

Brandon Select Board Meeting
October 28, 2019
7:00 p.m.

The Brandon Select Board will meet Monday, October 28, 2019 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) Approval of Minutes
 - a) Select Board Minutes – October 14, 2019
- 3) Town Manager's Report
- 4) Public Comment and Participation
- 5) Cyber Security Policy Discussion
- 6) Appointment of Budget Committee Member
- 7) Fiscal
 - a) Resolution for New Truck Lease
 - b) Warrant – October 28, 2019 – \$271,649.77
 - c) Route 7 Construction Warrant – October 28, 2019 – \$745,657.62
- 8) Executive Session 1

First Motion: I move to find that premature general public knowledge of the pending contract with Wyman Timber Harvesting will clearly place the Town at a substantial disadvantage.

Second Motion: I move that we enter into executive session to discuss the Town's pending contract with Wyman Timber Harvesting under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes.

- 9) Executive Session 2

First Motion: I move to find that premature general public knowledge of the confidential attorney-client communications made for the purpose of providing legal services to the public body will clearly place the Town at a substantial disadvantage.

Second Motion: I move that we enter into executive session to discuss confidential attorney-client communications made for the purpose of providing legal services to the public body, under the provisions of Title 1, Section 3139(a)(1) of the Vermont Statutes.

- 10) Adjournment

**Brandon Select Board Meeting
October 14, 2019**

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

Board Members In Attendance: Seth Hopkins, Brian Coolidge, Tim Guiles, Doug Bailey, Tracy Wyman

Others In Attendance: Dave Atherton, Brent Buehler, Russell Jones, Dennis Reisenweaver, Ray Jobst, Steve Bissette, Barry Varian, Marietta Sheehan, Joseph Jankosky, Wayne Rausenberger, Chris Brickell, Ray Jobst, Bernie Carr, Dale Knapp, Matt Rikert, Miranda Rikert, Matt Orchard

The meeting was called to order by Seth Hopkins – Chair at 7:00PM.

1. Call to order

a) Agenda Adoption – Motion by Tracy Wyman/Doug Bailey to adopt the agenda. **The motion passed unanimously.**

2. Approval of Minutes

a) September 9, 2019 – Select Board Meeting

Motion by Tracy Wyman/Doug Bailey to approve the minutes of the September 9th Select Board meeting, as amended. **The motion passed unanimously.**

Page 4 – Public Comment and Participation - a correction to Mrs. Furnari’s years of service to 29 years.

b) September 23, 2019 – Select Board Meeting

Motion by Brian Coolidge/Tim Guiles to approve the minutes of the September 23rd Select Board meeting. **The motion passed unanimously.**

c) September 23, 2019 – Select Board Public Hearing

Motion by Brian Coolidge/Tracy Wyman to approve the minutes of the September 23rd Select Board Public hearing. **The motion passed unanimously.**

3. Town Manager’s Report

Dave Atherton provided a report for the weeks of September 23rd, September 30th and October 7th

Segment 6 - Two-Week "Look Ahead":

The final pave course is complete on all roadways. Pavers will return to complete the drives and other areas. Curbing is completed and sidewalk work continues in Segment A. Landscaping and stonework continues in Central Park and Segment C.

Other Happenings:

The Churchill Road Culvert project will not be completed this fall due to not being able to work in the water. The Town will be reposting the bid for Spring 2020 construction.

The Union Street sidewalk was temporarily on hold due to the discovery of two sewer lines that weren't on the plans, which prompted a redesign for a storm structure. This work will commence next week.

There was a significant sewer backup at the Town Hall that required professional cleaning by G. W. Savage. This was due to the sewer line not being connected. It is in the insurance company's hands and the Town Hall is bacteria-free.

Mr. Atherton attended the RRTC meeting on 9/26/19. It was mostly an organizational meeting and the topics of discussion were self-governance and cyber security. There was a presentation on electric buses and discussion on a better paving schedule for Class 1 highways.

FEMA is holding two Discovery meetings to discuss risk mapping, assessment and planning for the Otter Watershed on October 29th in Middlebury at the Ilsley Library and October 30th at the Rutland Free Library. Mr. Atherton will attend one of these meetings.

The bid opening for the demolition of 419 and 449 Newton Road was on 10/4/19. The project was awarded to Parker Excavating. An asbestos survey was completed on both properties and 419 does have a small amount of asbestos that will have to be removed prior to demolition. Mr. Atherton is currently coordinating with a company to remove it. The closings on the houses on the East end of Newton Road took place on Friday.

Recreation News:

Harvest Fest was a success!

The Sudbury Road Race is coming up on October 19th.

Spooksville is on October 25th at Estabrook in partnership with the Brandon Area Toy Project for the 3rd year. It will be bigger than ever with food trucks and lots of trunks.

The winter Town Hall schedule is nearly complete. Comedy shows, music and ping pong have been added to the schedule on top of the wildly successful Brandon Idol.

Seth Hopkins reported he cannot attend either of the FEMA meetings and any Board member interested in attending could advise Mr. Atherton.

Doug Bailey cannot attend the FEMA meetings. Mr. Bailey questioned whether the sewer back-up at the Town Hall was due to the Segment 6 project and whether the bids were lower for the Newton Road buyouts. Dave Atherton reported the line was not on the plan, but the line was big enough for storage so there were no problems earlier. The Town Hall and the Bank have their own lines and they tie in further down the line. When digging they only fixed the Bank line, but the Town Hall line has been connected now. The insurance company will try to recoup their money, but the insurance has a no-fault sewer backup. G. W. Savage did the work and Mr. Atherton will also talk to them about doing repairs. Regarding bid openings, the low bid was \$35,900 for both properties, with the previous bid being over \$50,000 for one. It was competitive bidding, with the next higher bid being only \$9,300.00 more. Mr. Bailey noted the company doing the Route 73 project has done a good job and their flaggers have been great and suggested the Town send a letter of thanks to the company. Mr. Atherton noted they have been a pleasure to work with.

Wayne Rausenberger requested the Town Manager contact Markowski to do some repairs on Union Street, as the potholes are bad. Mr. Rausenberger suggested some Sur-Pak could be used to repair them. Mr. Atherton called them today regarding the area and there will be repairs done either tonight or tomorrow.

4. Town Health Officer/Rental Housing Officer Report

Mr. Hopkins advised the Select Board has requested a semi-annual report from the various boards of the Town. Mr. Kilpeck submitted a report and it was noted there have been 7 health code complaints, 8 animal bite complaints and 61 certificate of occupancy inspections completed.

5. Public Comment and Participation

Seth Hopkins requested the public conform to the Town's rules and procedures relating to public comment and participation.

Joseph Jankosky questioned the status of the issue on Basin Road, as there has not been any discussion with the Health Officer. Marietta Sheehan stated the individual is placing garbage in a truck again. Seth Hopkins stated the concerns must be expressed to the Health Officer. Mr. Kilpeck has contacted the homeowners and delivered the health notice to them. Mr. Hopkins noted the Select Board does not make decisions at this level. Dave Atherton will ask the Health Officer to call Ms. Sheehan tomorrow. Tim Guiles questioned if the Health Officer should provide information to the Select Board since this has been a recurring issue. Mr. Wyman noted this is a complaint the Health Officer is working on and has notified the Select Board of the issue. Mr. Atherton advised the Town cannot go onto people's property, as it would be considered trespassing. Mr. Kilpeck has rules that he must follow to rectify an issue and he is staying on top of this one, but there are multiple issues. Mr. Hopkins summarized the Town's Health Officer is pursuing this issue and he will resolve it in a way that the State statute allows.

Ray Jobst stated when Walgreens took over, there was a discussion about their sign. Mr. Jobst questioned the size of the signs for other businesses in the downtown, as they appear to be large. It was noted temporary signage was allowed during the Segment 6 project so that businesses could advertise properly, but those signs will have to come back into compliance after the project is completed.

Dennis Reisenweaver noted there was mention at a prior meeting that the Town was going to be reimbursed for the \$22,000.00 that was given to Mr. Burlett. Seth Hopkins advised the Select Board would be addressing the most recent communication from the insurer and the attorney during executive session. The Town has not received any money at this point.

6. Energy Plan Adoption

Seth Hopkins reported the Select Board has had two hearings and the Planning Commission has had one hearing regarding the Brandon Energy Plan, as it fits into the Town Plan. Matt Orchard, a member of the Energy Committee, was present to answer questions. The Plan would replace the current Energy language and will give grounds for solar sitings. Mr. Atherton stated it is thought the Plan will do the job for the Town and recommended the Select Board adopt the amendment for the Town Plan.

Motion by Tim Guiles/Brian Coolidge to approve the Brandon Energy Plan.

Tim Guiles noted the Energy Committee gathered useful data and the Plan will help reach long-term goals. Seth Hopkins stated Ed Bove of the RRPC said that Brandon and Rutland Town have had the most solar constructed to this point and Mr. Bove agreed that towns that have substantial solar are going this route with identifying parcels to provide substantial deference for future projects. Mr. Hopkins thanked the Energy Committee and Planning Commission for their work on this Plan.

The motion passed unanimously.

7. Set Dates for Budget Committee Meetings

Dave Atherton reported in the past there have been two budget committee meetings in both November and December. The Department Heads would like to meet with Mr. Atherton prior to bringing the budgets before the Select Board. The Budget Committee meeting dates were set for December 3rd, 10th and 17th beginning at 7PM, with a location to be determined. Anthony Peduto and Jan Coolidge are the remaining members of the Budget Committee. It was suggested to advertise on Front Porch Forum for letters of interest from anyone interested in serving on the Budget Committee. Tim Guiles agreed to be the Clerk of the Committee.

8. Town Farm Road Discussion

Seth Hopkins noted the Town had previously posted the dirt portion of Town Farm Road and then removed the posting. Matt Rikert advised he would not request a change if the Newton

Road route was more unsafe for the trucks to use than the dirt portion of Town Farm Road. Tim Guiles traveled both routes prior to the meeting and found Town Farm Road to be narrow and he understands people's concerns with large trucks. He noted Richmond Road is posted for no trucks and felt there is a certain inclination to give businesses the right to use roads at their discretion. He would like a discussion of the needs of businesses with the needs of homeowners to be safe on their roads. Mr. Rikert thought safety should be more important and if one way is safer than other, that should be the route. This has been going on for a long time, as it had been ignored by previous town managers. Tracy Wyman stated the dirt portion of Town Farm Road has approximately 27 houses within the town limit over two miles. In going the other route from Town Farm Road to Newton Road, there are 12 houses and a single-lane bridge. There are 17 houses on Newton Road not including the FEMA buyouts. The end of Newton Road is a dangerous place for trucks to turn. There are six houses on the Middle Road, a grocery store that is very busy and a post office at that intersection. Furnace Road has 21 houses and North Street has 128 houses, plus one of the Town's largest employers and a vegetable stand that is very busy throughout the summer. Most of the issue on Town Farm Road is during the summer or through construction season. With no sidewalks or shoulders on North Street, Mr. Wyman respectfully disagrees that this would be the safer route to travel. Mr. Rikert stated the complaints that have been voiced in the emails to him were complaints of trucks coming from Leicester and heading towards the pit. Mr. Wyman advised the Select Board could not address something that has happened in Leicester. Mr. Wyman stated Lake Dunmore is a popular destination with a lot of camps and he thinks the Town Farm route would affect fewer people than the other route. Mr. Rikert noted the trucks use the alternate route when the road gets bad and Mr. Wyman agreed the alternate route should be used when the road is posted. Mr. Guiles stated it seems the dirt road is narrower than the paved road, which would be why the paved roads are safer, not necessarily the number of houses. Mr. Wyman stated if the trucks are driven the way they are supposed to be, there would not be an issue. Dale Knapp advised there are only a couple of places where the width of Town Farm Road is narrower than the pavement. This had been discussed previously and it does not make fiscal sense to put all the trucks over the paved roads. Mr. Knapp noted he has driven for DNF for 11 years and has never had an incident on Town Farm Road.

Dave Atherton reported the traffic survey strip was placed on the road on Friday and it will be a couple of weeks before the results are received. Mr. Atherton advised there had been discussion of doing a sidewalk grant for North Street due to the number of houses and the proximity to Neshobe School. There are many pedestrians on the road and there are a lot of blind spots and Mr. Atherton could see that being an issue with more truck traffic, as there is nowhere for pedestrians to go. Mr. Atherton talked with the Town of Leicester and they will be sending letters to the businesses who are using the sandpits and will also have the Sheriff's Department patrolling the road. The Brandon Police Department has patrolled the area, but there have been no trucks on the road at that time. Chief Brickell stated this is a situation that is more a timing factor, as there is more truck traffic in the summer. The Police Department has monitored the area at numerous times of the day and there was one truck that was speeding 2 miles over the speed limit. He does not know that reducing the truck traffic or eliminating the truck traffic will help as he has seen more vehicle traffic going at higher speeds. There are instances that happen and typically there are ruts and potholes and drivers gravitate to the center of the road. It is hoped that everyone tries to be respectful and for those that do not, it is best addressed through the Police Department. It is a matter of trying to make this complaint be public information and he

knows that drivers from the truck companies hear the complaints. Mr. Rikert stated most are driving safe, but when one must drive in the middle of road, it is very dangerous. Mr. Rikert drives, runs, walks his dogs and the one road he is the most scared to travel on is the stretch on Town Farm Road. Doug Bailey suggested alternative signage could help with this issue. Mr. Wyman believes the truck traffic will decrease with the completion of the construction projects. Mr. Atherton stated the Highway Foreman would rather have the trucks on the dirt as the dirt roads are easier to maintain. Mr. Guiles suggested the Town place signs showing the areas that need more caution. Mr. Rikert was concerned that signs will be noticed initially but will not be noticed after they are up for a period of time. Mr. Jobst stated there is also a responsibility of the pedestrian traffic to be aware of oncoming vehicles. Mr. Rikert noted he is more concerned with driving, as he had an incident where he had to maneuver off the road.

Motion by Tim Guiles to return to the previous policy with no trucks on the dirt portion of Town Farm Road. **There was no second and the motion failed.**

Doug Bailey suggested Mr. Atherton and Mr. Hopkins draft an informational letter for the sandpit owners to share with the truckers to advise them of the safety concerns. Tracy Wyman stated the road would have to be posted by both Brandon and Leicester, as there would not be a turnaround area for the trucks.

Motion by Tracy Wyman/Doug Bailey to direct the Town Manager to confer with the Town of Leicester and develop a similar letter educating known users of Town Farm Road.

Mr. Wyman suggested sending the letter to the gravel pit owners for them to distribute to their users.

Mr. Reisenweaver asked why motions are required for these types of decisions. Mr. Hopkins advised the Town Manager acts as the Town's agent and it is good to have actions in the minutes, and if the Select Board wants to act, it should be done by a motion.

The motion passed unanimously.

Seth Hopkins summarized that the traffic study will proceed, a letter will be drafted to be sent to the sand pit owners and Mr. Atherton will ask the Highway Foreman to investigate regulatory signage. Mr. Bailey asked if it would be beneficial for a Select Board member to visit the pits to speak directly with the sandpit owners, however, it was noted that they are not usually present at the pits. Dennis Reisenweaver questioned whether the bridge on Town Farm Road was considered a one-lane bridge and Mr. Wyman advised that two cars can pass through the bridge, however, it is a very narrow bridge.

9. Discuss National Prescription Opiate Litigation Class action Suit

Seth Hopkins stated this is a class action suit that came to the Select Board from the Town Clerk. If there is no action, the Town would remain part of the class action suit.

Motion by Brian Coolidge/Tracy Wyman to take no action on this item and stay part of the class action suit. **The motion passed.**

10. Consider Purchase of 2019 Ford F550

Dave Atherton reported the Town has been considering purchase of another truck and the proposed pick-up truck also comes with a plow. The Town now has enough people to drive the plow trucks and this truck would be good for going around curbs and plowing on Mt. Pleasant. There were two bids received, with G. Stone Motors being \$400.00 less than Ford of Claremont, however, the body would not be ready until a year from now. The proposed vehicle is already built. The proposed purchase is \$48,000.00 for the truck and \$49,000.00 for the plow, sander and body. Mr. Atherton stated this is a current year expense and would be purchased through a loan. The Town will be able to pay off the \$64,000.00 for the tandem truck which would free up the funds for this payment. It would not require a CDL license to operate this vehicle. It is the Highway Foreman's judgment that this would be a versatile vehicle. Currently the Town has a tandem truck, two single axle trucks and one F550 truck. There has been discussion of adding another highway person rather than a public works position. Tracy Wyman stated with all the new infrastructure, the Town will have a lot of work. Mr. Atherton advised the Town is looking at culvert replacement next year that will add to the work required in Town. Doug Bailey agreed this vehicle would be more versatile. Tim Guiles asked if any vehicles would be eliminated and Mr. Atherton advised there will be five employees and all vehicles will be needed for plowing.

Motion by Tracy Wyman/Brian Coolidge to approve the purchase of a 2019 Ford F550 as presented, for an amount not to exceed \$97,877.90 from Ford of Claremont.

Doug Bailey suggested doing the purchase this year, depending on how Segment 6 ends. Mr. Atherton advised the payment will be significantly less than what the tandem would be and will have the figures available at the next meeting. Dennis Reisenweaver noted concern that the vehicle is being purchased out of state and would prefer to buy local. Mr. Atherton advised that G. Stone Motors did place a bid, but the vehicle would not be available for at least a year, with the other bid having a vehicle that is available now. Mr. Atherton noted the Town purchases all of their police cruisers from G. Stone Motors.

The motion passed unanimously.

11. Fiscal

a) Warrant – October 14, 2019 - \$359,502.55

Motion by Brian Coolidge/Doug Bailey to approve the October 14, 2019 warrant in the amount of \$359,502.55. **The motion passed with one abstention – Tracy Wyman.**

Tracy Wyman rescinded his second on the warrant.

Doug Bailey questioned the box trailer rental. Mr. Atherton advised it was for the play structure that was donated by McDonald's. Mr. Bailey questioned the charge to TCE for the Arnold

District Road culvert. Mr. Atherton reported this was something that had been started by the previous public works manager. This is something the Town needs to replace in the next couple of years. The Town will be applying for a transportation grant. Mr. Atherton will provide the Select Board more information when available.

b) Route 7 Construction Warrant – October 14, 2019 - \$868,765.34

Motion by Doug Bailey/Tim Guiles to approve the October 14, 2019 Route 7 Construction warrant in the amount of \$868,765.34. **The motion passed with one abstention – Tracy Wyman.**

c) Bridge 114 Warrant – October 14, 2019 - \$754.87

Motion by Tracy Wyman/Brian Coolidge to approve the October 14, 2019 Bridge 114 warrant in the amount of \$754.87. **The motion passed unanimously.**

Dave Atherton noted this work is for the bridge slab, not Bridge 114, as the bridge is completed.

The Select Board recessed at 8:27PM.

The Select Board reconvened at 8:40PM.

Motion by Tracy Wyman/Doug Bailey to enter into executive session at 8:41PM, with the session to include the Town Manager, to discuss the appointment or employment or evaluation of a public officer or employee under the provisions of 1 V.S.A 313(a)(3). **The motion passed unanimously.**

12. Executive Session

The Select Board came out of executive session at 8:58PM. There was no action required.

Motion by Tracy Wyman/Doug Bailey to find that premature general public knowledge of a possible pending litigation will clearly place the Town at a substantial disadvantage by disclosing confidential attorney-client communications. **The motion passed unanimously.**

Motion by Tracy Wyman/Doug Bailey to enter into executive session at 8:59PM, with the session to include the Town Manager, to discuss confidential attorney-client communications under 1 V.S.A. paragraph 313(a)(1). **The motion passed unanimously.**

Mr. Atherton left the executive session at 9:04PM.

12. Executive Session

The Select Board came out of executive session at 9:32PM. There was no action required.

13. Adjournment

Motion by Brian Coolidge/Doug Bailey to adjourn the Select Board meeting at 9:33PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary

Town Manager Report for weeks of October 14th and 21st, 2019

- **Segment 6:**

Segment 'E' and 'F', Imprinted asphalt crosswalks and traffic islands. Initiation of construction for proposed concrete stairs at various residences and businesses. Punch list items as reseeding, curbing joints and other identified items. Segment 'D', Continued work on retaining wall adjacent to Briggs Lane / Guard rail / Hand rail installations. Segment 'C', Completion of retaining wall adjacent to BHOP. Segment 'B', continued improvements within Central Park area, brick, marble and granite walkway surfaces. Preparation and placement on concrete walks, installation of raised crosswalks, (Lot 'A'). Segment 'A', Preparation and installation of sidewalks, Installation of structural soil, (to promote root growth). General, Line striping throughout, (permanent and temporary). Continued adjustment to elevations of installed hydrants. Miscellaneous drainage, structure cleaning and elevation adjustments. Topsoil placement etc., Tree and landscape plantings. Driveway preparations and paving. Initiation of addressing preliminary punch list items.

Union Street Sidewalk:

The storm drain structure will be on site Tuesday Oct 29th and construction will resume.

Other happenings:

We have a new hire in the highway department. This has us back to 4 full time in highway and 1 in buildings and grounds.

We are starting to put a draft budget together for the upcoming budget meetings in November.

Rec Dept News:

- October 25th was the 5th time we have had a Spooksville trunk or treat event at Estabrook Park. Music, more food and much candy were a part of our largest celebration yet! Special thanks to collaborators, The Brandon Area Toy Project, Brandon Free Public Library, Neshobe PTO and the folks and businesses who showed up to make a fun night for area youth!
- Another fall sport season is in the books. We would like to thank the myriad volunteers who have volunteered hundreds of hours to enrich the lives of these youth football, soccer and cheer participants: Pre-K, Kindergarten, 1st and 2nd grade soccer: Lance Laraway and Lilly Bixby. 1st & 2nd grade NFL Flag Football: Greg Whitney and Dylan Keith. U10 boys soccer: Ben Gaboriault, Darcie Wsenbick, Marty Feldman. 3rd & 4th grade girls soccer: Lance Laraway. 3rd & 4th grade padded flag football: Gary Benoit, Matt Mallory, Greg Babcock. 5th & 6th grade boys soccer: Gabe McGuigan, Sam Stone. 5th & 6th grade girls soccer: Kristle Wheeler, Stephanie Ketcham. 5th & 6th grade padded flag football: Duke Whitney, Kevin Blier. 7th & 8th grade padded flag football: Duke Whitney & Kevin Blier. Our sponsors are Brandon House of Pizza, Ethier Wood Products and NFP.
- Pickleball will be starting back up on Sunday afternoons at The Neshobe School on November 4th. Join pickleball commissioner, Faith Daya, weekly from 3-5pm in the gymnasium for fun!

Other items will be covered in the agenda.

A RESOLUTION OF THE TOWN OF BRANDON AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER EQUIPMENT LEASE PURCHASE AGREEMENT WITH RESPECT TO THE ACQUISITION, PURCHASE, FINANCING AND LEASING OF CERTAIN EQUIPMENT OR CAPITAL ITEMS FOR THE PUBLIC BENEFIT; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION

WHEREAS, the Town of Brandon, a body politic and corporate duly organized and existing as a political subdivision of the State of Vermont (the "Lessee"), is authorized by the laws of the State of Vermont to purchase, acquire and lease personal property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto; and

WHEREAS, the Lessee desires to purchase, acquire, finance and lease certain equipment with a cost not to exceed \$97,877.90 constituting personal property necessary for the Lessee to perform essential governmental functions (the "Equipment"); and

WHEREAS, the Lessee proposes to enter into that certain Master Lease Purchase Agreement and Schedule No. 1 thereto (the "Lease"), with Municipal Leasing Consultants, LLC and/or its assigns (or one of its affiliates) (the "Lessor"), the form of which has been available for review by the governing body of the Lessee prior to this meeting; and

WHEREAS, the Equipment is essential for the Lessee to perform its governmental functions; and

WHEREAS, the funds made available under the Lease will be deposited with pursuant to the terms of that certain Escrow Agreement, among the Lessee, the Lessor and an escrow agent satisfactory to the Lessor and the Lessee (the "Escrow Agreement"; and together with the Lease, the "Financing Documents") and will be applied to the acquisition of the Equipment in accordance with said Escrow Agreement; and

WHEREAS, the Lessee has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, the governing body of the Lessee deems it for the benefit of the Lessee and for the efficient and effective administration thereof to enter into the Financing Documents and any other documentation necessary, convenient or appropriate for the purpose of the financing the Equipment on the terms and conditions described therein;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE LESSEE AS FOLLOWS:

Section 1. The Lessee is hereby authorized to execute and deliver the Financing Documents with principal components of rental payments in an aggregate amount not to exceed \$97,877.90.

Section 2. The Financing Documents and the acquisition and financing of the Equipment under the terms and conditions as described in the Financing Documents are hereby approved. The Town Manager of the Lessee and any other officer of the Lessee with the power to execute contracts on behalf of the Lessee be, and each of them hereby is, authorized to execute, acknowledge and deliver the Financing Documents and any and all instruments, documents and certificates which may be required by or provided for in the Financing Documents or as may otherwise be required for or necessary, convenient or appropriate to the financing described in this resolution together with any changes, insertions and omissions therein as may be approved

by the officers who execute the Financing Documents, such approval to be conclusively evidenced by such execution and delivery of the Financing Documents. The Town Manager of the Lessee and any other officer of the Lessee with the power to do so be, and each of them hereby is, authorized to affix the official seal of the Lessee to the Financing Documents and attest the same.

Section 3. The proper officers of the Lessee be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Financing Documents.

Section 4. Pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code"), the Lessee hereby specifically designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code.

Section 5. Nothing contained in this resolution, the Lease nor any other instrument shall be construed with respect to the Lessee as incurring a pecuniary liability or charge upon the general credit of the Lessee or against its taxing power, nor shall the breach of any agreement contained in this resolution, the Lease or any other instrument or document executed in connection therewith impose any pecuniary liability upon the Lessee or any charge upon its general credit or against its taxing power, except to the extent that the rental payments payable under the Lease are special limited obligations of the Lessee as provided in the Lease.

Section 6. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 7. All bylaws, orders and resolutions or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance or part thereof.

Section 8. This resolution shall take effect immediately.

Adopted and approved by the governing body of the Lessee this 28th day of October, 2019.

TOWN OF BRANDON

[SEAL]

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

TOWN OF BRANDON Accounts Payable
Check Warrant Report # 63246 Current Prior Next FY Invoices
All Invoices For Check Acct 01(10 General Fund) 10/28/2019 To 10/28/2019

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
301053	ABLE TO SUPPLY INC	606078 hearing protectors/glove	145.00	0.00	145.00	47476	10/28/19
100015	ALLEN ENGINEERING & CHEMICAL C	11151754701 chlorine	239.25	0.00	239.25	47477	10/28/19
300754	B & B AUTO ELECTRIC & RADIATOR	36696 starter rebuild - tracto	220.00	0.00	220.00	47478	10/28/19
310861	BIASUZZI, JEFFREY	10/13/19 postage reimbursement	6.56	0.00	6.56	47479	10/28/19
100255	BRANDON FIRE DISTRICT #1	10/11/2019 37,51 Newton buyout-wate	2542.05	0.00	2542.05	47465	10/11/19
310699	BRANDON GLC SOLAR, LLC	154 Solar electric invoice	4300.00	0.00	4300.00	47480	10/28/19
100280	BRANDON LUMBER & MILLWORK CO.	804741/3 concrete mix	5.98	0.00	5.98	47481	10/28/19
100280	BRANDON LUMBER & MILLWORK CO.	804806/3 trash bags & paint	87.24	0.00	87.24	47481	10/28/19
100280	BRANDON LUMBER & MILLWORK CO.	805847/3 batteries	17.98	0.00	17.98	47481	10/28/19
100280	BRANDON LUMBER & MILLWORK CO.	806234/3 fluorescent bulbs	29.96	0.00	29.96	47481	10/28/19
100280	BRANDON LUMBER & MILLWORK CO.	806368/3 reflectors/cable ties	18.55	0.00	18.55	47481	10/28/19
200218	BRANDON REPORTER	9/30/19 highway ad	91.00	0.00	91.00	47482	10/28/19
300967	BRANDON, TOWN OF	10/11/2019 37,51 Newton buyout-TA/U	5371.57	0.00	5371.57	47466	10/11/19
		del 18/19 taxes \$1243.06. 19/20 taxes \$692.67. Sewer	\$3,435.84				
310390	BTS, INC	13688 moved extensions	130.00	0.00	130.00	47483	10/28/19
100860	CARROLL, BOE & PELL P.C.	10/11/19 37,51 Newton buyout-fee	1425.00	0.00	1425.00	47467	10/11/19
100860	CARROLL, BOE & PELL P.C.	10/11/2019-2 37,51 Newton buyout-titl	459.50	0.00	459.50	47468	10/11/19
100860	CARROLL, BOE & PELL P.C.	33274 Legal - DB resignation	2289.00	0.00	2289.00	47484	10/28/19
100860	CARROLL, BOE & PELL P.C.	33276 Legal- Earth waste	1680.00	0.00	1680.00	47484	10/28/19
100860	CARROLL, BOE & PELL P.C.	33284 Legal - ANR dispute	84.00	0.00	84.00	47484	10/28/19
100860	CARROLL, BOE & PELL P.C.	33288 Legal-G Dinn property	1804.54	0.00	1804.54	47484	10/28/19
100462	CASELLA WASTE MANAGEMENT INC.	2332868 September trucking	1417.50	0.00	1417.50	47485	10/28/19
301503	CHAMPLAIN VALLEY FUELS	217090 heating fuel	386.76	0.00	386.76	47486	10/28/19
301503	CHAMPLAIN VALLEY FUELS	217465 gasoline	526.45	0.00	526.45	47486	10/28/19
310703	CITY HALL SYSTEMS, INC.	16649 online credit card syste	1.98	0.00	1.98	47487	10/28/19
310097	COMCAST	PD092719 service: 10/04 -11/03	303.51	0.00	303.51	47488	10/28/19
310097	COMCAST	TH 10/9/19 Town Hall October	65.12	0.00	65.12	47489	10/28/19
310037	CONSOLIDATED COMMUNICATIONS	PD10/06/19 service: Sep 06 to Oct 0	46.65	0.00	46.65	47490	10/28/19
300357	DEAN, RAY	102519 officiating	45.00	0.00	45.00	47491	10/28/19
300466	DUNDON PLUMBING & HEATING INC	51790 use of jetter @ Town Hal	1080.00	0.00	1080.00	47492	10/28/19
100494	ENDYNE INC	312948 testing	190.00	0.00	190.00	47493	10/28/19
100494	ENDYNE INC	313696 testing	135.00	0.00	135.00	47493	10/28/19
100494	ENDYNE INC	313755 testing	25.00	0.00	25.00	47493	10/28/19
300492	FASTENAL COMPANY	VTRUT99934 bolts, measuring tapes	147.54	0.00	147.54	47494	10/28/19
330422	FERGUSON WATERWORKS #590	0919836 locator	788.48	0.00	788.48	47495	10/28/19
301025	FIREPROTEC FIRE & SAFETY EQUIP	17280241 fire ext. inspection	85.50	0.00	85.50	47496	10/28/19
310426	FYLES BROS., INC.	176212 propane - WW Chem Bldg	44.72	0.00	44.72	47497	10/28/19
310426	FYLES BROS., INC.	176853 propane @ WW	50.05	0.00	50.05	47497	10/28/19
310426	FYLES BROS., INC.	176863 propane @ Town Office	136.24	0.00	136.24	47497	10/28/19
100645	G STONE MOTORS INC	57053 repair headlight	156.61	0.00	156.61	47498	10/28/19
300974	GRAPH-X INCORPORATED	4220 t-shirts	520.00	0.00	520.00	47499	10/28/19
100725	GREEN MOUNTAIN GARAGE	142196 battery tester	61.63	0.00	61.63	47500	10/28/19
100725	GREEN MOUNTAIN GARAGE	142294 worklamp, oil	84.17	0.00	84.17	47500	10/28/19
100725	GREEN MOUNTAIN GARAGE	142687 wiper blades	36.98	0.00	36.98	47500	10/28/19
100725	GREEN MOUNTAIN GARAGE	142717 light	46.89	0.00	46.89	47500	10/28/19
100725	GREEN MOUNTAIN GARAGE	142790 diesel exhaust fluid	11.71	0.00	11.71	47500	10/28/19
100725	GREEN MOUNTAIN GARAGE	142899 filters	182.19	0.00	182.19	47500	10/28/19
310233	GREEN MOUNTAIN POWER	CENTERGAZEBO center st park and gazebo	40.83	0.00	40.83	47501	10/28/19
310233	GREEN MOUNTAIN POWER	CRESCENT PAR crescent park	120.18	0.00	120.18	47501	10/28/19
310233	GREEN MOUNTAIN POWER	REC 9/2019 rec field	43.47	0.00	43.47	47501	10/28/19

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TOWN OF BRANDON Accounts Payable
Check Warrant Report # 63246 Current Prior Next FY Invoices
All Invoices For Check Acct 01 (10 General Fund) 10/28/2019 To 10/28/2019

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Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
310233	GREEN MOUNTAIN POWER	RT73 PUMP rt 73 pump station	51.23	0.00	51.23	47501	10/28/19
310233	GREEN MOUNTAIN POWER	SEPT 2019 bryant circle	25.04	0.00	25.04	47501	10/28/19
310233	GREEN MOUNTAIN POWER	STREET LGHTS street lights	2936.10	0.00	2936.10	47501	10/28/19
310233	GREEN MOUNTAIN POWER	UNION ST union st light and park	416.09	0.00	416.09	47501	10/28/19
310233	GREEN MOUNTAIN POWER	WW 2ND LITE ww second light	25.93	0.00	25.93	47501	10/28/19
100322	GREEN UP VERMONT	824 appropriation 2019	300.00	0.00	300.00	47502	10/28/19
100559	HACH COMPANY	11684281 pH electrode	328.48	0.00	328.48	47503	10/28/19
200322	HOWARD P FAIRFIELD LLC	6815586 filters	832.36	0.00	832.36	47504	10/28/19
200322	HOWARD P FAIRFIELD LLC	6815587 filter element	153.36	0.00	153.36	47504	10/28/19
100792	HULBERT SUPPLY CO INC	X004916 adapter, plug, cement	19.23	0.00	19.23	47505	10/28/19
310938	JOHN TURNER CONSULTING	1950002-03 Union Sidewalk CI #3	14972.32	0.00	14972.32	47506	10/28/19
310566	LUFKIN, MICHAEL	102519 officiating	45.00	0.00	45.00	47507	10/28/19
100588	MARKOWSKI EXCAVATING, INC.	APP 1 Union Sidewalk App #1	101957.69	0.00	101957.69	47508	10/28/19
100588	MARKOWSKI EXCAVATING, INC.	V-21675 3/4 minus	133.20	0.00	133.20	47509	10/28/19
100030	MINER CONSTRUCTION, INC.	19065 Town Hall sewer	2042.38	0.00	2042.38	47510	10/28/19
310906	MODERN CLEANERS & TAILORS	829 uniform maintenance	193.75	0.00	193.75	47511	10/28/19
310795	NATIONAL BUSINESS TECHNOLOGIES	IN334127 serv contract - printers	32.63	0.00	32.63	47512	10/28/19
310795	NATIONAL BUSINESS TECHNOLOGIES	IN334128 serv contract - copiers	80.00	0.00	80.00	47512	10/28/19
200179	ROOTK	57664 root killer	460.00	0.00	460.00	47513	10/28/19
100478	ROYAL GROUP, INC.	661434 preventative maintenance	199.00	0.00	199.00	47514	10/28/19
300375	RUTLAND CITY	25426SLUDG Sept sludge processing	4200.00	0.00	4200.00	47515	10/28/19
300875	SERGEANT APPRAISAL SERVICE	19BR477NEWTO FEMA-477 Newton Appraisa	500.00	0.00	500.00	47516	10/28/19
310957	SWAN, MATTHEW & SWAN, MARION	10/11/19 37,51 Newton buyout-	108086.38	0.00	108086.38	47469	10/11/19
310953	TCE INC	35114 Churchill Rd Culvert	729.05	0.00	729.05	47517	10/28/19
100900	TOWN OF BRANDON	OCT 16,2019 rec fundraiser pizza kit	3571.00	0.00	3571.00	47472	10/16/19
330348	VERIZON WIRELESS	OCT 2019 october cell phones	226.78	0.00	226.78	47518	10/28/19
100067	VLCT	2019-21044 Technology Webinar-Tim G	25.00	0.00	25.00	47519	10/28/19
100146	VLCT PACIF	20191030-A01 Claim deductible	1000.00	0.00	1000.00	47520	10/28/19
100648	VTOMA	NOV 19 2019 Fall Conference	160.00	0.00	160.00	47471	10/17/19
310046	W.B. MASON CO INC	203777089 toner, paper	187.78	0.00	187.78	47521	10/28/19
310186	WYMAN'S TIMBER HARVESTING AND	1158-41 town trash 10-17-19	30.35	0.00	30.35	47522	10/28/19
310186	WYMAN'S TIMBER HARVESTING AND	1158-43 town trash 10-17-19	2.30	0.00	2.30	47522	10/28/19

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TOWN OF BRANDON Accounts Payable
Check Warrant Report # 63246 Current Prior Next FY Invoices
All Invoices For Check Acct 01(10 General Fund) 10/28/2019 To 10/28/2019

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
Report Total			271,649.77	0.00	271,649.77		

Selectboard

To the Treasurer of TOWN OF BRANDON, We Hereby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ ***271,649.77
Let this be your order for the payments of these amounts.

10/25/19
12:20 pm

TOWN OF BRANDON Accounts Payable
Check Warrant Report # 63244 Current Prior Next FY Invoices
All Invoices For Check Acct 99(10 General Fund) 10/28/19 To 10/28/19

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Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
100245	BRANDON AREA CHAMBER OF COMMER OCT2019	promotional materials	4000.00	0.00	4000.00	47475	10/25/19
300286	CASELLA CONSTRUCTION INC PR50	S6 PR 50	649183.21	0.00	649183.21	47473	10/21/19
100456	DUBOIS & KING INC 1019168	S6 CI progress rpt # 60	92474.41	0.00	92474.41	47474	10/21/19
Report Total			745,657.62	0.00	745,657.62		

Selectboard

To the Treasurer of TOWN OF BRANDON, We Hereby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ ***745,657.62
Let this be your order for the payments of these amounts.

Segment 6

