

Brandon Board of Sewer Commissioners Meeting
June 12, 2017
7:00 p.m.

The Brandon Board of Sewer Commissioners will meet Monday, June 12, 2017 immediately following the Select Board Meeting at 7:00 p.m. at the Brandon Town Hall located at 1 Conant Square expecting to consider the items noted on this agenda. Agendas shall be posted on the community bulletin board located at the Town Office at 49 Center Street and on the community bulletin board located between Dave's Grocery and the Forest Dale Post Office. The Select Board reserves the right to add additional items, if necessary, at the beginning of the meeting.

- 1) Call to Order
 - a) Agenda Adoption

- 2) Consent Agenda
 - a) Sewer Commissioners Minutes – March 13, 2017

- 3) Consider Penalty and Interest for Late Sewer Payments

- 4) Consider Purchase Orders
 - a) P.O. 44583 to Allen Engineering for Sodium Hypochlorite - \$14,450.00
 - b) P.O. 44587 to City of Rutland WWTF for Processing of Sludge- \$49,140.00
 - c) P.O. 44582 to Holland Company, Inc. for Sodium Aluminate - \$15,300.00
 - d) P.O. 44584 to Holland Company, Inc. for Sodium Bisulfite - \$16,,500.00

- 5) Adjournment

Brandon Board of Sewer Commissioners Meeting
March 13, 2017

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

In Attendance: Doug Bailey, Seth Hopkins, Brian Coolidge, Devon Fuller

Others In Attendance: Dave Atherton, Bernie Carr, Richard Baker, Anna Scheck, Dick Kirby, Lee Kahrs, Brent Buehler, Jan Coolidge

1. Call to Order

The meeting was called to order at 7:11PM by Doug Bailey - Chair.

a. Agenda Adoption

Motion by Seth Hopkins/Devon Fuller to adopt the agenda as presented. **The motion passed unanimously.**

2. Consent Agenda

a) Minutes of Board of Sewer Commissioners of February 27, 2017

Motion by Seth Hopkins/Devon Fuller to approve the minutes of the February 27, 2017 Board of Sewer Commissioners meeting. **The motion passed unanimously.**

3. Consider Champlain Street Pump Station Project Bond Anticipation Note

4. Consider Champlain Street Pump Station Project Grant Anticipation Note

Sue Gage stated as previously discussed at the last Select Board meeting, the Town has gone with Merchants Bank due its experience with USDA lending. There was a bond for \$499,000.00 and a grant for the remainder that are two separate loans. The Town is required to spend its funds prior to reimbursement from the USDA, which will result in a cash flow need. The interest on the anticipation note, if needed, will be the Town's expense. The loan will only be used if it is necessary. Seth Hopkins asked if the Wastewater funds are separate from the Town's financing. Sue Gage advised there is only one main account and the Wastewater Funds do go through that account, however, the funds for Wastewater are known.

Motion by Seth Hopkins/Devon Fuller to sign the Champlain Street Pump Station Project Bond Anticipation Note and the Champlain Street Pump Station Grant Anticipation Note as presented. **The motion passed unanimously.**

5. Adjournment

Motion by Devon Fuller/Seth Hopkins to adjourn the Board of Sewer Commissioners' meeting at 7:16PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary

Re: Penalty for late sewer payments

From VLCT "Handbook for Delinquent Tax Collectors":

WATER/SEWER DELINQUENCIES

Delinquent water and sewer charges create liens against the property and can be collected in the same manner as delinquent property taxes. 32 V.S.A. §§ 3504, 3612, 3306, 3408.1 This means that the delinquent tax collector can use any of the collection methods available to collect these delinquencies. In fact, many collectors simply add these charges to the delinquent taxes owed by the taxpayer so that he or she only needs to conduct one tax sale or other collection proceeding to collect both the outstanding property taxes and the outstanding water/sewer charges. However, even when one consolidated collection action is taken against a delinquent taxpayer, the tax collector's records must separately record all payments and collection of the delinquent water and sewer charges, interest and penalties since these monies must be remitted to the treasurer for deposit into the sewer fund. F.

INTEREST AND PENALTIES

1. Interest. Towns may vote on a warned article at town meeting to charge interest on overdue taxes. 32 V.S.A. § 5136. The amount of interest charged by a town may not exceed one percent per month for the first three months and one and a half percent per month thereafter. The statute also provides that interest must be applied to a fraction of a month as if it were an entire month. This means that if taxes are due on August 1, there will be a full one percent interest applied as of August 2, since that one day is a fraction of a month. Towns that have installment payments may vote to charge interest on overdue installments in the same manner and rate as discussed above. The town may decide whether the interest will begin to accrue after the due date of each installment, or only after the due date of the final installment. 32 V.S.A. § 4873. Naturally, most towns that have adopted an installment method of tax payment have opted to charge interest from the due date of each installment in order to encourage the prompt payment of the tax installments. Note that interest begins to accrue as soon as a payment is late. If the tax becomes delinquent because of nonpayment by the final due date, the delinquent tax collector may charge interest on the overdue taxes beginning from the date that the payment became late. 32 V.S.A. §§ 4873, 5136.

2. Penalty. According to statute, the collector of delinquent taxes may charge a commission of 8% on the amount of the taxes owed. This commission is often referred to as the collector's fee, or penalty. The collector of delinquent taxes has discretion to charge a commission from zero up to a maximum of 8%. 32 V.S.A. § 1674(2). This commission can also be changed by the voters. The voters may reduce the commission, provide for a grace period, or provide for a graduated commission schedule. 32 V.S.A. § 1674(3). If the delinquent taxes are paid before the issuance of the warrant, the penalty and interest must also be collected. 32 V.S.A. § 5142. When taxes are paid in installments, no penalty may be assessed until after the final installment is due. This is in contrast to interest, which begins to accrue after each installment date. In most instances, the collector may waive the commission, or portion of the commission, if the collector chooses to do so. However, if the collector is paid by salary or other compensation in lieu of the commission, the collector must collect the commission and turn it over to the treasurer at least once a month. 24 V.S.A. § 1530. Likewise, the collector has no discretion regarding

interest. If the town has voted to collect interest on overdue taxes, that interest must be collected. Where the town has voted to have the town manager collect taxes, he or she may collect the same fees and those fees must be paid into the town treasury. 24 V.S.A. § 1236 (10). It should also be noted that some charters specifically provide for acceleration of future installments upon any installment delinquency, with interest and penalty accruing retroactively to the date of delinquency. From Vermont Statutes Annotated:

Title 24 : Municipal And County Government

Chapter 097 : Sewage System

(Cite as: 24 V.S.A. § 3504)

• § 3504. Charges, enforcement

(a) The property owner or group of property owners using the sewage system shall be liable for the rent fixed as provided by sections 3507, 3615, and 3616 of this title. The charges, rates or rents for such sewage system shall be a lien upon the real estate furnished with such service in the same manner and to the same effect as taxes are a lien upon real estate under section 5061 of Title 32 and shall be an assessment enforceable under the procedures in subsections (b), (c), or (d) of this section, or a combination of these procedures.

(b) When an assessment remains unpaid for a period of 30 days, the treasurer of the municipality may issue a warrant for its collection directed to the collector of taxes, who shall have the same power to enforce the collection and shall proceed in the same manner as provided by law for the collection of taxes under subchapter 9 of chapter 133 of Title 32.

(c) When the ratepayer fails to render payment for a valid bill or charge within 30 days of the postmark on the bill or by the due date, the appointed and elected officials may proceed with collection of the delinquency as provided in chapter 129 of this title.

(d) When an assessment remains unpaid for two years the municipal officials may proceed to enforce the lien as provided in 32 V.S.A. chapter 133, subchapter 8.
(Amended 1983, No. 54, § 1; 1987, No. 24, § 1; 1989, No. 45, § 1.)

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TOWN OF BRANDON

49 CENTER STREET
BRANDON, VERMONT 05733
(802)247-3635
FAX: (802)247-5481

PURCHASE ORDER NO.
No 44583
THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS AND ANY OTHER CORRESPONDENCE RELATED TO THIS ORDER.

Fax (802) 665-0015

TO: Allen Engineering
P.O. Box 613
Rutland, Vt. 05702
(802) 775-5952 (800) 649-5952

SHIP TO: Town of Brandon WPCP
500 Union Street
Brandon, Vt. 05733-1193
(802) 247-6730

DATE	DATE REQUIRED	SPECIAL INSTRUCTIONS	ACCOUNT NO.		UNIT PRICE	VENDOR NUMBER	AMOUNT
QUANTITY	DESCRIPTION		ORG.	OBJ.			
6/17/2017						100015 → 100015	
10000 gallons	Sodium hypochlorite 12.5%		20555	50120	1.445/gallon		\$14,450
	Sodium hypochlorite used to kill bad bacteria in clean up wastewater						
	2017-2018	1.445					
	2016-2017	1.68					
	2015-2016	1.72					
	2014-2015	1.585					
	2013-2014	1.635					
	2012-2013	1.595					
	Allen Engineering	1.445					
	Holland Company	no response					
	Surpass Chemical	no response					
	Astro Chemicals	no response					
	Slack Chemical	1.643					
	Univar	no bid					
	JULY 1, 2017 - JUNE 30, 2018						

NOTE: THE TOWN OF BRANDON IS EXEMPT FROM STATE & LOCAL TAXES. TAX EXEMPT #26883. PLEASE NOTIFY IMMEDIATELY IF ANY PORTION OF THIS ORDER CANNOT BE SATISFIED BY THE DATE REQUIRED.

REQUESTED BY Stephan J. Cijan
APPROVED BY _____

TOTAL \$14,450

TOWN OF BRANDON

49 CENTER STREET
BRANDON, VERMONT 05733
(802)247-3635
FAX: (802)247-5481

PURCHASE ORDER NO.
No 44587
THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS AND ANY OTHER CORRESPONDENCE RELATED TO THIS ORDER.

TO: City of Rutland
10 Greens Hill Lane
Rutland, VT. 05701

SHIP TO: Town of Brandon WREP
500 Union Street
Brandon, VT. 05733-1193
(802) 247-6730

DATE	DATE REQUIRED	SPECIAL INSTRUCTIONS	VENDOR NUMBER		
6/17/2017			300375		
QUANTITY	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	AMOUNT	
702,000 gallons	Disposal of Wastewater Sludge	20555 50160	.07/gallon	\$49,140	
	July 1, 2017 - June 30, 2018				
	58,500 gal * 12 months = 702,000 gallons month				
	702,000 * .07 = \$49,140				
	Dumping Fee For Our Sludge At Rutland Wastewater Treatment Plant				
	City of Rutland, VT. .07/gallon				
	Glen Falls, NY no response				
	Washington County, NY no response				

NOTE: THE TOWN OF BRANDON IS EXEMPT FROM STATE & LOCAL TAXES. TAX EXEMPT #26869. PLEASE NOTIFY IMMEDIATELY IF ANY PORTION OF THIS ORDER CANNOT BE SATISFIED BY THE DATE REQUIRED.

REQUESTED BY Stephano C. Cyka
APPROVED BY _____

TOTAL \$49,140

Elaine Smith

From: Waste Water Treatment Plant [wwtp@townofbrandon.com]
Sent: Thursday, June 08, 2017 12:14 PM
To: 'Elaine Smith'
Subject: Fact Sheet on Sludge Dumping Costs

2017-2018 .07/gallon

2016-2017 .07/gallon

2015-2016 .07/gallon

2014-2015 .07/gallon

2013-2014 .07/gallon

2012-2013 .07/gallon

hcoffice@hollandcompany.com
TOWN OF BRANDON

49 CENTER STREET
 BRANDON, VERMONT 05733
 (802)247-3635
 FAX: (802)247-5481

fax (413) 743-1298

PURCHASE ORDER NO.
№ 44582
 THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS AND ANY OTHER CORRESPONDENCE RELATED TO THIS ORDER.

TO: Holland Company Inc
153 Howland Avenue
Adams, MA. 01220-1199
(413) 743-1292

SHIP TO: Town of Brandon WPOP
500 Union Street
Brandon, Vt. 05733-1193
(802) 247-6430

DATE	DATE REQUIRED	SPECIAL INSTRUCTIONS	ACCOUNT NO		UNIT PRICE	VENDOR NUMBER
QUANTITY	DESCRIPTION	ORG	OBJ	PRICE	AMOUNT	
6/7/2017						300600
6000 gallons	Sodium Aluminate 38%	20555	50150	2.55/gallon	\$15,300	
	Used to remove phosphorus from wastewater which results in more sludge being removed					
	2017-2018	2.55				
	2016-2017	2.42				
	2015-2016	2.50				
	2014-2015	2.55				
	2013-2014	2.55				
	2012-2013	2.55				
	Allen Engineering	no bid				
	Holland Company	2.55				
	Surpass Chemical	no response				
	Astro Chemicals	no response				
	Slacy Chemical	3.98				
	Univar	no bid				
	July 1, 2017 - June 30, 2018					
						TOTAL \$15,300

NOTE: THE TOWN OF BRANDON IS EXEMPT FROM STATE & LOCAL TAXES. TAX EXEMPT #26863. PLEASE NOTIFY IMMEDIATELY IF ANY PORTION OF THIS ORDER CANNOT BE SATISFIED BY THE DATE REQUIRED.

REQUESTED BY _____
 APPROVED BY _____

hcoffice at hollandcompany.com

TOWN OF BRANDON

49 CENTER STREET
BRANDON, VERMONT 05733
(802)247-3635
FAX: (802)247-5481

PURCHASE ORDER NO.
No 44584
THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKING LISTS AND ANY OTHER CORRESPONDENCE RELATED TO THIS ORDER.

Fax (413) 743-1298

TO: Holland Company Inc
153 Hawland Avenue
Adams, MA. 01220-1199
(413) 743-1292

SHIP TO: Town of Brandon WPOP
500 Union Street
Brandon, Vt. 05233-1193
(802) 247-6730

DATE	DATE REQUIRED	SPECIAL INSTRUCTIONS	VENDOR NUMBER	
6/7/2017			300600	
QUANTITY	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	AMOUNT
10000 gallons	Sodium Bisulfite 38%	20555 50140	1.65/gallon	\$16,500
	removes sodium hypochlorite from wastewater after bad bacteria are killed.			
	2017-2018 1.65			
	2016-2017 1.70			
	2015-2016 1.80			
	2014-2015 1.83			
	2013-2014 1.83			
	2012-2013 1.89			
	Allen Engineering Corp	no bid		
	Holland Company Inc	1.65/gallon		
	Surpass Chem Co Inc	no response		
	Astro Chemicals Inc	no response		
	Glack Chemicals	1.689/gallon		
	Univar USA	no bid		
	July 1, 2017 - June 30, 2018			

NOTE: THE TOWN OF BRANDON IS EXEMPT FROM STATE & LOCAL TAXES. TAX EXEMPT #26889. PLEASE NOTIFY IMMEDIATELY IF ANY PORTION OF THIS ORDER CANNOT BE SATISFIED BY THE DATE REQUIRED.

REQUESTED BY Stephen J. Ciba
 APPROVED BY _____

TOTAL \$16,500