NOTICE OF ANNUAL TOWN MEETING

Warning

TOWN OF BROWNINGTON ANNUAL TOWN MEETING

MARCH 5, 2024

The legal voters of the Town of Brownington, Vermont, are hereby notified and warned to meet at the Brownington Central School in Brownington Center in the Town of Brownington, Vermont, on Tuesday, March 5th, 2024, at ten o'clock in the forenoon to transact the following business, viz:

1. **To elect a moderator.**
   Angie Falconer nominated Eileen Baker. Brandy Robillard seconded. Mark Hastings made a motion to cease nominations and instruct the clerk to cast one ballot for Baker. The motion was seconded by Angie Falconer and carried by voice vote.

2. **To hear and act upon the reports of the Town Officers.**
   Beverly White notified all that there are two errors in the warning. One is the General Expenses budget. It was anticipated $36,000 income but real will be $28,000 for a total budget of $187,730 for General Fund. The other article is the Highway Budget – the new truck was not included. The payment was $17,932.81 so the actual total is $516,851.81.
   Mark Hastings notes that on page 6, the name Jacob "Woods" should be Jacob "Wolff".
   Angie Falconer made a motion to accept the reports of the Town Officers with these corrections. The motion was seconded by Brandy Robillard and carried by voice vote.

3. To elect the remaining Town Officers as provided by statute:

a. A Selectman for a term of three years.
   Angie Falconer nominated Mike Glodgett. David Laclair seconds the motion.
   Brandy Robillard made a motion to cease nominations. Angie Falconer seconded the motion.
   Bev White made a motion to permit the town clerk to cast 1 ballot for Mike Glodgett. The motion is seconded by Angie Falconer and carrier by voice vote.

b. Shall the voters authorize the selectboard to appoint a Town Clerk as provided in 17 V.S.A § 2651e?
   Angie Falconer made a motion to do so. Brandy Robillard seconded this.
   Barbara asked if this would mean the Town Clerk could be a nonresident of Brownington. Bev White confirmed that an appointed Town Clerk could either be a resident or not a resident.
   Laura Kross raised the opinion that a Town Clerk should be an elected position.
   Angie Falconer raised the opinion that it is important that a Town Clerk have the best qualifications regardless of location.
   Chris Myott stated he has concerns regarding how the Selectboard will administer this position; ie is there a job description in place and/or disciplinary processes? He stated he believes that Selectboard should not govern the Town Clerk, Treasurer, etc positions, especially considering that the Selectboard approves Treasurer reports. He believes the two entities should be separate.
   Laura Kross stated that election allows for the people's choice rather than the Selectboard's choice of a candidate.
   Ray Dauphinas stated he also thinks the most qualified person for the job should be chosen.
   Brandy Robillard stated that the Selectboard members are elected by the people and thus should be trusted to do what is best for the town.
   Bev White stated there were 4 months without a town clerk and prior town clerk Val Faust helped greatly in coverage as well as herself. She did not feel she should be put in that position again. She does not feel that

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the board would have any greater authority over an appointed person than an elected person, and the job description would stay the same.
Bill Davis stated that the Town Clerk office must run smoothly. He worries that using the election method may be harder to fill the position every 3 years. He states that due to the gap in a Town Clerk they lost out on funds/grants that they may otherwise have gained. He wants consistency and thinks appointment would yield better consistency.

Ray Dauphinas asked if this would be a 5 day or 4 day position. Eileen Baker clarified the job description will not change and that the motion on the floor is only to authorize the appointment of the Clerk role which would permit a Clerk who is not a resident of Brownington. The motion on the floor is not to change anything about the actual role.
Barbara Postman asked for clarification on "appointed", versus 'hired'. She asked if this means the position would not be under the authority of the Selectboard. Eileen Baker stated nothing will change regarding the position or authority of the position.
Terry Curtis asked who would determine the hours if the role changed to appointed. He also asked what the total pay is for the clerk. Bev White stated the two positions Clerk and Treasurer have been combined due to the appointment of Jason and Jason agreed to keep the same hours as prior clerk Val. Terry asked if they would want to hire two separate people to which Bev stated she does not know.
Laura Kross stated since those are two financially valuable positions in the town and both very difficult positions, they should be two separate positions.
Chris Myott stated what he is hearing does not make sense as the Selectboard seems to be saying that the position will be a Town Employee but that the Town Clerk/Treasurer can still set their own hours. He stated it cannot be both ways; either this will be an appointed employee or not. He also asked if this authority is granted, what is the plan for the current appointed Clerk Jason? Eileen Baker responded this would be a personnel issue and cannot be publicly discussed.
Tricia Morley asked if the appointed position becomes the Selectboard's jurisdiction, who would be responsible for termination of the employee? Bev White stated if the appointed person may be unqualified for the position, the Selectboard could ask them to step down, and if refused, could ask for a hearing that the townspeople would be involved in.
Angie Falconer made a motion to call the question. Roger Schultz seconded.
Chris Myott requested a paper ballot and at least six others agreed, which is the amount needed for paper ballot vote requirement.
Paper Ballot Vote #1
YES (appoint)…..46
NO (elect)…….33
Total……79
The motion to authorize the Selectboard to appoint a Town Clerk carried.

c. Shall the voters authorize the selectboard to appoint a Town Treasurer as provided in 17 V.S.A § 2651f?
Angie Falconer made a motion to do so. Mark Hasting seconded the motion. Angie Falconer asked if this item goes to a paper ballot vote, can 'c' and 'd' be voted together? Eileen Baker stated that is not possible.
Chris Myott reiterated, especially for this position of treasurer, that he does not believe the Selectboard should oversee the position.
Angie Falconer made a motion to call the question. The motion was seconded by Brandy Robillard and carried by voice vote.

d. Shall the voters authorize the selectboard to appoint a Collector of Delinquent Taxes pursuant to 17 V.S.A §2651d?
Angie Falconer made a motion to do so. Brandy Robillard seconded this.
Terry Curtis asked if the Selectboard will appoint a Clerk, Treasurer, and Tax Collector, is there any discussion on whether this would be one, two, or even three people? Bev White stated she doesn't know.

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Terry asked what the 'vision' would be. Bev stated this would be based on qualifications, and that the best people should be in the positions.
Joann Farrar asked for clarification regarding the earlier item of a hearing resulting from dissatisfaction with qualifications; would a hearing be legally binding, and what would any disciplinary matters be in the case a person did not step down when asked? She asked if the Selectboard has done that research on the process.
Bev White stated she only just found out about this process and has not done further research.
Joann Farrar asked if we know of any other towns that take this approach.
Bev White stated she knows another town is leaning this way. Albany did do this method as they had no in town qualified people. Eileen Baker stated she knows that some larger towns are hiring Town Managers rather than Town Clerks.
Barbara Postman states that a statement of intent regarding what they are looking for, ie one position vs three, etc in the interest of transparency would be appreciated. Eileen Baker stated this is not under the current motion but notes the comment was made
Terry Curtis said we have a town clerk now and asks if he will be kept in position. Bev White stated that is a personnel discussion which cannot be opened to the public.

Bill Glodgett asked if this would mean this position can also be opened to people outside of town.
Bev White stated she would prefer to have someone in town but wants the most qualified person.
Terry Curtis asked when the change would take effect. Bev stated if this is voted today, it will take effect in 45 days.
Angie Falconer made a motion to call the question. The motion is seconded by Marilyn Martinez and carried by voice vote.
Jeannette Poirier added post the motion that she has been working with Jason since October and he has accomplished much in that period of time. She believes Jason has done an incredible job.

NOTE If articles B, C and D are approved by the voters article 3E, 3F and 3G will be Disregard

e. Town Clerk for the remaining one year of a three-year term - SKIP
f. Treasurer (3 years) – SKIP
g. A Delinquent Tax Collector - SKIP
h. One Lister for a term of three years.
   Angie Falconer nominated Larry Chase. Brandy Robillard seconded it. Angie Falconer made a motion to cease nominations and instruct the clerk to cast one ballot for Chase. The motion was seconded by Roger Schultz and carried by voice vote.
i. One Cemetery Commissioner for a term of three years.
   Angie Falconer nominated Jason Gonyaw. Cecile Curtis made a motion to cease nominations and instruct the clerk to cast one ballot for Gonyaw. The motion was seconded by Angie Falconer and carried by voice vote.
a. A First Constable.
   Geoffrey Falconer nominated Cameron Falconer. Angie Falconer seconded it. Bev White made a motion to cease nominations and instruct the clerk to cast one ballot for Falconer. The motion carried by voice vote.
b. A Second Constable.
   Angie Falconer nominated Renee Falconer. Geoffrey Falconer seconded it. Angie Falconer made a motion to permit the town clerk to cast 1 ballot for Falconer. The motion was seconded by Marilyn Martinez and carried by voice vote.
c. One Auditor for a term of three years.
   Mark Hastings nominated Barbara Thompson. Angie Falconer seconded it.
   Angie Falconer made a motion to permit the town clerk to cast 1 ballot for Thompson. The motion was seconded by Cameron Falconer and carried by voice vote.

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d. One Planning Commissioner for a term of three years.
Angie Falconer nominated Liz Butterfield but group is notified Liz has resigned.
Barbara Postman nominated Amey Dettmer.
Angie Falconer made a motion to permit the town clerk to cast 1 ballot for Dettmer. The motion was seconded by Bill Davis and carried by voice vote.

e. One Planning Commissioner for a term of three years.
Angie Falconer nominated Mark Hastings.
Angie Falconer made a motion to permit the town clerk to cast 1 ballot for Hastings. The motion was seconded by Rebecca Roman and carried by voice vote.

f. One Planning Commissioner for a term of three years.
Barbara Postman nominated Kate Wolff.
Lisa Hinton made a motion to permit the town clerk to cast 1 ballot for Kate Wolff. The motion is seconded by Angie Falconer and carried by voice vote.

p. One Waste Management Committee member for a term of two years.
Cameron Falconer nominated Charles Batchelder. Angie Falconer seconded it.
Angie Falconer made a motion to permit the town clerk to cast 1 ballot for Charles Batchelder. The motion is seconded by Bill Davis and carried by voice vote.

4 **To see if the voters will let the Cemetery Commissioners appoint the Cemetery Sextons.**
Angie Falconer made a motion to approve. The motion is seconded by Rhoda Margolla and carried by voice vote.

5 To see if the voters will give the Selectmen the authority to appoint the remaining officers, namely: two (2) Town Grand Jurors, One Town Agent, Pound Keepers, Fence Viewers, and Tree Warden and Inspector of Wood, Lumber &Shingles.

Angie Falconer made a motion to approve. The motion is seconded by Brandy Robillard and carried by voice vote.
Bev White notes if anyone is interested in these positions, they should come to the Selectboard.

6 **Shall the Town appropriate $179,730.00 to defray the general expenses of the Town?**
Angie Falconer made a motion to approve. Cameron Falconer seconded it.
Angie Falconer made a motion to amend the amount to $187,730.00 and Kate Wolff seconded this.
Tim McCoy stated the budget last year was $171,000.00 and so how did it up go by this amount? He noted the new town clerk or treasurer position is going up by $8000 and there is $4700 in misc. expenses in the office on page 27. What is this for? Bev White stated this was for the new roof. Tim asked why wasn't that put into the budget beforehand and Bev stated that was budgeted for. Tim asked how a mistake of this magnitude got missed in the report.
Bev stated she takes responsibility for the mistakes in the town report. She stated that she has never done a town report before in 11 years. It was anticipated town would have $36,000.00 in anticipated revenue, but after reviewing there was only $28,000.00 in anticipated income and is the difference.
Terry Curtis asked where the anticipated revenue come from. Bev White stated to see page 30 Anticipated Income and reads those amounts from the Town Report.
Larry Chase stated that Bev should not take all the fault as there are two other selectboard members and one brand new town clerk/treasurer who should have been doing their jobs. Eileen Baker reminded everyone to talk about the issue on the floor and not people.
Vickie said the town is asking us to pay more every year. She states seniors like herself and those on a fixed income can't afford to pay more on taxes nor ask the government for more money.
Bev White stated part of the budget increase was an insurance stipend and raises for town workers, which

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means more social security and unemployment costs. She stated all costs have increased whether at the gas station or the grocery store.
Mike Glodgett stated much of it is out of our hands as the state mandates some things.
Tim McCoy asked if this number can be amended to $175,000.00. There was some confusion on whether or not it is permitted to amend or not at this point in the motion.
Once reviewed, Eileen Baker stated Tim McCoy is making an allowable motion to amend the amount to $175,000. Vickie seconded it. A paper ballot is called for and approved by at least six people

Paper Ballot Vote #2
YES (secondary amendment passes)…....26
NO (secondary amendment fails)…….47
Total……73

The secondary amendment to the number fails and the open motion returns to discussion of $187,730.00.
Marilyn Martinez states she understands the categories that have gone up such as Fire and Ambulance. She stated she finds it very important to keep these services and can understand the need.
Jane Greenwood stated she has been to multiple town meetings and she admires and respects how much the numbers are reviewed by the group with everyone's taxes in mind.
Voice vote on the number of $187,730.00 for General Budget and the motion carries.

7 Shall the Town appropriate $498,928.00 for highway purposes?

Angie Falconer made a motion to approve. Larry Chase seconded it.
Angie Falconer makes a motion to amend the amount to $516,851.81. Cameron Falconer seconds the motion and it is carried by voice vote.
Motion opens for discussion. Angie Falconer noted this is the first year her father said the roads are good.
Mark Hastings wanted to ask why town is buying new trucks without voter approval. He states leasing would be a good idea
Bev White stated we are leasing the truck and all equipment. All equipment is bought at end of lease for $1.00.
Terry stated he understands leasing but there is no reason equipment needs should not be brought up before the townspeople.
Bev White says we replaced one vehicle last year and are in the process of replacing another one. Trucks are 7 years old. We have been putting money into the trucks and need to replace them, and leasing is the best way to go.
Cecile Curtis stated she is appreciative of the road crew being out in the mornings to clean/maintain roads when she needs to get to work. She asked if there are better materials that could be used for the roadwork.
Laura Kross also complimented the road crew for doing a wonderful job. She also noted there is a big disparity between roads that are fixed and roads that are not, and also agreed there should be better materials. She asked if the road crew is able to get materials they need and are they involved in creation of highway budget.
Road Foreman Geoffrey Falconer stated he was not present at the highway budget meeting.
Brandy Robillard mentioned that when the budget is being discussed at town meetings many people are not able to attend.
Eileen Baker reminded everyone that the open, current motion is regarding the number and discussion should remain on that topic.
Angie Falconer called the question and Cameron Falconer seconded it. Voice vote on the number of $516,851.81 and the motion carries.

8 To see if the voters will authorize the Selectmen to hire money in anticipation of taxes.

Angie Falconer made a motion to approve. The motion is seconded by Rebecca Roman and carried by voice vote.

9 To see if the Town will vote to pay the necessary premiums on bonds for its officers who are required by law to furnish bonds.

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Marilyn Martinez made a motion to approve. The motion is seconded by Mark Hastings and carried by voice vote.

10 **Shall the Town authorize the Town Treasurer, pursuant to 32 V.S.A. § 4791, to collect real and personal property taxes with a due date of November 15th, 2024, to be delivered in person or by mail to the Town Clerk's Office by the close of office on said day? If town votes to do so, shall overdue taxes bear interest at a rate of (1%) one percent per month or fraction thereof for the first three months and thereafter (1½%) one and one-half percent per month or fraction thereof from the due date of such tax pursuant to 32 V.S.A. § 5136, and penalty charged by the collector of delinquent taxes for payments made after the due date at (8%) eight percent of the tax collected pursuant to 32 V.S.A. § 1674(3)(A)?**
Brandy Robillard made a motion to approve. The motion is seconded by Larry Chase and carried by voice vote.

NOTE: TAXES WILL BE DUE ON OR BEFORE 11/15/2024. TAXES WILL BE DELINQUENT AFTER 11/15/2024 POST MARKS & POST-DATED CHECKS NOT ACCEPTED AS ON TIME PAYMENTS

11 **Shall the Town appropriate the sum of $15,372.00 to the Orleans County Sheriffs Department for law enforcement services and to direct the select board to assess a tax over and above the budget sufficient to meet the same? This will be used for routine patrols, answering complaints, and investigating incidents. It will also cover administrative expenses including salaries, vehicle, benefits, liability insurance, maintenance, and fuel.**
Brandy Robillard made a motion to approve. Rebecca Roman seconded it.
Ray Dauphinas asked what "over and above" means and it is clarified this number is over the budget number listed.
The motion is carried by voice vote.

12 **Shall the Town of Brownington vote to raise, appropriate, and expend the sum of $1,750.00 for the support of Rural Community Transportation, Inc. (RCT) to provide services to residents of the Town, and direct the Selectmen to assess a tax sufficient to meet the same?**
Brandy Robillard made a motion to approve. The motion is seconded by Rhoda Margolla and carried by voice vote.

13 **Shall the Town of Brownington vote to raise, appropriate, and expend the sum of $900.00 for the support of Northeast Kingdom Council on Aging to provide services to residents of the Town, and direct the Selectmen to assess a tax sufficient to meet the same?**
Brandy Robillard made a motion to approve. The motion is seconded by Mark Hastings and carried by voice vote.

14 **Shall the Town of Brownington vote to raise, appropriate, and expend the sum of $1976.00 for the support of Northeast Kingdom Human Services, Inc., a not for profit 501(c)(3), to provide needed services to residents who cannot otherwise afford care, and direct the Selectmen to assess a tax sufficient to meet the same?**
Rebecca Roman made a motion to approve. The motion is seconded by Brandy Robillard and carried by voice vote.

15 **Shall the Town of Brownington vote to raise, appropriate, and expend the sum of $700.00 to Umbrella, Inc. to provide service to residents of the town, and direct the Selectmen to assess a tax sufficient to meet the same?**
Brandy Robillard made a motion to approve. The motion is seconded by Rebecca Roman and carried by

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voice vote.

16 **To see if the Town will vote to appropriate the sum of $2,500.00 to the Orleans-Essex VNA & Hospice, Inc. for the home care services of the Agency and Hospice program, and direct the Selectmen to assess a tax sufficient to meet the same?**
Brandy Robillard made a motion to approve. The motion is seconded by Ray Dauphinas and carried by voice vote.

17 **To act upon any nonbinding business that may legally come before said meeting.**
Recess for lunch; adjourn until 12:35PM.
Eileen Baker noted multiple people have requested a Selectboard meeting that occurs at night as people are often busy in the morning. This request had been made in prior years.
Brandy Robillard stated that maybe a 6PM or evening meeting would be very helpful.
Jane Greenwood would like the Board to comment.
Mike Glodgett stated he would be open to trying it and seeing attendance rate. He stated he will try one meeting in the evenings and stated there was good turnout at the morning meetings.
Cecile Curtis stated there should be balance between people able to attend in the morning and people able to attend in the evening.
Brandy Robillard stated that there is a group email that goes out from the clerk which includes agenda and minutes. She thanks Jason for having her on the list. There is a sign-up sheet available today and always on the website for those who may want to join the mailing list.
Bill Davis spoke about NEK Broadband, community based non profit supplying high speed fiber optic cable to the NEK. They placed 200 miles of cable in the last 2 years. Next year close to 400 miles of construction and it is coming to Brownington and other underserved communities. People can sign up at the table and get more information.
Bev White stated the traffic ordinance is being worked on. The petition for it in the prior year failed. The attempt is to get a speed limit established in Brownington of 35mph on all town roads.
Brandy Robillard stated she is in favor of the idea and it should have been done years ago. She likes to bicycle with her children and there have been multiple times she had scared by unsafe drivers.
Sue Cloutier stated she is opposed to the idea. She stated her house is on a straightaway. She has sat in her yard and watched cars go by and thinks the hay trucks go much faster. She walks on the road regularly and has no worries about her children in the yard. There are people who could be more courteous while driving, but she does not think a speed limit or sign will stop people from driving the speed they are going to drive. It would be a lot of money and time.
Rebecca Roman asked about article 6 of the paperwork enforcing parking/no parking. Her concern is that someone who cannot afford to pay may also lose their vehicle over this.

18 Donna Hatcher stated she wanted to address the issue of enforceability but noted that nothing can be enforced without a speed limit. She documented through research that Brownington is the only town in NEK without a speed limit. There are 29 roads in Derby that are 25mph.
Ray Dauphinas stated there is a list of 18 intersections. Do we need to buy stop signs for all these?
Selectboard stated those are all already posted.
Kate Labor stated there are cars who drive very fast by her house. She thinks that putting signs up would help.
Debbie stated she worries the Article 6 Rebecca Roman was talking about would bring added expenses to the town. She also stated that the Old Stone House should look further into planning road control when they have events and many people crossing the road.
Cecile Curtis stated that at any given time people are driving 60-70 mph past her house. There are also many manure trucks driving very fast and she has previously reported them to police. She does not believe a speed limit will control anything.

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Eileen Baker noted that without a sign, state police cannot enforce a speed limit lower than 50mph.
Brandy Robillard stated that in order to enforce and hold accountable signs must be a certain amount of miles apart. Also, if someone is driving 60-70mph in an area posted for 35mph there is a much higher penalty as well.
Cecile also asked if there could be a mirror or sign coming up the hill on Hinman/Frog Pond as it is very difficult to see oncoming traffic.
Mark Hastings stated he would encourage people to pass the speed limit. There are a lot of Amish in town which is a large risk factor. He also noted that gravel maintenance is affected by speed as faster driving pushes gravel out of the roads. It would mean less grading and maintenance time for the road crew. He stated he has spoken to the police and they stated they could not enforce unless there was an ordinance.
Bev White stated there is legislature being worked on now to make a statewide ordinance of 35mph. If this does go through fewer signs would be needed.
Eileen Baker stated that post adjournment Jane Greenwood will speak regarding the Brownington Trust and Deb Brunelle will be speaking on school matters.

19 To adjourn.

Mark Hastings made a motion to adjourn. The motion is seconded by Donna Dauphinas and carried by voice vote. Meeting adjourned at 1:15 PM.

As of March 5th, 2024, there were **734** of registered voters in Brownington and **106** were checked off as having voted during the town meeting.

Respectfully submitted by:
Jason Morton, Town Clerk
Eileen Baker, Town Moderator

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Bev White, Chairperson

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Bill Falconer

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Mike Glodgett

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