

**PLEASE NOTE: REMOTE MEETING via ZOOM**

Meeting ID (253 279 4161)

Dial: (929) 205 6099

**Brandon Select Board Meeting  
January 25, 2021  
7:00 p.m.**

The Brandon Select Board will meet Monday, January 25, 2021 at 7:00 p.m. 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 at the Junction Store & Deli at 2265 Forest Dale Road. 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 – January 11, 2021
- 3) Town Manager's Report
- 4) Public Comment and Participation
- 5) Town Report and Town Meeting Discussion
  - a) Town Meeting Warning Approval
  - b) Revised Bond Warning Approval
  - c) Town Meeting Considerations Under H.48
    - i) Authorize to Move the Date of Our 2021 Meeting
    - ii) Authorize to Mail Out Annual Meeting Australian Ballots to All Active, Registered Municipal Voters
- 6) Act 164 Discussion
- 7) Appointments
  - a) Planning Commission – Remainder of 3-year Term Ending June 30, 2021
  - b) Interim Animal Control Officer
  - c) Consider Posting Method for ACO Position
- 8) Consider Declaration of Inclusion
- 9) Equal Opportunity Policy for Library Grant
- 10) Fiscal
  - a) Warrant – January 25, 2021- \$199,759.84
  - b) Route 7 Construction Warrant – January 25, 2021 - \$170,210.56
- 11) Adjournment

## **Brandon Select Board Meeting January 11, 2021**

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

**All in Attendance via Zoom.**

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

**Others In Attendance:** Dave Atherton, Shari Vaccarella, Butch Shaw, Bill Moore, Brent Buehler, Chris Brickell, Stephanie Jerome, Sue Gage, Lee Kahrs, Jan Coolidge, Barry Varian, Margaret Kahrs

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

### **1. Call to order**

**a) Agenda Adoption – Motion** by Tracy Wyman/Tim Guiles to adopt the agenda, as presented  
**The motion passed unanimously.**

### **2. Approval of Minutes**

- a) Select Board Meeting – December 14, 2020**
- b) Select Board Budget Workshop – December 15, 2020**
- c) Select Board Special Meeting – December 30, 2020**

**Motion** by Tracy Wyman/Tim Guiles to approve the minutes of the December 14<sup>th</sup> Select Board meeting, Select Board Budget workshop of December 15<sup>th</sup>, and Select Board Special meeting of December 30<sup>th</sup>. **The motion passed unanimously.**

### **3. Town Manager's Report**

Dave Atherton provided a report for the week of January 4<sup>th</sup>, 2021.

#### ***Other happenings:***

Dave Atherton has been working with Dubois and King on finalizing the design for the Conant Square parking area. They are looking at construction in the late spring/early summer and are planning to do the majority of work in-house except the electrical work.

The project closeout documents have been completed for Park Street and Union Street.

There has been work with the Bond Council to prepare documents for the bond vote on the wastewater treatment plan upgrades.

Mr. Atherton has received a purchase and sales agreement from the Nature Conservancy for the two swamp lots. He has reviewed it and forwarded it to the town's attorney for review.

### ***Rec Department News:***

The new year rec programming will kick off with our Brandon Free Public Library collaboration, Quiz Night. Starting January 9, we will be hosting Trivia via Zoom.

Colleen Wright is helping the Rec to partner with the American Legion and local Chef Dallas Ladd to create Get It and Go. With the sun setting on the Vermont Farmers Food Center/the State of VT's Everyone Eats program; we are working on a Brandon-based solution. A monthly, donation funded, grab and go meal will be available for anyone who may need the food. The first meal will be available for pick-up on January 18<sup>th</sup> at 5pm. 100 meals will be prepared and distributed at the Legion. Get it and go!

We are working on a Brandon Mascot Competition, keep an eye out for the contest.

The Rec Director has been working with the OVUUSD to find a workable solution for indoor sports. Bill Moore, Neshobe School Principal Judi Pulsifer, along with the SOAR After-school Coordinator (and former superstar Brandon Rec Director) met with Superintendent Jeanne Collins to brainstorm solutions based on the current restrictions and health guidance. The Agency of Education, in their efforts to mitigate the spread of COVID-19, are not allowing outside groups to access local schools. The Vermont Department of Health guidance requires much in the way of space, masking, and limitations on what types of activities in which people can be engaged indoors. Unfortunately, there was not a workable solution to be found. The pod-based nature of the school's education delivery, limited gym space (only half the gym is currently available), the limit on who can use the space (they even considered hiring the Rec Director as a part-time employee and running activity as a part of the state licensed SOAR program), the restrictions around co-mingling with other groups outside of the school proved to be too much to overcome for this 2021 winter season. A survey of other Vermont "gym-less" rec programs that act as the de facto athletic departments for their area schools confirms our district was unique in their willingness to entertain some creative approaches to creating indoor programming for their communities' students and families.

### **4. Public Comment and Participation**

Seth Hopkins reported the Board received the equalization study from the State and the Town's CLA is 98.56, with a 5.54% co-efficient of dispersion. Sue Gage confirmed the staff did receive this information. The Board also received information from Comcast who is currently offering high speed internet for \$10.00 per month for those that have had difficulty obtaining service. This will help families who have students at home. The following link was shared: <https://www.internetteentials.com>.

Sue Gage stated the Brandon Fire District cancelled their in-person meeting and will vote by Australian ballot on March 2<sup>nd</sup> with the Town. Ms. Gage had an extensive meeting with the town clerks and the Secretary of State's office regarding House Bill 48 that allows municipalities to alter elections during COVID-19. There will be legislation built this week that allows the municipalities to decide the date of their town meetings and whether to mail ballots to all active voters. There are three groups; the Town, Brandon Fire District and the OVUU school district that will require coordination because it is possible that OVUU may decide the ballots be mailed to all active voters due to the number of towns in their district. The act allows for the Secretary of State to alter the process slightly and it will be okay to combine municipal ballots. It may serve best to combine the Town and Fire District that will save printing and mailing costs if it is decided to mail ballots to all active voters. There is no action to be taken at this point, but Ms. Gage encouraged cooperation between municipalities so that we are all on the same page.

Stephanie Jerome stated there was a concern about mailing costs and the Fiscal Committee has allocated \$2 million to help offset mailing costs that will help towns. Ms. Gage stated the CARES act is set up to pay for the mailing of ballots if the towns so choose. Ms. Gage noted the Select Board will need to decide whether they want to retain the date of the town meeting and mailing to voters. Ms. Gage advised there are some towns that are not mailing ballots, but all clerks in the OVUU district need to help each other out. Barry Varian reported there was a discussion at the last OVUU meeting, but no decisions were made. There will be another OVUU meeting this Wednesday. Ms. Gage would like to see the ballots mailed, but there will still be a polling place that is open from 7AM to 7PM. Mr. Varian will bring this up at the OVUU meeting and noted the situation is more complex with the OVUU district having six towns. Butch Shaw stated the current bill is yet to be acted on by the House or the Senate. This is an example of what may happen but suggested action by the Board would be premature but cautioned everyone to be prepared for what the Legislature ends up doing. Mr. Shaw asked with the Fire District and the Town on the same ballot, is everyone in the Town a member of the Fire District. Ms. Gage advised that according to Ray Counter everyone is a member of the Fire District. Dave Atherton stated this would be a town wide vote due to the Fire Department, which is what most of the services cover. Ms. Gage stated there will likely be information placed with the ballots. This year the Fire District is changing their year-end to June 30<sup>th</sup>, from October 30<sup>th</sup>. The budget they are proposing is the tax that has already been assessed and they are hoping to meet again in May in order to vote on the budget that will affect the taxes next year. This budget will bring them from November 1<sup>st</sup> to June 30<sup>th</sup>, which will have an explanation provided in the ballot if mailed. Stephanie Jerome reported the Legislature has convened and all took the oath of office and were sworn in. The Governor has extended the State of Emergency to March 9<sup>th</sup> and the legislators will be working from their home offices until that time. The tri-partisan groups in the State House signed a joint resolution to portray their disappointment with the behavior for those who invaded the Capitol and have requested the resignation of the President. It was signed by 130 members and was a union of the almost the entire body in Montpelier and she was proud that everyone could come together for this statement to the President. Ms. Jerome has been reassigned to the Committee for Economic Development and Commerce. She is the ranking member of that Committee and is pleased the work from the last session was recognized by the leadership. This Committee will have much

responsibility for distributing the next CARES funding. Butch Shaw reported he is Vice-Chair of the Transportation Committee and was assigned to assist the new chair of the Committee.

## **5. Approve Certificate of Highway Mileage**

Dave Atherton advised this is the annual certificate that is done every year. Last year the Segment 6 and Park Village changes were made. This document confirms the class highways and mileage.

**Motion** by Tracy Wyman/Brian Coolidge to approve the Certificate of Highway Mileage. **The motion passed unanimously.**

## **6. Approve FY 2021/2022 Proposed Budget & Paving Appropriation**

Seth Hopkins thanked Barry Varian and Jan Coolidge for their ongoing service on the Budget Committee. It has proven useful to have other sets of eyes on the budget and the Budget Committee's advisory role is appreciated. Barry Varian appreciated being on the Committee and enjoys seeing what drives the operation of the Town. Mr. Varian thanked the town manager, department heads and town office staff for providing top notch information. Jan Coolidge agreed with Mr. Varian's comments and noted she was impressed with the final product. Mr. Hopkins noted the staff was well prepared and that was very useful.

**Motion** by Seth Hopkins/Doug Bailey to approve a budget for fiscal year 2021/2022 in the amount of \$3,244,020.00 with an amount to be raised by taxes of \$2,744,135.00. **The motion passed unanimously.**

Mr. Hopkins advised the overall spending is down 0.6% and the amount to be raised by taxes is up less than 1% (0.09%).

**Motion** by Seth Hopkins/Brian Coolidge to have a \$100,000.00 paving appropriation that would include the Florence Road, High Pond Road, and other paving projects to be determined by the highway foreman. **The motion passed unanimously.**

Mr. Hopkins noted this is the same amount requested last year and would not raise or lower property taxes for paving from last year.

## **7. Town Report and Town Meeting Discussion**

### ***a. Discuss Including School Report in Annual Town Report***

Tim Guiles reported he has been having discussions with Jeanne Collins and Melinda Piper from the RNESU supervisory union about including the school report with the Town's annual report. This would save both entities half the mailing costs and it is possible for this to work as the school's statutory deadline is a week earlier than the town's. If the Select Board is agreeable, the school's information would be added this year, with the hope of also including the Fire District

in next year's book to have all entities in one book. Doug Bailey stated by combining this information, it saves both entities money and if the Fire District is added, it could be a three-way split in some manner and could be an even more savings to the taxpayers in the Town. Sue Gage thought it is a great idea and also shows the taxpayers that entities are saving tax dollars especially if the Fire District is added and it will show where their tax dollars support. Seth Hopkins stated this year's town report is a transition year and this addition would make sense and to look to next year to have all three entities. It was the consensus of the Board to proceed in this direction.

Tim Guiles stated it is the intent to make the town report more inviting and streamline and to make the format easier. It was found that Derby had a nice layout, and the person that did their book will be used to layout this book. It is hoped the book will be a reference tool for people to find information such as contact information or information on services that the Town provides. Seth Hopkins thanked Tim Guiles for his extensive work and Doug Bailey as part of the working group, which the Open Meeting law allowed. Mr. Hopkins noted it has been a good project that will come to fruition this year. Doug Bailey also wished to thank Jackie, Elaine, and Dave for the information that they have provided. Mr. Bailey stated Mr. Guiles has done an amazing amount of work. Mr. Bailey noted he listened and provided comments, but Mr. Guiles has worked hard on the book and he and Mr. Hopkins should be recognized for all the work they did. Mr. Hopkins advised that he has submitted the draft of the Select Board report to the Town Manager and requested Board members to provide any edits or additions regarding the report to Mr. Hopkins as soon as possible. Bill Moore asked if the draft of the town report includes the school information. Mr. Guiles advised the school information will be received on January 18<sup>th</sup> and their material will be added to the end of the book and will be found in the table of contents. Mr. Hopkins stated in the event of a town meeting via zoom, there has historically been a copy of the town report provided to dedication honoree of the report. Mr. Hopkins advised the honoree has been selected, but not announced at this point and suggested brainstorming a meaningful way to present the report.

## **8. Discuss Bond Vote for WWTP Upgrades**

Seth Hopkins reported this is the result of work by the Sewer Commission. Sue Gage and Dave Atherton have been working with Bond Council and have some requirements that will need to be done. The vote will take place on the March ballot. A draft of the Warning of the Special Meeting, Official Ballot, Resolution Certificate, Certificate of Posting and Declaration of Initial Intent was provided to the Select Board. Dave Atherton advised this is done with every bond vote and will be for the wastewater upgrades. The entire Town gets to vote on this bond, though the costs will be incurred by the sewer users.

**Motion** by Tim Guiles/Doug Bailey to move forward with the bond documents noted above regarding the bond vote for the WWTP upgrades. **The motion passed unanimously.**

Seth Hopkins noted this is a timely vote and is a great project. This item will be mentioned in the town report.

Sue Gage advised the ballot will likely be included on the town-wide ballot and will not be a separate ballot.

## **9. Fiscal**

a) *Warrant – January 11, 2021 - \$52, 915.24*

b) *Route 7 Construction Warrant – January 11, 2021 - \$8,831.61*

**Motion** by Brian Coolidge/Tracy Wyman to approve the January 11<sup>th</sup> warrant in the amount of \$52,915.24 and the January 11<sup>th</sup> Route 7 Construction warrant in the amount of \$8,831.61. **The motion passed unanimously.**

Tim Guiles reminded the Board members to visit the Town Office tomorrow to sign documents relating to this evening's meeting.

The Select Board recessed the meeting at 7:45PM.

The Select Board reconvened at 7:47PM.

**Motion** by Brian Coolidge/Tracy Wyman to enter into executive session at 7:48PM 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) of the Vermont Statutes to include the Town Manager to include the Town Manager and Animal Control Officer. **The motion passed unanimously.**

## **10. Executive Session**

The Board came out of Executive session at 8:28PM.

**Motion** by Brian Coolidge/Tracy Wyman to end the Animal Control Officer's appointment. **The motion passed – 3 to 2.**

## **11. Adjournment**

**Motion** by Brian Coolidge/Tracy Wyman to adjourn the Select Board meeting at 8:30PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary

## **Town Manager Report for the week of January 11<sup>th</sup> and 18<sup>th</sup>, 2021**

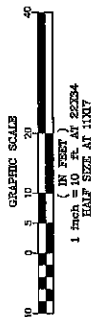
- I have received the final design for the Conant Square parking area. (see attached plan). We are still planning on completing this work in-house, with the exception of the electrical work for lighting.
- Had a meeting with Nanci McGuire from NRCS and Andres Torizzo from Watershed Consulting on the stormwater retention areas in the Center Street parking area and Pearl Street. This work is 100% grant funded. This work will all be completed on town owned property or within the right-of-way.
- The Highway Department has been out cutting back brush from the roadways in their time between plowing snow.
- We have received \$3,690.73, to date from logging off some of the town forest. Operations continue as weather conditions permit

### **Rec Dept. News:**

- The Ice rink frame has been built and the liner is in. The weather is cooperating and water is being added to create the ice. HUGE thank you go out to: coach Lance Laraway and Tanner Romano, Cole Mason and Josh Provencher of Naylor and Breen for their help in getting the frame built. Thank you to John Kerr for the generous donation of the liner and Dan Snow, Brian Kilpeck, Jeff Machain & Josh Preasseau for helping install the liner. Brandon Fire Chief Tom Kilpeck has been instrumental in the donation of his time, equipment and most importantly the water to fill the 56'X96' rink. John Milne (Owner) and Wilson, General Manager of the Neshobe Golf Course have been wonderful hosts. The installed lights and are keeping things plowed for our outdoor winter recreation. We hope to have a filled and frozen rink by February 1!
- The "Get it and GO" program, a partnership with the American Legion Post 55 and the Brandon Are Toy Project that has been excellently facilitated by the Assistant to the Rec Director, Colleen Wright went swimmingly! Dallas Ladd and Lesa Pratt cooked up, packed and gave away 119 meals in the inaugural offering. Thanks to Mallory's Automotive for sponsoring the groceries. The next meal will be February 1. Guest host chefs will be the Emily Ohlinger and Jessica Markowski of the catering business "Sorelle" groceries are sponsored by Union Street Grocery
- Congratulations to Lisa Fenimore whose "Savory Cheddar Apple Bread Pudding" was the winning recipe in our Brandon Free Public Library collaboration "The Great Brandon Bake-off" monthly competition sponsored by our friends at Olivia's Crouton Company. The next challenge is chocolate cake and the entries are due by January 27<sup>th</sup> (National Chocolate Cake Day). To submit and entry, make your cake, take a picture and email Molly Kennedy OR post on social media with the hashtag "chocolatebrandon"

**Other items will be covered in the agenda.**





TOWN OF BRANDON  
WARNING FOR EVENING MEETING  
MARCH 1, 2021

The legal voters of the Town of Brandon, Vermont are hereby notified and warned to convene remotely on Monday, March 1, 2021 at 7:00 P.M. to transact the following business through the following virtual connection:

- A On your computer or smartphone, download the Zoom app and enter meeting ID# 849 3746 1336
- B On your computer or smartphone, visit this link in a web browser: <https://us02web.zoom.us/j/84937461336>
- C Without a computer: Dial 1 (929) 205-6099 and follow instructions, entering meeting ID # 849 3746 1336 and # (pound key). When prompted for participant ID, hit # again to enter the meeting.

1. To hear a presentation by the Select Board of its recommended budget for fiscal year 2021-2022. This budget and appropriations will be voted by Australian Ballot on March 2, 2021 at the Brandon American Legion Post #55, 550 Franklin Street, Brandon, VT.
2. To hear a presentation by the Select Board for the purpose of explaining proposed wastewater improvements and the financing thereof. This bond will be voted by Australian Ballot on March 2, 2021 at Brandon American Legion Post #55, 550 Franklin Street, Brandon, VT.
2. To transact any other business proper to be done when met.
3. Adjourn.

TOWN OF BRANDON  
AUSTRALIAN BALLOT  
FOR MARCH 2, 2021

The legal voters of the Town of Brandon, Vermont are further notified and warned that ballots for the following articles will be mailed to all registered, active voters and they may return them by mail or drop them off at the town offices or meet at the Brandon American Legion Post #55, 550 Franklin Street, Brandon, VT on Tuesday, March 2, 2021 between the hours of 10:00 A.M. and 7:00 P.M. to vote in person by Australian Ballot or to drop off mailed ballots on the following matters:

1. To elect Town Officers for the ensuing year:

Moderator .....	One for one-year term
Selectman.....	One for three-year term
Selectman.....	Two for one-year term
Trustee of Public Funds.....	One for three-year term
Library Trustee.....	One for two-year term
2. Shall the voters of the Town of Brandon appropriate the sum of Three Million, Two Hundred Forty-four Thousand, and Twenty Dollars (\$3,244,020) for the FY 2021-2022 budget year, of which the sum of Two Million, Seven Hundred Forty-four Thousand, One Hundred and Thirty-five Dollars (\$2,744,135) is to be raised by property taxes?
3. Shall the voters of the Town of Brandon appropriate \$100,000 for paving projects to include Florence Road, High Pond Road, and other paving projects as identified by the Highway Foreman, to be raised by property taxes?
4. Shall the voters of the Town of Brandon appropriate \$25,000 to support the American Legion Post #55, to be raised by property taxes?
5. Shall the voters of the Town of Brandon appropriate \$3,500 for ARC-Rutland Area, to support individuals with developmental disabilities and their families, to be raised by property taxes?
6. Shall the voters of the Town of Brandon appropriate \$1,000 for the Brandon Area Chamber of Commerce, for the improvement and advancement of businesses and community in Brandon, to be raised by property taxes?
7. Shall the voters of the Town of Brandon appropriate \$2,500 for the Brandon Museum at the Stephen A. Douglas Birthplace Community Center, Inc, to protect and maintain the building and historical artifacts, to be raised by property taxes?
8. Shall the voters of the Town of Brandon appropriate \$28,000 for the Brandon Area Rescue Squad Inc., to support volunteer emergency medical services, to be raised by property taxes?

9. Shall the voters of the Town of Brandon appropriate \$92,000 for the Brandon Free Public Library, to support the programs, resources and community activities of the library, to be raised by property taxes?
10. Shall the voters of the Town of Brandon appropriate \$6,000 for the Brandon Independence Day Celebration Committee, to support activities offered at the Independence Day celebration, to be raised by property taxes?
11. Shall the voters of the Town of Brandon appropriate \$13,500 for Brandon Senior Citizens Center, Inc, to support free community lunches, and activities and programs at the center, to be raised by property taxes?
12. Shall the voters of the Town of Brandon appropriate \$3,000 to support the Community Meals and Emergency Shelter Programs of Charter House Coalition, to be raised by property taxes?
13. Shall the voters of the Town of Brandon appropriate \$1,000 for the Open Door Clinic, Community Health Services of Addison County, which provides access to dental and healthcare, free of charge, to those who are uninsured or under-insured, to be raised by property taxes?
14. Shall the voters of the Town of Brandon appropriate \$550 for RSVP & The Volunteer Center, for free income tax preparation and volunteer placements, to be raised by property taxes?
15. Shall the voters of the Town of Brandon appropriate \$750 for Rutland County Humane Society, for shelter and care to companion animals, to be raised by property taxes?
16. Shall the voters of the Town of Brandon appropriate \$6,624 for Rutland Mental Health Services, for counseling, substance abuse treatment services, emergency/crisis services and developmental disability services, to be raised by property taxes?
17. Shall the voters of the Town of Brandon appropriate \$2,400 for Southwestern Vermont Council on Aging, for senior meals, case management assistance and other senior help, to be raised by property taxes?
18. Shall the voters of the Town of Brandon appropriate \$10,200 for the VNA & Hospice of the Southwest Region, for home care, hospice and community health services, to be raised by property taxes?

#### Bond Article I

1. Shall general obligation bonds or notes of the Town of Brandon in an amount not to exceed Five Million Seven Hundred Thousand Dollars (\$5,700,000), subject to reduction from the receipt of available state and federal grants-in-aid, be issued for the purpose of financing the cost of making upgrades, repairs and replacements to wastewater treatment facility, the aggregate estimated cost of all such improvements being Five Million Seven Hundred Thousand Dollars (\$5,700,000)?

Select Board  
Signed and Certified January 25, 2021

Seth Hopkins                      Signed \_\_\_\_\_

Douglas Bailey                      Signed \_\_\_\_\_

Timothy Guiles                      Signed \_\_\_\_\_

Tracy Wyman                      Signed \_\_\_\_\_

Brian Coolidge                      Signed \_\_\_\_\_

Adopted and approved at a duly warned meeting of the Board of Selectmen of the Town of Brandon called, noticed and held on January 25, 2021. Received for record and recorded in the records of the Town of Brandon on January 26, 2021.

TOWN OF BRANDON  
WARNING  
SPECIAL TOWN MEETING  
MARCH 2, 2021

The legal voters of the Town of Brandon, Vermont are further notified and warned that ballots for the following article(s) will be mailed to all registered, active voters and they may return them by mail or drop them off at the town offices or meet at the Brandon American Legion Post #55, 550 Franklin Street, Brandon, VT on Tuesday, March 2, 2021 between the hours of 10:00 A.M. and 7:00 P.M. to vote in person by Australian Ballot or to drop off mailed ballots on the following Article of business:

ARTICLE I

Shall general obligation bonds or notes of the Town of Brandon in an amount not to exceed Five Million Seven Hundred Thousand Dollars (\$5,700,000), subject to reduction from the receipt of available state and federal grants-in-aid, be issued for the purpose of financing the cost of making upgrades, repairs and replacements to the wastewater treatment facility, the aggregate estimated cost of all such improvements being Five Million Seven Hundred Thousand Dollars (\$5,700,000)?

The legal voters of the Town of Brandon are further notified that voter qualification, registration and absentee voting relative to said special meeting shall be as provided in Chapters 43, 51 and 55 of Title 17, Vermont Statutes Annotated.

The legal voters of the Town of Brandon are further notified that a virtual informational meeting will be held on Monday, March 1, 2021 at seven o'clock (7:00) in the evening, for the purpose of explaining the proposed improvements and the financing thereof. Members of the public are invited to attend the informational hearing through the following virtual connection:

- A On your computer or smartphone, download the Zoom app and enter meeting ID# 849 3746 1336
- B On your computer or smartphone, visit this link in a web browser: <https://us02web.zoom.us/j/84937461336>
- C Without a computer: Dial 1 (929) 205-6099 and follow instructions, entering meeting ID # 849 3746 1336 and # (pound key). When prompted for participant ID, hit # again to enter the meeting.

Adopted and approved at a regular meeting of the Select Board of the Town of Brandon duly called, noticed and held on January 11, 2021 then modified and approved at a regular meeting of the Select Board of the Town of Brandon duly called, noticed and held on January 25, 2021. Received for record and recorded in the records of the Town of Brandon on January 26, 2021.

ATTEST:

\_\_\_\_\_  
Susan M. Gage  
Town Clerk

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Select Board

H.48

An act relating to authorizing alternative procedures for 2021 annual municipal meetings in response to COVID-19

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. LEGISLATIVE FINDINGS, INTENT, AND PURPOSE

(a) Findings.

(1) The General Assembly finds that the continued spread of COVID-19 in the State of Vermont has the potential to jeopardize the health, safety, and welfare of Vermonters voting in their 2021 annual municipal meetings. These meetings include annual town meetings, which are required by general law to be held on the first Tuesday of March; annual school district meetings, which are generally required to be held between the months of February and June; and other municipal annual meetings with meeting dates controlled by charter.

(2) While the General Assembly enacted 2020 Acts and Resolves No. 162 to permit municipal legislative bodies to vote to apply the Australian ballot system to their municipal meetings in the year 2021, the General Assembly finds that COVID-19 concerns persist regarding 2021 annual municipal meetings because:

(A) in municipalities applying the Australian ballot system to these meetings, general law requires voters to apply for an early voter absentee ballot, and a polling place is required for any voters who do not vote absentee; and

(B) many municipalities want to continue their custom of conducting annual meetings using floor votes.

(b) Intent and purpose. It is the intent of the General Assembly that the citizens of Vermont should be able to protect their health, safety, and welfare while also continuing to exercise their right to participate in annual municipal meetings. Accordingly, the purpose of this act is to:

(1) permit municipalities to move the date of their 2021 annual meeting to a potentially safer date later in the year;

(2) permit municipalities to mail out 2021 annual meeting early voter absentee Australian ballots to all active registered municipal voters to encourage absentee voting and thereby reduce exposure to COVID-19; and

(3) authorize the Secretary of State to order or permit supplemental elections procedures related to these 2021 annual municipal meeting provisions.

(c) Intent for the cooperation of municipalities. It is the intent of the General Assembly that municipal officials, including boards of civil authority and municipal clerks, shall cooperate with and assist school districts and other incorporated districts with the administration of annual district meetings and budget votes.

Sec. 2. ANNUAL MUNICIPAL MEETINGS IN THE YEAR 2021;

ALTERNATIVE PROCEDURES

(a) Notwithstanding any provision of law to the contrary, in the year 2021:

(1) a municipal legislative body may vote to move the date of the municipality's 2021 annual meeting to a date later in the year 2021;

(2) a municipal legislative body may require the municipal clerk to mail to all of the active registered voters in the municipality the Australian ballot to be used at the 2021 annual municipal meeting;

(3) the Town of Brattleboro may hold its annual Representative Town Meeting by electronic means;

(4) the Board of Supervisors of the Northeast Kingdom Waste Management District may vote to adopt the District's annual budget for the ensuing fiscal year; and

(5) the Secretary of State is authorized to order or permit, as applicable, appropriate elections procedures that supplement and relate to any municipal authority exercised under the provisions of this subsection in order to protect the health, safety, and welfare of voters, elections workers, and candidates in carrying out those meetings.

(b) In any municipality that moves the date of the 2021 annual meeting pursuant to subdivision (a)(1) of this section, municipal officers shall serve until the annual meeting and until successors are chosen.



(c) For any election procedure the Secretary of State orders or permits under this section, the Secretary shall adopt any necessary corresponding procedures that ensure the public can monitor polling places and the counting of votes.

Sec. 3. EFFECTIVE DATE

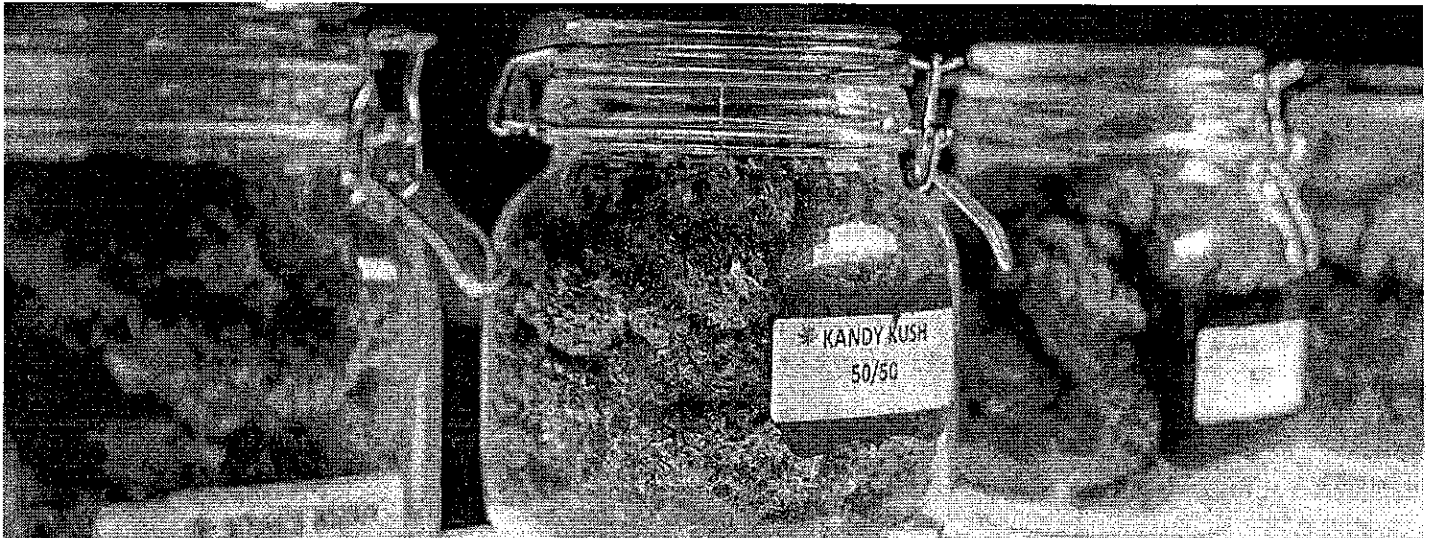
This act shall take effect on passage.

## **Regulation and taxation of cannabis, Act 164 (S.54)**

- Prior to commencing business, any retailer or integrated licensee required to collect tax must apply for and receive a cannabis retail tax license from the Commissioner of Taxes for each place of business where cannabis or cannabis products are sold. See Sec. 14.
- Beginning March 1, 2022, a 14% excise tax shall be imposed on each sale in Vermont of cannabis and cannabis products made by a retailer or an integrated licensee, excluding food or beverages. See Sec. 14.
  - In addition to the excise tax, Sales and Use Tax shall be paid on the retail sale of cannabis
  - Taxes collected from the purchaser shall be remitted by the retailer or licensee to the Department.
  - Excise tax shall be itemized separately from the general Sales and Use Tax on the receipt provided to the purchaser.
- Cannabis and cannabis products are not subject to Meals and Rooms Tax. See Sec. 15 & 17a.
- Some exemptions to both the Sales and Use Tax and the Excise Tax apply. For example, Sec. 16-17 indicates that sales by dispensaries for use by registered qualifying patients are exempt.
- The Cannabis Control Board shall have the authority to charge and collect state and local license fees payable at the time of the application or renewal. See Sec. 2.
  - After reduction for costs of administration and collection, the Board shall pay local license fees on a quarterly basis to the municipality in which the fees were collected.
- The Commissioner may require that retailers and integrated licensees shall not remit taxes collected to the Department in cash and may also require that all returns be submitted electronically. See Sec. 15.
- Sec. 12 states that cannabis establishments shall not be regulated as farming under the Required Agricultural Practices. Also, although cannabis products and crops shall not be considered agricultural products or crops, agricultural land and buildings shall not be ineligible for Current Use because they are used to grow or process cannabis. Other requirements apply. Effective March 1, 2022.
- Sec. 18 allows Vermont income tax deductions for individuals and corporations related to cultivation, testing, processing, or sale of cannabis or cannabis products even though such deductions are not allowed federally. Effective June 1, 2021.

#VTPOLI

# What Act 164's Municipal Opt-In Clause Means for Vermonters – And How To Get It On Your Town Meeting Day Ballot



Monica Donovan  
12 Jan 2021

There are 255 municipalities in Vermont – and chances are slim that every one of them will sign off on cannabis dispensaries right away. If your town hasn't started the conversation yet, how can you get it in motion?



to operate in their communities, once sales become legal in 2022.

Act 164, which sets the framework for taxed and regulated cannabis sales in Vermont, requires an "opt-in" vote in order for a town to allow cannabis dispensaries. Approval does not mean a cannabis store would open in town, but it does allow a business to set up within city limits after going through the proper permitting processes.

We've provided a Q+A format breakdown here of the most important considerations when petitioning your municipality for a vote on pot shops, including questions conveyed during our recent webinar (now available on [YouTube](#)).

With input from Vermont attorneys Dave Silberman and Tim Fair, we've provided tips for coalition building, deadlines and more important info you'll need to put dispensaries up for a vote in your town.

### **How do I get an opt-in vote on my town ballot?**

There are two ways to get an opt-in vote on your local ballot.

First, The Selectboard (or City Council) can agree to warn an article. Typically, this requires a simple majority vote of the municipal governing body.

The second way is by direct petition – collecting signatures from at least 5% of the registered voters in that town.

Silberman recommends doing both if possible. "I actually was working both paths in parallel, and had collected sufficient signatures in Middlebury to force the question onto the ballot had the Selectboard refused to act," he said. "I recommend that people think about following that same



## What's the deadline to get Act 164 opt-in on Town Meeting Day ballots?

Ballots must be finalized by January 31 for Town Meeting Day.

More about Town Meeting & Local Elections from the [Vermont Secretary of State](#).

Ballots must be finalized by January 31 for Town Meeting Day.

## What if we miss the Jan. 31 Town Meeting Day ballot deadline?

There is an opportunity to have an opt-in vote outside of the normal Town Meeting schedule, so all is not lost if folks can't organize their town to act before the January 31 warning deadline – the opt-in vote can be held at any time at something called a “special meeting”.

## Why on earth do we need to approve dispensaries?

There was significant debate over whether the bill should require towns to “opt in” or allow towns to “opt out”. The Senate wanted to allow towns to opt-out of allowing cannabis businesses, but Governor Scott promised to veto the bill if it did not include an “opt-in” provision. The House crafted a compromise: towns would have to opt-in to allow retailers, but cannot prohibit other business types.

## Do all types of licenses have to be approved to operate in my town?



## Only retailer and Integrated licenses must be approved by voters.

### What does Act 164 say about local government control?

*§ 863. REGULATION BY LOCAL GOVERNMENT (a)(1) Prior to a cannabis retailer or an integrated licensee operating within a municipality, the municipality shall affirmatively permit the operation of such cannabis establishments by majority vote of those present and voting by Australian ballot at an annual or special meeting warned for that purpose. A municipality may place retailers or integrated licensees, or both, on the ballot for approval.*

*(2) A vote to permit the operation of a licensed cannabis retailer or integrated licensee within the municipality shall remain in effect until rescinded by majority vote of those present and voting by Australian ballot at a subsequent annual or special meeting warned for that purpose. A rescission of the permission to operate a licensed cannabis retailer or integrated licensee within the municipality under this subdivision shall not apply to a licensed cannabis retailer or integrated licensee that is operating within the municipality at the time of the vote.*

*More of this section page 26-28 Act 164 (as enacted) at [legislature.vermont.gov](https://legislature.vermont.gov).*

### When do adult-use cannabis sales start?

In October of 2020, Vermont became the eleventh state to legalize recreational cannabis sales. Over the next two years, according to the last available [timeline](#), the state will set up a regulated statewide market for cannabis and issue licenses, with sales to the public beginning October of 2022.

opening up a cannabis retail store will require people to make a substantial investment in terms of time, effort, and money – and people will be hesitant to make that kind of investment in any town if they don't have a certain level of certainty that they'll actually be allowed to open," says Silberman.

**While Town Meeting Day is not a final deadline, towns should hold their votes as early as possible.**

#### **How do I begin my Selectboard outreach?**

Silberman recommends finding out who serves on your Selectboard, and see if there is one Selectboard member who might appear to be more willing than others to sponsor a motion to authorize a vote. Start by having a conversation with that person. "It usually comes down to one or two people in power," says Fair.

**"It usually comes down to one or two people in power," says Fair.**

If you don't know Selectboard members, sign up for public comment during Selectboard Zoom meetings.

Silberman recommends emailing the members before the meeting to introduce yourself and what you're interested in proposing. "Start with a sympathetic ear," he says.



### How can I build a coalition of supporters?

Build a coalition – Get a group together, of citizens across age groups and local business leaders, who support putting dispensaries up for a vote.

Front Porch Forum may also be a useful tool for finding like-minded folks who want to see Act 164 go up for a vote.

If you're looking for fellow community members in your area to join efforts with but aren't sure where to start, feel free to shoot us a message.

If you're looking for fellow community members in your area to join efforts with but aren't sure where to start, feel free to shoot us a message with your name/town, and we are happy to utilize our platforms and contact lists to help you find like-minded folks who want to get involved.

### How do I put together a petition?

The petition must contain the printed name, street address and signature of each voter who signed the petition. Only residents of the town can sign. The full text of the proposed ballot question must be on every petition page.

For more, see the Vermont Secretary of State's very helpful guidelines on petitions.

"This is a decision of the registered voters of the town," Fair says. "The Selectboard has no authority, justification or excuse for not putting it on their Town Meeting Day agenda."





Unfortunately, petitions need to be physically signed. And yes, this is a major hurdle during pandemic times. "Gathering signatures in the middle of a public health crisis puts the community at risk," Fair says.

Silberman suggests going to where people are already gathered, for example setting up a table outside the polling place at Town Meeting.

**Petitions need to be physically signed. And yes, this is a major hurdle during pandemic times.**

Have multiple clipboards and lots of pens on the table instead of handing them to people directly, and sanitize each clipboard/pen after you get it back. Stick to the usual COVID-19 protocols such as wearing a mask and keeping your distance. And finally, Silberman recommends, get a buffer – 10 or 15% more signatures than you need.

And while you can't get official signatures online, you can certainly use online platforms to generate interest and increase turnout.

**Here's an example ballot question:**

"Shall the [Town of \_\_\_\_\_] permit the operation of licensed cannabis retailers and Integrated Licensees, subject to such municipal ordinance and regulation as the [Selectboard] may lawfully adopt and implement?"

**What are some talking points if I get pushback? (See them in the [video](#))**



says. Being informed and armed with statistics is your best bet here. Some basic talking points:

- This doesn't mean dispensaries will open, or open immediately. We're just asking the people to decide.
- Doing this earlier gives the town more time to figure out what zoning, signage, and nuisance ordinances are needed to appropriately regulate cannabis businesses at the local level.
- A lot of lead time is needed in opening highly regulated businesses, and the town needs to signal that they are welcome – early in the process.
- Financial incentive – If the town has a LOT, they get 1%. And every town gets local application fees, intended to offset local expenses.
- If they force you to collect petition signatures, they will have to pay to administer a special election which costs time and money.

Full video below:



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SITE BY 

January 10, 2021

Dear Mr. Atherton,

I am writing to express my interest in joining the Brandon Planning Commission as I was recently made aware that a space has opened up. I believe the combination of my experience, skills and passions make me an ideal candidate to serve on this Commission.

My husband and I purchased our house in Brandon in early 2019 for many reasons, a few of which were the town's walkable downtown, full of vibrant local businesses, and the potential to become an active member in the community. While I am already part of the Restorative Justice committee and served as a Poll Worker this past November, I would love another opportunity to contribute civically.

My work with ACORN (the Addison County Relocalization Network) has given me first-hand experience working with various town, county and statewide institutions as well as with community members and businesses to encourage the relocalization of our area's food and agricultural economy. I have worked with the Hunger Council, Department of Health, ACEDC, ACRPC, Chamber of Commerce, Porter Medical Center, Vermont Farm to Plate, Dig In VT and others to address issues including food insecurity, food access and local agricultural viability.

Additionally, the experiences I have gained as a small business owner and educator for the past eight years have also given me great perspective in the challenges of owning a small business and finding innovative solutions to complex problems.

Thank you for your time and I look forward to hearing from you soon.

Warmly,  
Lindsey Berk  
8 Rossiter St  
Brandon, VT 05733

.....  
Executive Director, ACORN  
Co-Founder, Origins of Food  
(802) 989-0883  
[lindseyberk@gmail.com](mailto:lindseyberk@gmail.com)

## David Atherton

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**From:** Timothy J. Kingston <timothykingston@live.com>  
**Sent:** Wednesday, January 20, 2021 10:45 AM  
**To:** David Atherton  
**Subject:** Animal control officer

Dave,

I understand there's a vacancy for animal control officer for our town. I would like to be considered for the position if it's available.

Respectfully,

Tim Kingston

Get [Outlook](#) for iOS

# Town of Brandon Declaration of Inclusion

The Town of Brandon condemns racism and welcomes all persons, regardless of race, color, religion, national origin, sex, gender identity or expression, age, or disability, and will protect these classes to the fullest extent of the law.

As a Town, we formally condemn discrimination in all of its forms and commit to fair and equal treatment of everyone in our community.

The Town of Brandon has and will continue to be a place where individuals can live freely and express their opinions.

By the Brandon Select Board on January 25, 2021

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**MUNICIPAL POLICIES AND CODES (FORM MP-1)**

Consistent with the provisions of the Vermont Community Development Program, and federal law, the (check one) ☒ Town ☐ City ☐ Village of Brandon has adopted the following policies and codes:

**Equal Employment Opportunity Policy (required by 24 CFR 570.904 and modeled on the State of Vermont's State Government EEO Plan for FY 2017):**

A. It is the policy and practice of this municipality to assure that no person will be discriminated against, or be denied the benefit of any activity, program, or employment process, in any area of employment, including but not limited to recruitment, advertising, hiring, promotion, transfer, demotion, lay off, termination, rehiring, rates of pay, benefits, development opportunities, and/or other compensation. This municipality is strongly committed to non-discrimination and equal opportunity in all employment actions for qualified persons without regard to race, color, religion, ancestry, national origin, age, gender, sexual orientation, sexual identification, or disabling condition. It is the policy of this municipality to provide a workplace that is free of harassment for being a member of a protected class, and this municipality prohibits retaliatory action for any protected activity. With this in mind, the following policy is set in place.

1. This municipality shall consider all qualified applicants for available positions without regard to race, color, religion, ancestry, national origin, age, gender, sexual orientation, sexual identity, or disability, provided the individual is qualified to perform the work available. Attempts will be made to contact known sources of minority and women potential applicants to maximize the participation of such applicants.
2. All recruitment advertisements will include the municipality's commitment to Equal Employment Opportunity, and job specifications/descriptions should be reviewed periodically and properly identify job-related requirements.
3. EEO posters shall be placed and maintained in conspicuous locations.
4. Advancement to positions of greater responsibility is based on an individual's demonstrated performance.
5. Compensation, benefits, job assignments, layoffs, employee development opportunities, and discipline shall be administered consistent with federal and state laws, and without bias to race, color, religion, ancestry, national origin, age, gender, sexual orientation, sexual identity, or disability.
6. Executive, management and supervisory level employees have the responsibility to further the implementation of this policy and ensure conformance by subordinates.
7. Any municipal employee who engages in discrimination of a member of a protected class or unlawful harassment may be subject to appropriate discipline.
8. Any supervisory or managerial employee who knows of unlawful discrimination or harassment in the workplace, and fails to take immediate and appropriate corrective action, may be subject to disciplinary action.

B. The municipality is committed to its Equal Employment Opportunity Policy, and as part of the Equal Employment Opportunity Plan will:

1. Recruit, hire, upgrade, train, and promote in all job classifications without regard to race, color, religion, ancestry, national origin, age, gender, sexual orientation, sexual identity, or disability;
2. Base employment decisions on the principles of Equal Employment Opportunity and with the intent to further the municipality's commitment to workplace diversity;
3. Ensure that all other personnel actions such as compensation, benefits, municipal-sponsored training, educational tuition assistance, social and recreational programs shall be administered without regard to race, color, religion, ancestry, national origin, age, gender, sexual orientation, sexual identity, or disability;
4. Provide reasonable accommodations for applicants and/or employees with disabilities, which will enable them to successfully perform the essential job functions;
5. Ensure that employees and applicants are not subjected to intimidation and/or harassment, threats, coercion, or discrimination because they have filed a complaint, assisted or participated in an investigation or any other activity, or opposed any act or practice made unlawful;
6. Investigate claims of discrimination and unlawful harassment in the workplace; and
7. Promote inclusion and diversity in all levels of the workforce.

**Fair Housing Policy (required by 24 CFR 570.904 and modeled on 24 CFR Part 6):**

The policy set forth herein applies to all housing programs, both present and future, funded through the Vermont Community Development Program.

A. This municipality will not, directly or through contractual, licensing, or other arrangements, take any of the following actions on the grounds of race, color, national origin, religion, or sex:

1. Deny any individual any facilities, services, financial aid, or other benefits provided under any VCDP-funded program or activity;
2. Provide any facilities, services, financial aid, or other benefits that are different, or are provided in a different form, from that provided to others under any VCDP-funded program or activity;
3. Subject an individual to segregated or separate treatment in any facility, or in any matter of process related to the receipt of any service or benefit under any VCDP-funded program or activity;
4. Restrict an individual's access to, or enjoyment of, any advantage or privilege enjoyed by others in connection with facilities, services, financial aid or other benefits under any VCDP-funded program or activity;
5. Treat an individual differently from others in determining whether the individual satisfies any admission, enrollment, eligibility, membership, or other requirements or conditions that the individual must meet in order to be provided any facilities, services, or other benefit provided under any VCDP-funded program or activity;
6. Deny an individual an opportunity to participate in any VCDP-funded program or activity as an employee;

7. Aid or otherwise perpetuate discrimination against an individual by providing VCDP-funded financial assistance to an agency, organization, or person that discriminates in providing any housing, aid, benefit, or service;
8. Otherwise limit an individual in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by other individuals receiving the housing, aid, benefit, or service;
9. Use criteria or methods of administration that have the effect of subjecting persons to discrimination or have the effect of defeating or substantially impairing accomplishment of the objectives of the program or activity with respect to persons of a particular race, color, national origin, religion, or sex; or
10. Deny a person the opportunity to participate as a member of planning or advisory boards.

B. In determining the site or location of housing, accommodations, or facilities, this municipality will not make selections that have the effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination on the ground of race, color, national origin, religion, or sex. This municipality will not make selections that have the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of this policy.

C. This municipality will not, directly or through contractual, licensing, or other arrangements, solely on the basis of handicap:

1. Deny a qualified individual with handicaps the opportunity to participate in, or benefit from, any VCDP-funded housing, aid, benefit, or service;
2. Afford a qualified individual with handicaps an opportunity to participate in, or benefit from, any VCDP-funded housing, aid, benefit, or service that is not equal to that afforded to others;
3. Provide a qualified individual with handicaps with any VCDP-funded housing, aid, benefit, or service that is not as effective in affording the individual an equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others;
4. Provide different or separate VCDP-funded housing, aid, benefits, or services to individuals with handicaps or to any class of individuals with handicaps from that provided to others unless such action is necessary to provide qualified individuals with handicaps with housing, aid, benefits, or services that are as effective as those provided to others;
5. Aid or perpetuate discrimination against a qualified individual with handicaps by providing significant assistance to an agency, organization, or person that discriminates on the basis of handicap in providing any housing, aid, benefit, or service to beneficiaries in the recipient's federally assisted program or activity;
6. Deny a qualified individual with handicaps the opportunity to participate as a member of planning or advisory boards;
7. Deny a dwelling to an otherwise qualified buyer or renter because of a handicap of that buyer or renter or a person residing in or intending and eligible to reside in that dwelling after it is

sold, rented or made available; or

8. Otherwise limit a qualified individual with handicaps in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by other qualified individuals receiving the housing, aid, benefit, or service.

D. This municipality will not, directly or through contracting, licensing, or other arrangements, use age distinctions or take any other actions that have the effect, on the basis of age, of:

1. Excluding individuals from, denying them the benefits of, or subjecting them to discrimination under, a VCDP-funded program or activity; or
2. Denying or limiting individuals in their opportunity to participate in any VCDP-funded program or activity.

**Use of Excessive Force Policy (42 USC sec. 5304(l)):**

This municipality (1) prohibits the use of excessive force by its law enforcement agencies against any individuals engaged in nonviolent civil rights demonstrations; and (2) prohibits its law enforcement agencies from physically barring entrance to or exit from a facility or location that is the subject of a nonviolent civil rights demonstration.

**Policy on the Use of VCDP Funds for Federal Lobbying (Byrd Anti-Lobbying Amendment, 31 U.S.C. 1352):**

This municipality will not allow the use of VCDP funds to pay any person for the influencing or attempting to influence an officer of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement.

**Code of Ethics for Administration of Vermont Community Development Program (24 CFR 570.489(h)):**

The following code of ethical conduct for public officials, employees and/or affected contractors covers all aspects of the VCDP, whether or not specifically cited.

1. Goods and services shall be procured in a manner which maximizes free and open competition.
2. Officers and employees shall not participate in any decision concerning matters in which they have a financial interest.
3. Conflicts, and the appearance of conflicts, of interest shall be avoided in order to assure public confidence in the operations of governments.

4. Every effort will be made to actively recruit woman-owned or minority-owned businesses and to provide opportunities for local residents and businesses, consistent with Section 3 of the Housing and Urban Development Act of 1968.
5. All procurement actions shall be conducted in public and all records related thereto will be open to public review.

**The Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.)** requires Grantees to certify and assure the Department that they will establish a formal written policy that informs employees that the manufacture, distribution, possession and use of illegal drugs in the workplace are prohibited, and an ongoing drug-free awareness program.

If this municipality does not already have a drug-free workplace policy that is at least as robust as the following, it hereby establishes that:

As an employer, the {Municipality} is responsible for maintaining safe, efficient working conditions for its employees by providing a drug-free workplace. Therefore, municipal employees shall not engage in the unlawful manufacture, distribution, possession or use of controlled substances (drugs) on the job or on any municipal work site.

1. The illegal use, possession, sale, distribution, or manufacture of controlled substances in or on property belonging to the municipality will not be tolerated and is considered to be grounds for review and termination of employment at the discretion of the employee's supervisor.
2. Any employee of the municipality who has a controlled substance dependency, or any other controlled substance-related problem, shall immediately seek professional assistance or counseling.
3. Any employee of the municipality who is convicted of violating any criminal drug statute must inform his or her supervisor within 5 days after the conviction. The criminal conviction of any employee of this municipality for the use, possession, sale or distribution of a controlled substance may be considered grounds for review and termination of employment at the discretion of the employee's supervisor.
4. If an employee who is convicted of violating any criminal drug statute works in a federally funded program, the municipality shall notify the agency that provides the federal funding within ten (10) days of the municipality's receiving the notice of the conviction. In the case of the Vermont Community Development Program, notify the Department of Housing and Community Development.
5. Any employee on municipal premises who appears to be under the influence of, or who possesses illegal or non-medically authorized drugs, or who has used such drugs on municipal premises, may be temporarily relieved from duty pending further investigation.
6. If the use of legal drugs endangers safety, management may (but is not required to) reassign work on a temporary or permanent basis.

7. All current and future employees shall be informed of this policy and shall acknowledge in writing their understanding and acceptance of this policy.

**Subrecipient Oversight Monitoring Policy (required by Uniform Guidance, 2 CFR Part 200):**

The policy set forth herein must be adopted by all municipalities using VCDP funds. Adoption of this policy certifies the Grantee shall be responsible for oversight monitoring of grant funds that are dispersed to a sub-recipient, to ensure the funds are properly managed.

To ensure such funds are managed according to the agreements and requirements of the granting agency, the Municipality will designate a municipal individual responsible for subrecipient monitoring. At a minimum, this will include:

1. Closely monitoring and reviewing the requisition of funds to the funding agency on a regular basis;
2. Reviewing the Subrecipient's financial management systems, internal control procedures, separation of duties, ensuring that different individuals review the invoices for payment and accuracy, from someone who writes the check, to someone who authorizes or signs the check, to someone who reconciles the Bank statements;
3. Reviewing the Subrecipient's procurement policies to ensure that they meet the requirements of 2 CFR Part 200, Uniform Federal Guidance;
4. Reviewing Labor Standards, if applicable, and the appropriate wage rates; securing payrolls and reviewing them for accuracy, and in the event there are any errors securing proof of restitution;
5. Ensuring that contractors are being paid appropriately, and lien waivers and other releases are secured from the contractors;
6. Closely monitoring the progress of the funded project through the review of required progress reports; and
7. Obtaining and reviewing the independent audit if required for the sub-recipient (expenditure of \$750,000 or greater in one fiscal year); or the municipality may determine that its own single audit may be expanded to include the scope of federal funds expended at the subrecipient level; or the subrecipient may be eligible to have a program specific audit.
8. Authorized representatives of the Secretary of the Agency, the Secretary of HUD, the Inspector General of the United States, or the U.S. General Accounting Office shall have access to all books, accounts, records, reports, files, papers, things, or property belong to, or in use by, any Subgrantee or Subrecipients pertaining to the receipts of VCDP funds as may be necessary to make audits, examinations, excerpts, and transcripts.

**Whistleblower Protections:**

A. The Municipality shall not discriminate or retaliate against a municipal employee or agent for engaging in the following:

1. Providing to a public body a good faith report or good faith testimony that alleges an entity of municipal or state government, a municipal employee or official, or a person providing services to the municipality under contract has engaged in a violation of law or in waste, fraud, or abuse of authority, or an act threatening health or safety.
2. Assisting or participating in a proceeding to enforce the provisions of this policy.

B. Neither the Municipality nor any municipal officer or employee shall attempt to restrict or interfere with, in any manner, a municipal employee's ability to engage in any of the protected activity described in subsection (a) of this policy. Employees are not required to report misconduct to the municipality or its agents prior to reporting to any governmental entity and/or the public.

C. Neither the Municipality nor any municipal officer or employee shall require employees or agents to forego monetary awards as a result of such reports.

**Adoption**

Adopted by the Legislative Body on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

**LEGISLATIVE BODY**

(Typed Name)

(Signature)

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01/22/21

## TOWN OF BRANDON Accounts Payable

Page 1 of 5

08:56 am

Check Warrant Report # 63439 Current Prior Next FY Invoices

Jacolyn

All Invoices For Check Acct 01(10 General Fund) 01/25/21 To 01/25/21

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
310184	ABANAKI INC	01/05/21 box trailer rental	10-5-18-20500	150.00	49280	01/22/21
		15606	Storage Unit Supply/Maint			
301053	ABLE TO SUPPLY INC	01/05/21 earplugs	10-5-15-41120	114.00	49281	01/22/21
		381334	Safety Equipment			
301067	AHLBORN EQUIPMENT INC	01/13/21 bar, helmets, glasses	10-5-15-41110	31.78	49282	01/22/21
		311358	New Equipment-Misc. Tools			
301067	AHLBORN EQUIPMENT INC	01/13/21 bar, helmets, glasses	10-5-15-41120	115.42	49282	01/22/21
		311358	Safety Equipment			
200263	ALDRICH & ELLIOTT, PC	01/02/21 WWTF Refurb	20-5-60-20120	2987.37	49283	01/22/21
		79593	Engineering			
200263	ALDRICH & ELLIOTT, PC	01/02/21 Sewer mapping	20-5-60-20150	1474.25	49284	01/22/21
		79601	Sewer Mapping			
330468	ATHERTON, DAVID J	01/20/21 cell phone Jul - Dec	10-5-10-42100	300.00	49285	01/22/21
		1/20/21	Telephone Exp. Admin.			
310861	BIASUZZI, JEFFREY	01/13/21 DRB mailing reimb.	10-5-12-30132	13.43	49286	01/22/21
		1/13/21	Planning/Zoning Postage			
310709	EMI	01/02/21 annual music license	10-5-18-50090	368.00	49287	01/22/21
		39081370	Adult Activities			
100255	BRANDON FIRE DISTRICT #1	01/19/21 BFD portion of payments	90-5-15-90600	140447.93	49288	01/22/21
		JAN 2021	Paid To BFD No 1			
310699	BRANDON GLC SOLAR, LLC	02/01/21 solar	10-5-22-42130	2365.00	49289	01/22/21
		169	Bldgs & Grounds Electric			
310699	BRANDON GLC SOLAR, LLC	02/01/21 solar	20-5-55-42130	1935.00	49289	01/22/21
		169	Electric			
100280	BRANDON LUMBER & MILLWORK	01/08/21 lumber for skating rink	10-5-18-43120	299.39	49290	01/22/21
		868463/3	Parks Maintenance			
100280	BRANDON LUMBER & MILLWORK	01/05/21 mailbox, numbers	10-5-22-43080	25.93	49290	01/22/21
		868486/3	Highway Bldg Maint			
100280	BRANDON LUMBER & MILLWORK	01/05/21 carriage bolts	10-5-15-41160	32.00	49290	01/22/21
		868529/3	HW Maint. Supplies-Vehicl			
100280	BRANDON LUMBER & MILLWORK	01/06/21 fasteners	10-5-22-43080	1.60	49290	01/22/21
		868647/3	Highway Bldg Maint			
100280	BRANDON LUMBER & MILLWORK	01/11/21 batteries	10-5-22-43080	13.18	49290	01/22/21
		869307/3	Highway Bldg Maint			
100280	BRANDON LUMBER & MILLWORK	01/11/21 cement	20-5-55-43160	54.99	49290	01/22/21
		869354/3	Maint. Supplies - General			
100280	BRANDON LUMBER & MILLWORK	01/13/21 for skating rink	10-5-18-43120	74.99	49290	01/22/21
		869666/3	Parks Maintenance			
100280	BRANDON LUMBER & MILLWORK	01/15/21 chain & bolt snaps	20-5-55-43160	56.77	49290	01/22/21
		869857/3	Maint. Supplies - General			
100280	BRANDON LUMBER & MILLWORK	01/18/21 lumber	10-5-18-43120	213.43	49290	01/22/21
		870239/3	Parks Maintenance			
100280	BRANDON LUMBER & MILLWORK	01/18/21 lumber	10-5-18-43120	14.72	49290	01/22/21
		870270/3	Parks Maintenance			
100280	BRANDON LUMBER & MILLWORK	01/19/21 lath, screws	10-5-18-43120	41.16	49290	01/22/21
		870348/3	Parks Maintenance			
200218	BRANDON REPORTER	12/31/20 ads- Rec	10-5-18-10330	480.00	49291	01/22/21
		12/31/20	Advertising/Recruitment			
100198	CARGILL, INCORPORATED	01/05/21 salt	10-5-15-47110	2981.81	49292	01/22/21
		2905912106	Road Salt			



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Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
100860	CARROLL, BOE & PELL P.C.	01/08/21 BIC Sale to Foley 34675	10-5-10-21110 Legal Services	1752.39	49293	01/22/21
100860	CARROLL, BOE & PELL P.C.	01/08/21 Brookdale Manor LLC 34676	10-5-10-21110 Legal Services	651.00	49293	01/22/21
100860	CARROLL, BOE & PELL P.C.	01/08/21 Employment - ACO 34677	10-5-10-21110 Legal Services	1932.00	49293	01/22/21
100860	CARROLL, BOE & PELL P.C.	01/08/21 Misc. 34678	10-5-10-21110 Legal Services	63.00	49293	01/22/21
100462	CASELLA WASTE MANAGEMENT	01/01/21 Dec trucking of sludge 2497123	20-5-55-50170 Trucking	1417.50	49294	01/22/21
301503	CHAMPLAIN VALLEY FUELS	01/05/21 diesel fuel 429481	10-5-15-41130 Fuel - Vehicles HW	738.64	49295	01/22/21
301503	CHAMPLAIN VALLEY FUELS	01/12/21 diesel fuel 455329	10-5-15-41130 Fuel - Vehicles HW	229.64	49295	01/22/21
301503	CHAMPLAIN VALLEY FUELS	01/08/21 heating fuel @ HWY 455330	10-5-22-42110 Heating Fuel	307.12	49295	01/22/21
301503	CHAMPLAIN VALLEY FUELS	01/06/21 gasoline 455333	10-5-14-41130 Fuel - Vehicles	438.06	49295	01/22/21
301503	CHAMPLAIN VALLEY FUELS	01/11/21 heating fuel @ Town Hall 456380	10-5-22-42110 Heating Fuel	213.43	49295	01/22/21
300755	CHEMSEARCHFE	01/12/21 heavy duty drain cleaner 7228649	20-5-55-51310 Collection Systems	296.46	49296	01/22/21
310097	COMCAST	12/27/20 service: 01/04 - 02/03 PD 12/27/20	10-5-14-42100 PD Telephone Service	308.27	49297	01/22/21
310097	COMCAST	01/09/21 service: 01/16 - 02/15 TR 01/09/21	10-5-22-43150 Town Hall Repair/Maint.	82.95	49298	01/22/21
310037	CONSOLIDATED COMMUNICATIO	01/06/21 service: Dec 06 - Jan 05 HWY 01/06/21	10-5-15-42100 HW Telephone	93.14	49299	01/22/21
310037	CONSOLIDATED COMMUNICATIO	01/06/21 service: Dec 06 to Jan 05 PD 01/06/21	10-5-14-42100 PD Telephone Service	47.32	49299	01/22/21
301066	CORE & MAIN LP	01/07/21 valve packing N530952	20-5-55-43160 Maint. Supplies - General	165.54	49300	01/22/21
301066	CORE & MAIN LP	01/18/21 disc kit N607388	20-5-55-43160 Maint. Supplies - General	1143.42	49300	01/22/21
100470	CROSBY'S SALES & SERVICE	01/05/21 chainsaw supplies 0064589	10-5-15-41160 HW Maint. Supplies-Vehicl	164.83	49301	01/22/21
311001	DAVIS, MANDY	01/16/21 Get it & Go design 0157	10-5-18-43120 Parks Maintenance	27.00	49302	01/22/21
100494	ENDYNE INC	01/18/21 testing 359448	20-5-55-22120 Testing	175.00	49303	01/22/21
100494	ENDYNE INC	01/21/21 testing 359691	20-5-55-22120 Testing	75.00	49303	01/22/21
300492	FASTENAL COMPANY	12/30/20 drill bit VTRUT107326	10-5-15-41110 New Equipment-Misc. Tools	66.44	49304	01/22/21
300187	FLORENCE CRUSHED STONE	12/31/20 plant mix 229577	10-5-15-46140 Gravel	76.89	49305	01/22/21
310426	FYLES BROS., INC.	01/11/21 propane @ WW chem bldg 19140	20-5-55-42110 LP Gas - Bldgs	156.71	49306	01/22/21
310426	FYLES BROS., INC.	01/11/21 propane @ WW supply bldg 19141	20-5-55-42110 LP Gas - Bldgs	203.91	49306	01/22/21

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Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
310426	FYLES BROS., INC.	01/11/21 propane @ Town Office	10-5-22-42110	160.48	49306	01/22/21
		19155	Heating Fuel			
310426	FYLES BROS., INC.	01/04/21 propane @ WW lab bldg	20-5-55-42110	820.92	49306	01/22/21
		27478	LP Gas - Bldgs			
100725	GREEN MOUNTAIN GARAGE	01/04/21 washers	10-5-15-41160	3.12	49307	01/22/21
		161724	HW Maint. Supplies-Vehicl			
100725	GREEN MOUNTAIN GARAGE	01/06/21 scrapers	10-5-15-41160	25.54	49307	01/22/21
		161841	HW Maint. Supplies-Vehicl			
100725	GREEN MOUNTAIN GARAGE	01/08/21 hose, manifold	10-5-15-41160	35.70	49307	01/22/21
		161970	HW Maint. Supplies-Vehicl			
100725	GREEN MOUNTAIN GARAGE	01/08/21 fittings	10-5-15-41160	2.00	49307	01/22/21
		161976	HW Maint. Supplies-Vehicl			
100725	GREEN MOUNTAIN GARAGE	01/11/21 hose, steering fluid	10-5-15-41160	68.82	49307	01/22/21
		162026	HW Maint. Supplies-Vehicl			
100725	GREEN MOUNTAIN GARAGE	01/13/21 headlights	10-5-15-41160	32.52	49307	01/22/21
		162168	HW Maint. Supplies-Vehicl			
100725	GREEN MOUNTAIN GARAGE	01/15/21 metal cut-off wheel	10-5-15-41160	27.83	49307	01/22/21
		162249	HW Maint. Supplies-Vehicl			
310233	GREEN MOUNTAIN POWER	01/05/21 Central Park, lights	10-5-22-42130	709.53	49308	01/22/21
		170028 01/21	Bldgs & Grounds Electric			
310233	GREEN MOUNTAIN POWER	01/06/21 Estabrook Park	10-5-22-42130	14.98	49308	01/22/21
		240302 01/21	Bldgs & Grounds Electric			
310233	GREEN MOUNTAIN POWER	01/06/21 WWTP	20-5-55-42130	955.37	49308	01/22/21
		260302 01/21	Electric			
310233	GREEN MOUNTAIN POWER	01/06/21 Carver St Pump Station	20-5-55-42130	20.19	49308	01/22/21
		290502 01/21	Electric			
310233	GREEN MOUNTAIN POWER	01/05/21 Green Park	10-5-22-42130	22.39	49308	01/22/21
		317702 01/21	Bldgs & Grounds Electric			
310233	GREEN MOUNTAIN POWER	01/05/21 Country Club Pump Station	20-5-55-42130	25.81	49308	01/22/21
		338602 01/21	Electric			
310233	GREEN MOUNTAIN POWER	01/04/21 car chargers, 7 Conant Sq	10-5-22-42500	24.68	49308	01/22/21
		339840 01/21	Electric EV Car Stations			
310233	GREEN MOUNTAIN POWER	01/05/21 Brookdale Pump Station	20-5-55-42130	31.15	49308	01/22/21
		467702 01/21	Electric			
310233	GREEN MOUNTAIN POWER	01/04/21 Crescent Park	10-5-22-42130	115.64	49308	01/22/21
		737937 01/21	Bldgs & Grounds Electric			
310233	GREEN MOUNTAIN POWER	01/06/21 Police Station	10-5-22-42130	196.51	49308	01/22/21
		822212 01/21	Bldgs & Grounds Electric			
310233	GREEN MOUNTAIN POWER	01/05/21 street lights	10-5-22-42130	3003.47	49308	01/22/21
		851302 01/21	Bldgs & Grounds Electric			
310233	GREEN MOUNTAIN POWER	01/05/21 WWTP security light	20-5-55-42130	26.77	49308	01/22/21
		860302 01/21	Electric			
100574	MAC STEEL CO	12/30/20 steel	10-5-15-41160	642.14	49310	01/22/21
		261488	HW Maint. Supplies-Vehicl			
310630	MASTERCARD	12/02/20 Notary renewal - LG	10-5-14-10330	15.00	49311	01/22/21
		60690	Dues & Subscriptions			
310630	MASTERCARD	12/01/20 Notary renewal - CB	10-5-14-10330	15.00	49311	01/22/21
		60691	Dues & Subscriptions			
310630	MASTERCARD	12/19/20 Notary renewal - AM	10-5-14-10340	15.00	49311	01/22/21
		60692	Professional Development			

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Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
310630	12/23/20	MASTERCARD Notary renewal -JB & MV 60693	10-5-14-10340 Professional Development	30.00	49311	01/22/21
310630	12/03/20	MASTERCARD Notary renewal - RP 60698	10-5-14-10330 Dues & Subscriptions	15.00	49311	01/22/21
310630	12/08/20	MASTERCARD WW shipping parts 61423	20-5-55-10310 Travel & Expenses	80.31	49311	01/22/21
310630	12/17/20	MASTERCARD video conf monthly serv. 61424	10-5-10-92000 COVID expenses	15.89	49311	01/22/21
310630	12/09/20	MASTERCARD Microsoft 365 61425	10-5-14-30110 Office Supplies	74.89	49311	01/22/21
330377	12/23/20	MATTHEW BENDER & COMPANY, VT stat 2020 supp pkg 23214953	10-5-14-10330 Dues & Subscriptions	295.16	49312	01/22/21
301033	12/28/20	MOMAR INC degreaser FSI377677	20-5-55-51230 Outside Equip. - Pump St.	358.45	49313	01/22/21
310331	11/27/20	MOTION PICTURE LICENSING annual movie license 504315485	10-5-18-60020 Movies Expense	617.42	49314	01/22/21
310796	01/09/21	NATIONAL BUSINESS LEASING lease: 1/1/21 - 1/31/21 70925260	10-5-10-30130 Service Contracts	102.00	49315	01/22/21
100788	01/01/21	NEW ENGLAND MUNICIPAL RES Marshal Swift Res/Com tab 47191	10-5-11-22140 Property Assessor	620.86	49316	01/22/21
311048	01/19/21	PITNEY BOWES RNESU meter/ballots maili JAN 19. 2021	10-5-13-20010 Elections	3805.60	49278	01/19/21
200179	01/05/21	ROOTX root killer 62405	20-5-55-50130 Root-X	3736.56	49317	01/22/21
300502	12/12/20	ROUSE TIRE SALES INC tires for 2017 Mack 10306507	10-5-15-41170 HW Tires - Vehicles	916.00	49318	01/22/21
300502	12/31/20	ROUSE TIRE SALES INC tires 10307693	10-5-15-41170 HW Tires - Vehicles	2081.72	49318	01/22/21
100566	01/19/21	RUTLAND COUNTY HUMANE SOC appropriation JAN 2021	10-5-25-70550 Rutland Co Humane Soc	750.00	49319	01/22/21
100491	01/11/21	RUTLAND HERALD DRB notice of hearing 83783	10-5-12-30310 Legal Advertising	75.50	49320	01/22/21
310921	01/07/21	STEARNS SERVICES LLC 2020 W-2's, 4thQ rpts 1083	10-5-10-30130 Service Contracts	225.00	49321	01/22/21
100630	01/20/21	US POSTMASTER, BRANDON postage-reg. & elections 1/20/21	10-5-13-20010 Elections	560.00	49279	01/20/21
100630	01/20/21	US POSTMASTER, BRANDON postage-reg. & elections 1/20/21	10-5-10-30132 Postage Expenses	420.00	49279	01/20/21
300853	12/30/20	USDA Champlain PS pymt 12/30/20	20-5-55-60610 USDA Bond-Champ. PS-Prin	6207.84	-----	---/--
300853	12/30/20	USDA Champlain PS pymt 12/30/20	20-5-55-60600 USDA Bond Champlain PS in	5274.16	-----	---/--
100225	01/12/21	VERMONT ASSOCIATION OF CH annual membership 2021	10-5-14-10330 Dues & Subscriptions	250.00	49322	01/22/21
301075	11/19/20	VERMONT PLASTIC SPECIALTI shields 58169E	10-5-13-20010 Elections	518.36	49323	01/22/21
100776	12/02/20	VERMONT RURAL WATER ASSOC 2021 membership dues 12/02/2020	20-5-55-10330 Dues & Subscriptions	235.00	49324	01/22/21
310046	12/31/20	W.B. MASON CO INC dater, stamp pad 216737928	10-5-10-30110 Office Supplies	22.46	49325	01/22/21

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Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
310046	01/06/21	DVD disks, legal pads 216860492	10-5-14-30110 Office Supplies	43.29	49325	01/22/21
Report Total				199759.84	=====	

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 \$ \*\*\*199,759.84  
Let this be your order for the payments of these amounts.

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Jacolyn

All Invoices For Check Acct 99(10 General Fund) 01/25/2021 To 01/25/2021

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
300286	CASELLA CONSTRUCTION INC	PR 65	S6 PR 65	168728.83	0.00	168728.83	49277 01/12/21
310760	FUSS & O'NEILL INC	228175	S6 Roadway Design	1481.73	0.00	1481.73	49326 01/25/21
Report Total			170,210.56	0.00	170,210.56		

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 \$ \*\*\*170,210.56  
Let this be your order for the payments of these amounts.

Segment 6