Pittsford Select Board thought that the Town paid an excessive amount for the

garbage removal and suggested looking into different places to take debris if it should happen again. Mr. Bailey noted there were additional costs in the removal discussed. Mr. Hopkins advised there were disposal fees and hours of equipment and staff for the removal. Ralph Ethier stated it was \$140/ton to dispose of it but at the meeting it was not known how much was removed. Mr. Bailey stated it cost more than \$1,000 and there was not a direct quote of what was spent. Trash should not be dumped but has always been dumped in this area. Mr. Bailey noted that Mr. Mills removed himself from the Board table and advised he has been cleaning up trash for as many years as he has been there and wishes that he didn't have to, but realizes as the major landowner that he has to do it to be able to cut and bale hay. Heather Nelson stated it had been discussed about blocking some of the parking places and it is good to know that Pittsford was thinking the same thing. Ms. Nelson suggested if the issue is the cost for people that the Town could brainstorm supporting people to get rid of things that they cannot afford to get rid of. Vicki Disorda noted people that are not from here are also abusing the land and it is not just a local dumping issue. Bill Moore stated the Town is looking into options and noted all landowners in that area are in favor of either closing or controlling it as people are utilizing their land without permission that is not respectful and closing the road would curb that if people could either walk, bike or ATV into the area. Sue Gage noted she walks that area and there is one section where there is about 150 tires if you walk further off the road. She likes the idea of gating it as it is a lovely area, except for the trash. Mr. Webb stated there is also the issue of people shooting on Mr. Mills' land because they are not just shooting in that area but across the creek. Mr. Bailey stated they do not have permission to shoot but are leaving their litter and the glass and Mr. Mills would like not to have to deal with the problem. Patrick Snow stated Mr. Mills was not told about a path and was not in favor of changing the classification of the road.

9. Update Employee Blanket Payroll Authorization

Motion by Tim Guiles/Brian Coolidge to approve the updated employee blanket payroll authorization. **The motion passed unanimously.**

10. Public Comment and Participation

Brian Coolidge stated with regard to the ethics and conflict of interest discussion, he felt that the complaints should go to the elected State Representative and not the Select Board. Seth Hopkins advised that it has to be an officer, group, or employee of the Town according to the VLCT guidance because it is their intent for the town to handle the initial receipt and processing of the ethics complaint. Sandy Mayo spoke with the Director of the State's Ethics Commission and if there is a complaint, one can take it to the legislature as they deal with those issues. Mr. Hopkins advised the Town cannot designate someone who is not an officer of the Town. Ms. Mayo stated if there is an issue she was advised that one could go to the representative. Mr. Hopkins reported the State requires the Town to designate an officer, group, or employee of the Town. Ms. Mayo suggested it would be good to clarify whether you can go to your representative or not. Doug Bailey stated when discussing this subject, it was felt that the largest number of complaints would likely come in against the chair or the town manager and that is why it was decided that one could talk to any member of the Select Board and all complaints get passed on to the State that come in. Mr. Hopkins noted it is designed to be handled in the towns first. Tim Guiles stated it was a requirement to appoint the designees by January 31st.

Cecil Reniche-Smith stated it is a lot like HR in employment. She noted it was discussed at the last meeting that sometimes the person you are reporting to is the person you are reporting about, but you can go around them in those instances. This process allows for having designated people, but if someone has a problem with the entire board one could also take it to your elected representative. She is all for filing the report to the designee, but the state representative could also be copied.

Brian Coolidge noted his disappointment with the school district and found it fiscally irresponsible for the school to opt for a separate report. Tim Guiles stated the school district had other needs in creating a book from what could be included in the town's report and hoped that in future years there could be collaboration with the school district. Doug Bailey was disappointed that the decision was at the last hour in finding out the school was not going to be included as it held up the publication of the town's report.

Tricia Welch understood the Town in the past voted to make Brandon a town to accept cannabis stores and the State requires the town cannot restrict the number. Ms. Welch asked if the Town could have another vote and what the process would be. Seth Hopkins advised there would have to be another Australian vote and if successful, the ones currently in Town would be

grandfathered. Ms. Welch asked if people want another vote, would it be for the next town meeting. Sue Gage stated there would have to be a 5% petition completed and that could prompt a special meeting, however, the time has passed for this year's town meeting. Mr. Hopkins reported the State is not issuing new licenses for retail shops and the most recent ones approved were applications that were started and in progress prior to the hiatus.

Isaiah Webb noted he grows his own personal cannabis and one can give seeds away or sell them. He is giving away free seeds to Rutland County and there is no license needed for giving them away.

Ray Marcoux questioned Mr. Hopkins about his conversation he had with him about the police at the Union Street Store. Mr. Hopkins spoke with the Chief and the officer did not say he was there the length of time that Mr. Marcoux indicated he had observed. Mr. Marcoux also asked about the about the snow removal for the steps of the Ayrshire building. Mr. Hopkins advised he spoke with Public Works about the steps in front of the building and it will require hand-shoveling and it has been suggested the Town clear a portion of the steps.

Heather Nelson reported there is Narcan and fentanyl test strips available at the town office and at the library, with no questions asked.

Bill Moore stated there is a special budget presentation meeting scheduled for Thursday at 7PM.

The Select Board recessed at 8:01PM.

The Select Board reconvened at 8:13PM.

Motion by Heather Nelson/Brian Coolidge to enter into executive session at 8:13PM 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 Management Team and Town Clerk **The motion passed unanimously.**

11. Executive Session

The Board came out of executive session at 8:36PM. There were no actions required.

Motion by Heather Nelson/Brian Coolidge to find that premature general public knowledge of the pending contract negotiation with New England Police Benevolent Association Local 422 will clearly place the Town of Brandon at a substantial disadvantage by disclosing its negotiation strategy. **The motion passed unanimously.**

Motion by Heather Nelson/Ralph Ethier to enter into executive session at 8:37PM to discuss the Town's pending labor relation agreement with New England Police Benevolent Association Local, per 1 V.S.A. 313(a)(1)(b) for labor relations agreements with employees, to include the Town Management Team. **The motion passed unanimously.**

12. Executive Session

The Board came out of executive session at 8:57PM. There were no actions required.

17. Adjournment

Motion by Brian Coolidge/Tim Guiles to adjourn the Select Board meeting at 8:57PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary