

Brandon Select Board Meeting
September 11, 2023
7:00 p.m.

The Brandon Select Board will meet Monday, September 11, 2023 at 7:00 p.m. at the Brandon Town Hall located at 1 Conant Square expecting to consider the items on this agenda.

ZOOM: Meeting ID (253 279 4161)

- 1) Call to Order
 - a) Adopt Agenda (posted or as amended)
- 2) Approval of Minutes
 - a) Select Board Meeting Minutes – August 28, 2023
- 3) Town Manager’s Report
- 4) Rec Director’s Report
- 5) Public Comment and Participation
- 6) Award Bid for Newton Road Reconstruction
- 7) Review Public Car Charging Station at Conant Square Lot
- 8) Respond to Police Union Initiation of Collective Bargaining Process
- 9) Holding Cell at Police Station
- 10) Consider Working Group for Shade Tree Preservation Plan
- 11) Semi-annual Report from the Energy Committee
- 12) Discussion on BRAVO
- 13) Appointment of Rutland Emergency Management Committee Reps
 - a) Emergency Management Director (1-year term ending September 30, 2024)
 - b) Emergency Services Voter (1-year term ending September 30, 2024)
- 14) Fiscal
 - a) Consider Purchase Order 45038 to Cargill, Inc. for Deicing Salt - \$86,500
 - b) Warrant – September 11, 2023 - \$156,619.94
- 15) Executive Session

Negotiating or securing a real estate lease option to include the Town Manager per 1 V.S.A. § 313(a)(2).
- 16) Executive Session

The appointment or employment or evaluation of a public officer or employee, to exclude the Town Manager per 1 V.S.A. § 313(3)(a)(3).
- 17) Adjournment

**Brandon Select Board Meeting
August 28, 2023**

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

Board Members In Attendance: Tracy Wyman, Brian Coolidge, Tim Guiles, Heather Nelson

Board Members via Zoom: Cecil Reniche-Smith

Others In Attendance: Seth Hopkins, Ralph Ethier, Eileen Dolan, Laura Miner, Kevin Waldie, Tanner Romano, Wayne Rausenberger, Steven Jupiter, Jan Coolidge, Vicky Disorda, Courtney Satz, Steve Bisette, Tom Kilpeck, Susan Benedict

Others in Attendance via Zoom: Bruce Jenson, Neil Silins, Jack Schneider, Marielle Blais

1. Call to order

The meeting was called to order by Tracy Wyman - Board Chair at 7:00PM.

a) Agenda Adoption – Motion by Brian Coolidge/Cecil Reniche-Smith to adopt the agenda. **The motion passed unanimously.**

2. Approval of Minutes

a) Select Board Meeting Minutes – August 14, 2023

Motion by Brian Coolidge/Heather Nelson to approve the minutes of the August 14, 2023 Select Board meeting. **The motion passed unanimously.**

3. Town Manager's Report

A Town Manager's report was provided by Seth Hopkins and is available for viewing in the Board packet on the Town's website.

Mr. Hopkins wished to highlight the following: A correction on the first page talking about debris removal from Newton Road as it happened today due to a VTrans scheduling change. Nothing has changed other than the main activity. He is fielding a lot of phone calls due to delinquent taxpayer notices having been received and people are calling wanting to clear up their billings. He has had ongoing communications with FEMA for requests for information and contractor information on rebuilding Newton Road. Cecil Reniche-Smith questioned if payment plans are being made for delinquent taxes. Mr. Hopkins reported payment plans are offered when the taxpayer can clear the delinquency in a year. Tim Guiles questioned if the \$67,000 of local option tax money is more than average and Mr. Hopkins reported this is in line with the average for the April/May/June timeframe.

Brian Coolidge stated the tennis courts at Estabrook Park are lacking maintenance and the back trim boards of the building there are rotted. The bioswales are also neglected on Park Street. With them being Town properties, they should be maintained before creating other areas like a connector path. Seth Hopkins and Bill Moore have talked with buildings and grounds about the bioswales on Pearl Street and Park Street. There are homeowners that have adopted them, following the model of the in-town sidewalk gardens. The Town supports clubs who are interested in doing the bioswales. Mr. Hopkins noted this is good community building and allows for the residents to take ownership. The Town could do the maintenance if a more robust budget is developed to support these activities. Mr. Hopkins recommended the volunteer route first or have a discussion during budget time. Heather Nelson asked about Park Street parking as to which are diagonal. Mr. Hopkins stated all of Park Street is parallel parking except right near the library which is diagonal parking. Bill Moore advised the tennis court at Estabrook is in the wrong spot and the decision was made to move the tennis court and make this area a skate park. Funds are being researched for a new tennis court. Cecil Reniche-Smith asked about the police chief discussion in the report. Mr. Hopkins reported there was a law enforcement response to a complaint of a serious nature and there is interest in further

communication of how those types of calls could be handled. The Chief noted it is the Town's and Select Board's police department and he will provide the policing that the Town would like to see. Mr. Hopkins provided an update on damage to the police station that was the result of a person being booked.

Keivn Waldie stated the condition of the tennis courts has been going on for a long time and questioned who would be taking care of the skate park when the tennis courts have been in this shape. There are several safety issues on the court and things have not been kept up. Concern was also expressed with who is going to pay for the upkeep of a path from Brandon to Forest Dale. Mr. Waldie encouraged the Board to ensure there is money to maintain these areas once they are developed, as taxpayer money is being wasted. Bill Moore explained the tennis court is in the wrong area because it is very wet and the idea of having an asphalt space would be a better use of the area. The parking area adjacent would provide the ability to have a single court that will be lined for basketball and pickle ball as well. Mr. Moore advised if there are not enough people interested in a Brandon/Forest Dale connector route, this will not happen and the scoping study will determine if the people of Brandon want this.

Vicky Disorda questioned the cost for the skate park. Mr. Moore said \$95,000 would be for the tennis court only and the cost for the skate park has not been determined as that would be Phase 2 of the changes to Estabrook. Ms. Disorda also questioned the comment about the kind of policing for the Town. Mr. Hopkins reported the Police Chief would like some direction from the Select Board in determining how many police are wanted. He is open to various levels of response and is looking for what is the best fit for the community. Cecil Reniche-Smith suggested having a community forum on this topic.

Bruce Jenson asked if anyone has investigated the stipulations of the original grant for Estabrook Park, as all maintenance had to be kept up. Mr. Hopkins stated this has been reviewed and the Town's professional staff were aware of the requirements of the grant but it can be reopened to review the conditions. There has not been a conscious decision to discontinue maintenance, but to come to terms with the topographical area. Mr. Jenson stated the original grant indicates if there is a desire to make a permanent change, an application and approval is required from the Park Service and Department of Interior. Mr. Hopkins reported there has been a conversation at the state level and federal level and approvals will be obtained.

4. Rec Director's Report

A Rec Directors report was provided by Bill Moore and is available for viewing in the Board packet on the Town's website.

Bill Moore provided an overview of his report:

The "For the Luv of Dogs Car Show (And Cats too)" was held with 54 entrants and \$1200 was raised for the Rutland County Humane Society.

The December 9th NYC Bus Trip is sold out with two buses. The next bus trip will be the annual Boston Celtics Game trip and registration should be open by September 1st.

Your sports registration is open for soccer and football. Disc golf and kickball are to be released after school starts.

Miss Michaela Dance starts September 19th with the final show on December 6th. Class for ages 3 – 12 and adult classes can be found at Brandonrec.com.

The Town will once again sponsor fall baseball. A U18 team will start on Sundays at OV starting August 27th.

Indoor adult basketball is back on Tuesdays 7PM – 9PM at Neshobe, Thursdays and Sundays 7PM – 9PM at OV. This partnership with RNEU provides adults with plenty of opportunities to recreate for free.

More pickleball times are being made available on evenings and weekends days at OV North Campus.

Brian Coolidge questioned why the proceeds from the Brandon Carnival are shared with the Toy Project as they did not contribute 50% of the expense. Bill Moore advised the Town was able to host the carnival through the efforts of Colleen Wright in enticing the amusement vendor to do the carnival for the Toy Project. Mr. Moore agreed to partner with the Toy Project and noted the Town can do an MOA with the Toy Project but did not see a problem with the current agreement. Mr. Moore noted both the Town and the Toy Project each received \$2943 after expenses from the Carnival. Tim Guiles suggested a future agenda item to discuss a policy for how town locations are available to non-profits and how profit-sharing would be done. He appreciates an MOA with the Toy Project but thought something more general for all situations would be good to have. Mr. Coolidge thought all proceeds need to go back to the Rec Department. The Toy Project was always a stand-alone entity and now taxpayer dollars are funding it and he felt it is a conflict of interest for Ms. Wright. Mr. Moore advised the contract with the amusement vendor was signed by the Toy Project.

5. Public Comment and Participation

Brian Coolidge reported he received feedback on changing the way minutes are being done, as a lot of seniors do not have access to them electronically. He does not see anything wrong with the way they were being done. Cecil Reniche-Smith stated emails were also received about this subject. Seth Hopkins advised there is a function on the website that would provide agendas, board packets and recordings that has been corrected and people can access the recordings from the Town website. Tracy Wyman reported he also had several people voicing their opinion on the change. Vicky Disorda stated it is easier and timelier if one is interested in a line item to get the information from the minutes rather than going through an entire video. Cecil Reniche-Smith stated the new format is to still have information on disputes and final decisions with the recording having more detail. Her hope is to make it easier to spot the points of contention and dispute. Ms. Disorda disagreed with this concept and felt that conversations are important for the rest of the community. She noted concern what is being placed on the website is being censored. Tim Guiles stated meetings are open to the public and someone from The Reporter comes to the meeting. Minutes are not supposed to be transcripts and the change will make the minutes more usable, with Zoom offering a complete record of having everything that is said. Mr. Coolidge noted some people do not have technology and there was no harm or issue in the way they were done. Jan Coolidge stated her issue is with transparency and the Select Board cannot reply on Mr. Jupiter putting the discussion in the paper. If people speak up in a meeting and the comments are condensed, it makes people feel that their comments are not worthy. Steven Jupiter advised he can't provide all details due to space but every word should be available. Zoom is not always available, and it is important for posterity that the records be kept somewhere. It is good to have historical documents for research. Heather Nelson noted at the last meeting it was agreed to try this type of minutes and people didn't like it. She understands the reasons for having shorter minutes, but Mr. Coolidge's points are well taken and there is something to be said for stopping by the town office to request a print of the minutes if they cannot be accessed. Also, not everyone can be available during the meetings to attend and her understanding was that the Select Board agreed to try it, with many people not liking it. The Select Board was in agreement to go back to doing the minutes as previously done.

Susan Benedict wanted to bring the subject of water issues before the Select Board. Ms. Benedict lives on River Street at the highest point and it is not supposed to flood. After the flood, she had 3 visits from FEMA delegates that she had not called and they advised there is a lot of water coming at her. Last year she had to put in a French drain on two sides and a slate driveway. The FEMA individuals advised there is a state law that one can't let water move to the next property, but there is water coming towards her property. There was a ditch installed at 21 River Street and reportedly there was a well that was taken down but the water is still coming at them. She is concerned about a mudslide happening, but she does not expect everyone above her to put in a French drain. This situation is going to get worse and she is doing the best she can. Ms. Benedict wanted to bring this to the Board's attention as she has an old house and the fact that FEMA agents visited her without calling is quite concerning. She hopes the Select Board will discuss these issues because there are people wrestling with this problem. A house near her is separating and is sliding down the hill. She noted that French drains do work, as her basement is dry. Brian Coolidge stated FEMA is probably visiting people that have property in a flood zone.

6. Consider Request for Relay for Life Coin Drop on October 14th

Eileen Dolan requested the Select Board consider hosting a coin drop for the Relay for Life. Ms. Dolan is a 32-year survivor of cancer and believes in the Rutland Relay for Life and thought a coin drop would help the cause. An October coin drop would be in line with Breast Cancer Awareness month in October. Ms. Dolan suggested the cause is worthy enough to go

against an ordinance that was written 20 years ago. Cecil Reniche-Smith noted concern with the suggested location and Ms. Dolan stated anywhere that is 25mph would be a good location. Bill Moore suggested the Town has events, like Harvestfest where Ms. Dolan could be provided with a booth to collect donations. There are also winter events in the town hall that are popular and non-profits can sell concessions to support their cause. Mr. Moore will provide Ms. Dolan with his contact information to have a further discussion. Ms. Reniche-Smith's main concerns with coin drops in general are about traffic and liability. She would like to explore other ways to accomplish raising the money without putting anyone at risk.

7. Select Board Voting Delegate to VLCT Annual Meeting

Seth Hopkins requested a volunteer from the Select Board to be the voting delegate to the September 26th VLCT Annual meeting. Cecil Reniche-Smith will be attending the meeting and volunteered to be the delegate.

Motion by Brian Coolidge/Heather Nelson to appoint Cecil Reniche-Smith as Brandon's voting delegate at the VLCT Annual meeting. **The motion passed unanimously.**

8. Green Fleet Annual Presentation

Tim Guiles provided a review of the annual Green Fleet presentation. A copy of the presentation is available for viewing in the Board packet on the Town's website. Mr. Guiles advised that the carbon footprint information has been gathered for a few years. He reminded everyone the State has energy guidelines of a 25% reduction of the carbon footprint by 2025, 50% by 2040 and 80% by 2050. These are goals that have been agreed to at the State level. The BEC helps monitor moving towards the goal. The presentation provided information on fuel usage, gas, diesel and #2 heating oil and calculates the municipal carbon footprint. Electricity is considered carbon-free by GMP. Propane has the lowest carbon use and the Town has reduced usage in the town hall because of the heat pumps, but there is more that can be done to shift from propane to heat pumps. The heating oil is used at the town hall and highway garage and savings were achieved at the garage with the installation of new thermostats but there is the ability for further reductions in lowering the temperature at the garage, when possible, which will save a significant amount of fuel. The greatest reduction will be with a new highway garage. Gasoline usage has the most traction in the green fleet. When replacing equipment, the Town can be aware of its carbon footprint. Currently the Town uses gas to run the police vehicles and gas is used in the ground maintenance equipment. There has been some reduction by using battery-powered equipment. Police car usage has been increasing because this is the first time the police department has been fully staffed. During budget time, it will be useful to determine the correct number of police cars. Mr. Guiles suggested potentially having cars stay with the person on call and get by with fewer cars. There are police departments that are going 100% electric with their police cars and studies show that maintenance on these cars is much less over the life of the vehicle. Cecil Reniche-Smith asked if the departments are making the shift when they need a replacement or with a complete turnover to electric and selling the gas-powered cars. Mr. Guiles advised most departments are replacing cars when a new one is needed but the Select Board could consider both alternatives, with the possibility of downsizing from 7 to 3 cars. Diesel is the largest carbon footprint and reflects how much the road crew is doing and is not something that is easily reduced. When talking about the goals for 2040 and 2050, it is going to be by electric replacements of these vehicles. He has found many examples of electric vehicles that are doing roadwork and asked the Select Board to be aware when replacing equipment to contemplate the shift. The cost will be more but it will reflect on how the Town wants to meet the State's goals. A lot of this is economic but at some point, the choices will be more expensive but the right thing to do. The Town is thriving and it is not surprising that more energy is being used, but to meet the targets, the Town needs to stay vigilant about all ways to use less carbon. The current tons of carbon are 329 and to get a 26% reduction it would need to go down to 244 and one way to do this is by dropping the propane usage by 20% that could come from more thermostat control. There is a possibility of reducing the heating oil by 20% and the immediate carbon reduction can come through gas reduction in the police department. Ms. Benedict stated there are two sources of lithium in the world and all of these batteries require lithium batteries, which is very expensive and very rare. Brian Coolidge stated by reducing the police force to 3 cars, they would need time to charge. Tracy Wyman advised these are things to look at during budget season. Jan Coolidge noted the police union has an agreement that currently indicates each officer has their own vehicle. Mr. Hopkins did not think that the police contract had that type of language but will look into this. Mr. Waldie questioned with the reduction of propane in the town hall, how much did the electric cost increase from the heat pumps, and noted anything that is manmade will wear out and will start drawing more power. Tim Guiles stated that currently electricity is carbon-free and we have to maintain the equipment. Mr. Waldie asked if the power supply coming into the State is capable of handling the increased usage. Mr. Guiles noted it is

a good point and this information will be included in next year's conversation. He advised that GMP would be a better source for this type of information.

9. Award Bid for Demolition – FRCF (Flood Resilient Communities Fund) Buyouts

Bill Moore provided a listing of the bids for the three projects for hazard mitigation that included 17 Burke Park, 301 Newton Road and 337 Newton Road. The RFQ was prepared and a prebid meeting was held. The following vendors were present for the prebid meeting: All Terrain Excavating, Bowen Excavating, Casella Construction, Complete Demolition Service, Getcha Bros. Excavating, Giancola Construction Corp., Markowski Excavating, Richard Reed & Sons, and Taconic Excavating. All bids received met bid specifications and it is the recommendation to award the bid to Richard Reed and Son, Inc. Cecil Reniche-Smith asked if there were any significant difference from the three bids received and Mr. Moore confirmed there were not.

Motion by Tim Guiles/Brian Coolidge to award the bid for demolition of the FRCF buyouts to Richard Reed and Son, Inc. for an amount not to exceed \$120,000.00. **The motion passed unanimously.**

10. Trustee of Public Funds Update to Select Board and Discussion of Annual Mosquito Control Funding Requests

Tanner Romano from the Trustee of Public Funds requested a dialogue with the Select Board with regard to the annual mosquito control funding request because of an incomplete application. The Trustees have worked with Attorney Jim Leary on the criteria but the request from the Town is haphazard and disjointed. The Trustees have given feedback to the Town and hope to open up the lines of communication, noting the last meeting with Seth Hopkins, Bill Moore and Wayne Rausenberger was much improved. Laura Miner stated when joining the Trustee Board, she read through the last will and testament. The Board sought the assistance of Attorney Leary concerning some questions relating to the document to translate what the Board has been elected to do to assure it is done in the best interest of the Town. Annually a request from the Mosquito District from Sue Gage is received but there were no budgets, just a requested amount. Mr. Leary suggested adopting a standard application for what the request is for and the total cost. This was implemented in 2020 and a copy of the application is on the website. In 2022, the Trustees requested additional financial information to know where the requested figure was coming from and had not received this until recently. They are pleased to report that more information has been received than in the past. They did vote to approve this year's application and has been funded. Except for 2021, they have always approved this request. Wayne Rausenberger stated when he was on the Mosquito Board, the Town had requested funds from the Trustees. In 2021/2022, there was a request submitted for \$11,300 and he did not know why there was a reduction in the funds. Tanner Romano advised that in the past, Sue Gage had sent an email providing the amount the Town owed the Mosquito District and requested a portion from the Trustees. After town meeting this past year, Mr. Rausenberger noted he talked to Sue Gage and she advised the Trustees were requesting more information. For 2022/2023, under budget revenues, \$14,000 was approved, but to his knowledge there was no money received. Mr. Hopkins stated the Town asked for \$14,000 on the revenue page, and is a voter approved budget. Mr. Rausenberger stated the Town did not receive any money from the Trustees for the last 2 years. For the current year, he understands that it has been approved. Mr. Hopkins stated the current operating budget for 20223/24 anticipated zero revenue because it was uncertain if funds were going to be received. The Town worked with the Trustees to provide information and they evaluated the application and funded it in the open year, but the Town's application had been in the 2022/23 fiscal year. There will be \$10,000 in the revenue line in the open year against a zero prediction. Mr. Rausenberger asked why it went from \$14,000 to \$10,000. Courtney Satz stated there is a certain budget that can be given and the Trustees cannot always fund a full request. Sometimes they can fulfill it in its entirety, but this year they can only fund \$10,000 of the \$14,000. Mr. Romano noted that they were put in a position to determine they are doing the right thing. Ms. Miner stated they are critical about the checks and balance but are not sure if the figure is an overall percentage, so she does not know how the Town comes up with the figure. Mr. Rausenberger stated the future assessment of the Mosquito District will likely change. Mr. Romano stated the Trustees need more cost accounting to determine how the figure is derived. It was noted that the information comes from the Mosquito District. Ms. Miner asked how the Town knows if this information is accurate. Mr. Hopkins reported when the Mosquito Control District comes to the Select Board, they are transparent in what they are doing, and Brandon's delegate is at the budget committee meeting to answer any questions. He feels they have been very forthcoming with answers to questions. Ms. Miner stated the Trust does not speak to mosquitoes and these funds are contributing to something that is not indicated and the funds are not to be used for anything that is paid for by taxation. The Select Board previously voted on this to fund a portion through the Shirley Farr

Trust and it feels that it is an appropriate time to assure that everyone is on the same page. Cecil Reniche-Smith stated there was some discussion of having the town's attorney discuss this topic with Jim Leary about his interpretation of the will and trust. It was noted that Mr. Leary's assessment is in the Trustee's section on the Town's website. Ms. Satz stated Brandon has many needs and small portions of money could help more groups but what can be given to the rest of the Brandon community is less when writing a check to the Mosquito District. Mr. Romano thanked the Town for the information received and questioned whether this funding is something the community at large still wants. He noted that the Bristol Select Board did away with this funding and community members hire private vendors. Ms. Miner wanted to bring this to the Select Board as mosquito spraying is a second conversation.

11. Fiscal

a) Warrant - August 28, 2023 - \$1,191,951.48

Motion by Tim Guiles/Cecil Reniche-Smith to approve the warrant of August 28, 2023, in the amount of \$1,191,951.48. **The motion passed unanimously.**

Brian Coolidge questioned the warrant for VPR. Bill Moore reported there was advertising approved for the Davenport Festival that came out of the advertising line of the budget. Seth Hopkins noted The Reporter also furnished an advertisement for the Davenport event. Mr. Moore advised that they are likely not spend the money on VPR next year as there was not much difference in attendance from the previous year, though the keynote speaker that was scheduled was unable to attend.

12. Adjournment

Motion by Brian Coolidge/Tim Guiles to adjourn the Select Board meeting at 8:58PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary

FOR AWARENESS OF THE COMMUNITY

For worker and motorist safety, **Newton Road remains closed except to Newton Road residents.** Demolition work on three Town-owned houses is already actively underway and reconstruction of the road itself will be undertaken later this month. Please allow these crews to work safely by not traveling this road unless you are a Newton Road resident or visiting a Newton Road resident.

FOLLOW-UP ITEM FROM PREVIOUS BOARD MEETING(S)

At the previous board meeting, total outstanding taxes reported were \$425,065 and w/ww \$346,344. I have spent considerable time fielding phone calls and drop-in visits from taxpayers. Thanks to Town Treasurer Sue Gage and Deputy Town Treasurer Luanne Merkert for assisting taxpayers with answers to account questions and facilitating payments, and to Town Bookkeeper Jackie Savela for executing payment plans. In two weeks, we have had twelve taxpayers enter into payment plans and have declined one taxpayer (but provided them alternate resources and paths) based on the Town's requirement that a payment plan be able to clear the arrearage within one year. Total outstanding taxes to report are now \$417,367 and w/ww \$335,503.

FOCUS AREAS DURING REPORTING PERIOD

Follow-up questions from contractors after the pre-bid meeting at Newton Road were a focus area for my work time early in this two-week period. Five bids were received for Newton Road reconstruction and opened on Tuesday 5 September. The bid award is before the selectboard for action at this meeting.

Demolition work by the winning contractor Richard Reed & Sons has commenced on the three Town-owned properties on Newton Road.

Bill Moore and I met with Judy Bunde and Devon Fuller of the Downtown Brandon Alliance (DBA) regarding a new initiative the State has rolled out for designated downtowns and how Brandon and the DBA might collaborate with the Brandon Area Chamber to participate in that initiative.

I had a meeting with our contracted outside assessor and the Town's assessor's clerk to further the assessment of permitting and information sharing among various departments in the Town office.

Bill Moore and I assisted a property developer with the process of proposed rehabilitation of an in-village multi-family property and his concept for a future larger project elsewhere in Brandon. We also had an interview with and provided a fact sheet and a downtown tour to Emma Cotton of VT Digger regarding Brandon's ongoing implementation of strategies identified in the Vermont Economic Resiliency Initiative (VERI) report issued July 2015.

One bid has been received for the Town Hall chimney rebuild (insurance claim).

In Emergency Management, Tim Guiles and I participated in an all-day in-person training on Emergency Operations Center activation in Grand Isle on Thursday 7 September. I also had

worthwhile communication with our regional emergency planner and our state emergency planner regarding Brandon's local emergency management plan, including possible deficiencies and methods to improve it and implement current emergency management best practices.

FOR AWARENESS OF THE SELECTBOARD

The Friends of Town Hall would like to install a 20' or 25' flagpole in the greensward in front of the building. They would furnish the pole at their expense and have requested help from the Town with installation. This should be another good opportunity to partner and build on past successes.

RESIDENTS' CONCERNS

Addressed with site visits, policy consultations, and town staff response as needed. Two of note:

The police chief and I met about a citizen complaint regarding ATV use of town roads. We will look to do some outreach to advise that ATVs can cross town roads when required to get from one parcel on which they have permission to ride to another parcel on which they have permission to ride, but ATVs cannot make use of town roads for more extensive use than that.

The Town attorney advised me by telephone regarding a longstanding in-village noise complaint, and I followed up by contacting an acoustical engineer who will propose a scope of work and schedule to assist us in enforcing the Brandon Land Use Ordinance. The zoning officer's prior effort to achieve compliance has not resulted in compliance.

STAFFING

Tracy Wyman and Brian Coolidge joined me for the Highway Foreman-in-Training interviews the evening of Thursday 7 September.

FINANCIAL SNAPSHOT

The selectboard may find helpful a regular update of the following items, which I plan to provide in town manager's reports to regular board meetings going forward. If a selectboard member would like additional financial information included in the Snapshot, please advise and I'll do that.

FINANCIAL SNAPSHOT	
Operating Expenses (excludes tonight's warrant)	17.5% of funds / 16.7% of year
Unrestricted / Unassigned Fund Balance	\$727,960
Local Option Tax Available / Undesignated	\$78,624
Unobligated ARPA (will report only until fully obligated)	\$559,061
Known Grant Matches Not Yet Designated (excluding Union Street)	\$0
Delinquent property taxes (prior years)	\$417,367
Delinquent water & wastewater (prior years)	\$335,503

TOWN MANAGER'S RECOMMENDATIONS FOR ITEMS ON THIS AGENDA:

Items #1 - 5 Routine items occurring every meeting:

Town manager's recommendation: No recommendation warranted

Item #6 Award bid for Newton Road reconstruction

Town manager's recommendation: I have checked references for the apparent low bidder Bruce Meacham Property Management of Middlebury, which were favorable.

Item #7 Review public car charging stations at Conant Square lot
Information; provided at selectboard member's request

Item #8 Police union collective bargaining

Town manager's recommendation: I recommend the board appoint a negotiating team of two members plus the town manager to engage in this process.

Item #9 Holding cell at police station

Town manager's recommendation: I recommend the proposed purchase be authorized and used when police deem necessary to foster the physical safety of officers and staff, the individual being booked, and the police station building and equipment. Funding source suggested: available funds in police capital account (the line that funds the cruisers).

Item #10 Shade Tree Preservation Plan

Town manager's recommendation: I recommend the selectboard appoint a working group of two members to work with the tree warden to bring a proposed plan to the full board.

Item #11 Energy committee semi-annual report

Information; provided at energy committee chair's request

Item #12 BRAVO

Added to agenda at board member's request; recommend discussion of scope and clarification of governance and roles for consistency with other Town boards

Item #13 Appoint Rutland Emergency Management Committee Representatives

Town manager's recommendation: I recommend appointing the Emergency Management Director (myself) and the Emergency Services Voter (the Fire Chief, Tom Kilpeck) as required by the Regional Committee's bylaws.

Item #14 Warrant

Town manager's recommendation: Recommend approval as presented.

Purchase order for road salt

Town manager's recommendation: Recommend approval as presented.

Item #15 Executive session

Town manager's recommendation: Recommend session to consider possibility of entering into a lease option on a proposed solar array.

Respectfully submitted,
Seth M. Hopkins.



TOWN of
BRANDON
EST. 1793 VERMONT
RECREATION

September 11, 2023

Registration is open for the 3rd iteration of the RNESU/Brandon Rec collaboration of OtterBots. Starting on **September 27th**, coaches Kevin Booth and Jonathan Fries will work with 6th – 9th graders to build robots that will compete in a state competition in January of 2024. This is weekly program to help develop creative problem-solving skills through STEAM.

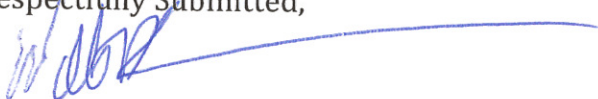
An historic merger has taken place! Due to low numbers for both programs, for the first time we have collaborated with Pittsford Rec to have a combined 5/6 girls Soccer team. These “Rec Otters” will rotate practices between Estabrook Park, Pittsford Recreation Area and Otter Valley.

Estabrook will host **HarvestFest on October 8th** starting at **1:00pm**. Nifty Thrifty has stepped up to help sponsor this annual fall fun day that includes, leaf people, pony rides, wagon rides, Beyond the Barn Farm Petting Zoo, fun vendors, music, giveaways and more!

In park news, thanks to an enthusiastic volunteer, the shelter at Estabrook is being painted. The tennis court has been locked due to some safety concerns and we are awaiting some estimates on resurfacing with asphalt. Thanks to a fantastic suggestion from Ralph Ethier following the last select board meeting, we are reversing our order of operations regarding the tennis court rebuild. If we remove the poles and resurface with asphalt, we can paint lines for tennis and pickleball. We would then get portable nets for tennis (we already have them for pickleball). This will provide some tennis option while we get ready for a potential rebuild of the court closer to the road and would give us the first phase of a skate park completed.

A question was raised regarding grant compliance and whether we could resurface and/or repurpose the footprint that the current court occupies. According to a 2021 determination from the district wetland ecologist “*..can repurpose the footprint of the court, provided that it is similar in nature, another tennis court, a large sandbox, skate board park as an Allowed Use and no wetland permit required. If they wish to repurpose the area for a large #-D structure such as a building and it is within wetland/buffer, a permit will be required.*” We are investigating with the state and NPS the town’s compliance with any potential restrictions from the original LWCF grant that was used to help establish the park in 1984. We will make sure we are in compliance with any and all state and federal requirements before we make any decisions regarding Estabrook Park.

Respectfully Submitted,



Bill Moore

Bid Opening
 NEWTON ROAD (Town Highway #21) RECONSTRUCTION
 Tuesday 5 September 2023 10AM

Waters Excavating	\$424,116.25
Richard Reed & Sons	\$523,000.00
Steady Property Maintenance	\$230,282.01
Bruce Meacham Property Maintenance	\$206,966.10
Markowski Excavating	\$494,697.38



Brief Overview of Town-Owned Electric Car Chargers
Conant Square Park & Ride

ALL NUMBERS ARE APPROXIMATE/ESTIMATED
BASED ON BEST AVAILABLE INFORMATION
5 September 2023

The ChargePoint chargers are presently set by the Town at 17¢ per kWh plus 75¢ per hour plugged in (whether charging or not).

The Town presently pays GMP 18.336¢ per kWh plus various fees equating to 23.02¢

Two-hour charging example at 7kW delivered per hour:

The electric car driver pays ChargePoint \$3.74 (14kWh energy + parking).

The Town pays GMP for 14kWh (including the fees) \$3.22

Chargepoint retains 10% of the customer's payment: 37¢

Net revenue (loss) to Town: 15¢ (approximately break-even)

Chargepoint's fee covers cost of monitoring and maintenance of the charging stations.

The chargers are covered by a 5 year warranty expiring 3 Feb 2026.

Cash basis (time of transaction on the Town's books, not time of usage):

Total revenue from Chargepoint FY23 \$948.96

Total payment to GMP in FY23 \$838.34

Net revenue (loss) to Town: \$111.62



"Representing New England's Finest"

September 5, 2023

Selectboard
Town of Brandon
49 Center Street
Brandon, Vermont 05733

RE: Brandon Police Association, NEPBA Local 422

Dear Honorable Board,

As you are aware, the New England Police Benevolent Association, Inc. is the exclusive bargaining agent for the Brandon Police Association. The most recent collective bargaining agreement between the Town of Brandon and NEPBA Local 422 is due to expire on June 30, 2024.

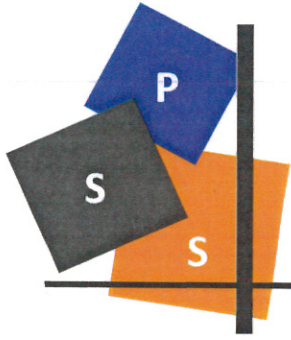
With the fast approaching expiration date, and in an effort to bargain in good faith to provide the Town with an adequate amount of time to negotiate and budget, the Union is requesting to begin contract negotiations with the Town.

Please contact me (978-875-2599 or choar@nepba.org) so we can setup mutually agreeable dates and times to meet.

Sincerely,

Christopher Hoar

Christopher R. Hoar
Vermont State Representative
New England Police Benevolent Association



2' x 3' Portable Prisoner Cell



SPECIFICATIONS

SIZE: 2'(l) x 3'(w) x 6.6'(h)

WEIGHT: 350lbs

COLORS: Tan or Black

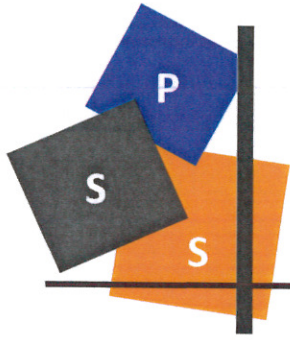
The Portable Holding Cell is designed to hold prisoners safely with minimum supervision, making it easier to house prisoners at the courthouse, hearing room, juvenile hall, etc. The Holding Cells small footprint makes it possible to locate it anywhere. Units can be mounted side by side to make a continuous row.

Each unit is constructed of heavy gauge tubing and covered with expanded metal that has been welded into place. The whole unit is painted with a durable powder coat finish. The Single Person Holding Cell has built-in casters that can be attached to the base to make it easy to move through doorways. Each unit comes with mounting brackets to attach it to the floor and wall for additional stability. Ships fully assembled.

Office: 724-553-4442

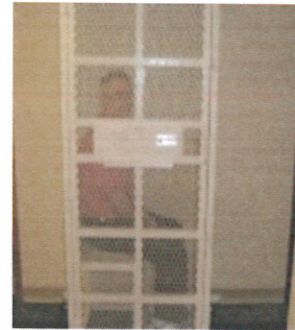
Fax: 702-926-4333

E-mail: powellsafetysolutions@gmail.com



2' x 3' Portable Prisoner Cell

- Keeps Public and Prisoners Safe
- Polyethylene Seat Liner is simple to clean
- Attachable Caster for Easy Mobility
- Shipped Fully Assembled



The door of the Single Person Holding Cell opens from the side, making it easy to place a prisoner in the unit or remove him or her safely. The swing down Handcuff Access Door provides an easy way for guards to attach or remove prisoner handcuffs without opening the cell. It can also be used to pass legal documents, serve meals, etc.

The FDA approved polyethylene used to make the seat liner provides a smooth surface for the prisoner to set on and simplifies clean-up.

The detachable wheels store outside the cell, under the seat, and can be attached in minutes making it simple to move the unit where needed. The unit can be permanently attached to the floor and wall with the supplied brackets and hardware.

Each unit comes completely assembled and includes three high-quality locks.

Office: 724-553-4442

Fax: 702-926-4333

E-mail: powellsafetyolutions@gmail.com

BRANDON ENERGY COMMITTEE REPORT -

Activities through August 31, 2023

Button Up renters event held, Jan. 21 2023.

Solar system for the town (and municipal entities - Fire Department, schools) being explored and a proposal is being developed.

Opened communication and developing plans to work with the high school regarding hands on solar panel installation and instruction. Erin and others are working with Mike Bailey of SolarFest. This project will likely pick up again when school gets underway this fall. Several learning experiences have been discussed.

Davenport Festival supported by Jack, Nate, Clare and others. Many presenters, displays and opportunities to learn about electric cars, bikes, planes and electric buses.

Assisted SolarFest in hosting the Imagine Zero Festival, (to support Zero Carbon and Zero Waste) BEC members volunteered time to set up the stage, parking and picnic area, and to clean up.

State wide VECAN meeting attended by Jack, Mike and Clare, and Bob West to learn about energy programs and what other towns were doing, including finding sources of funding.

Several articles were written for the Brandon Reporter.

Bike racks were purchased using grant money. They were installed and marked with signs, including upgrading several existing back racks in town, (The remainder of existing bike racks will be painted soon.)

Supported the Otter Valley School District in signing up for a grant to acquire an electric bus and charging station.

An Energy Library of pertinent books on saving energy, developing renewable energy resources and reducing green house gases has been ordered and will be in place in September.

Established the following goals (see list attached).

BRANDON ENERGY COMMUNITY GOALS AND PROJECTS FOR 2023/2024			
MONTH(S) DUE	PROJECT/GOAL	CHAMPION(S)/TEAM	STATUS
	CURRENT PROJECTS		
August	E buses for OVUSD	Jack and Jim	One bus grant is being applied for
August	BEC energy lending library	Kathy	Books are ordered
August	E-library link to web page	Erin	???
August (9th-12th)	Rack installation	Eve, David, Jim, Kathy	Done 8/2023
	Rack painting	Eve, David, Jim, Kathy	To complete in next two weeks
(9th)	Brandon Bikes Reporter article	Eve	Done 8/2023
August (22nd)	Brandon Energy Community Picnic with SolarFest		Postponed
	Button Up Brandon events:	Jim, Clare, Mike, Serge	Planning underway
Early November	1. Heat pumps and solar for all for homeowners		
October 11th	2. Businesses on tax incentives, solar grants, heat pumps, etc.		
	Cosponsored by Chamber and SolarFest		
Now through fall	Recommend select board use ARPA funds for seed money for a town solar project (permitting and upfront costs required before a bond can be pursued)	Jim	Under way
Monthly/Bimonthly	Communications: Reporter articles and Facebook postings, etc	Jim and ?????	
August	Brandon Bikes!	Eve	Done 8/2023
September	Energy library and coming e library	??????	
October	Button Up events	Jim, Clare, Mike, Serge	
October	Testimonials on Solar and Heat Pumps	Jim, Clare, Mike, Serge	
Others	Are Ev's for you?		
	Develop master email list for the Brandon Energy Community	Jack????	
	Brandon Energy Community email newsletters	Mike and Clare	

September to June	Davenport Fest	Jack and ???	
September to June	Develop ways to travel locally in Brandon	Jeff and Eve	
September to June	Engage High School students in energy projects like conversion of golf carts to solar, etc	Erin, Clare, Marielle	
August to January	Update Brandon Energy Plan and Long Term Goals	Jack	
March/April	E lawn mower (and accessories) workshop	Clare, Mike, and ??????	
May	Bike Rejuvenation Event	Eve, Erin, -=David, Jeff	
May & June	Parade entry	Robert, Erin, Eve, Kathy	
	GRANT BUDGET COMMITMENTS:		
October	Brandon Energy Report Card and educational efforts - mailings of color flyer, etc (\$2,800)	Jim and Jack	
August	Energy Library (\$1,200)	Kathy	Almost ready
	REGULAR BUDGET COMMITMENTS:		
	Promotional materials for events (\$2,000)	Button Up, Lawn and Bike Events	
	Grant Watch Subscription (\$200)	???????	
	Electric Tools for a tool lending program (\$2,000)	Lawn Event	
	July Parade prep (\$300)	Robert, Erin, Eve, Kathy	
By November	Budget request for 2024/2025	???????	
	PROJECTS TO CONSIDER		
	EV Charger, Park solar chargers for phones and bikes		

TOWN OF BRANDON

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

PURCHASE ORDER NO.

N^o 45038

THIS NUMBER MUST APPEAR
ON ALL INVOICES, PACKING
LISTS AND ANY OTHER
CORRESPONDENCE RELATED
TO THIS ORDER.

TO: CARGILL, INC
P.O. BOX 415927
BOSTON, MA 02241-5927

SHIP TO: HIGHWAY GARAGE
356 CHAMPLAIN ST
BRANDON, VT 05733

DATE	DATE REQUIRED	SPECIAL INSTRUCTIONS		VENDOR NUMBER	
QUANTITY	DESCRIPTION	ACCOUNT NO.		UNIT PRICE	AMOUNT
		ORG.	OBJ.		
9/6/23					100198
1,000	TONS OF BULK DEICING SALT	10515	47110	86.50	86,500.

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

TOTAL 86,500.

REQUESTED BY _____
APPROVED BY _____



Salt, Road Safety
 24950 Country Club Blvd, Suite 450
 North Olmsted, OH 44070

INFORMAL QUOTE LETTER

Wednesday, August 30, 2023

Account Information		*Contact Information	
Account Number	2500019146	Attn:	VALUED CUSTOMER
Name	BRANDON TOWN OF DIST3	Title	
Address 1	CHAMPLAIN ST	Phone	
P O Box		Fax	
City State Zip	BRANDON, VT 05733	Mobile	
County	RUTLAND	e-mail	

Cargill, Incorporated Deicing Technology Business Unit ("Cargill") is pleased to submit the following quote for your DEICING SALT needs for the 2023/2024 season.

Price Basis Per Ton

Product	DELIVERY	Estimated Tons	Terminal
DEICER SALT ICE CNTRL BLK DR	\$86.5	1000	RUTLAND US CDT
<i>THE PRODUCT QUOTED IN THIS AGREEMENT IS INTENDED FOR BULK DEICING USE ONLY.</i>			

PLEASE SIGN AND RETURN THIS QUOTE LETTER TO OUR ATTENTION WITHIN TEN (10) BUSINESS DAYS FROM DATE OF LETTER. WE CANNOT UPDATE YOUR ACCOUNT FOR THIS YEAR WITHOUT THE SIGNED QUOTE LETTER. THIS PRICE QUOTE LETTER DOES NOT CONSTITUTE AN ORDER. ORDERS MUST BE PLACED BY CALLING CUSTOMER SERVICE AT 800-600-SALT (7258). ORDERS BEING PLACED FOR PICKUP MAY NOT BE AVAILABLE FOR 24 HOURS FROM THE TIME THE ORDER IS PLACED.

TERMS AND CONDITIONS –

- Provided this Price Quote Letter is signed and returned within ten (10) business days from the Date, Cargill agrees to hold the quoted prices firm from August 30, 2023 through May 31, 2024. Notwithstanding the foregoing, the prices contained in this Price Quote Letter are contingent on Customers adherence to these Terms and Conditions and the attached Terms and Conditions of Sale, including, but not limited to, Customer's compliance with the Customer account's payment and credit terms stated below.
- If purchase is not made by December 31, 2023, Cargill reserves the right to revoke the pricing provided in this Price Quote Letter.
- The Estimated Tons figure is an estimate of the total quantity of each Product(s) to be purchased by Customer under this Price Quote Letter. Customer is not obligated to purchase a minimum percentage of the Estimated Tons. Cargill is not obligated to sell Customer any quantity of the Estimated Tons.
- Cargill's obligation to sell Product(s) is SUBJECT TO PRODUCT AVAILABILITY. Cargill has the right to (i) decline, or suspend shipments of, any Customer order placed under this Price Quote letter or (ii) terminate this Price Quote Letter if, at any time, Cargill encounters Product shortages due to commitments to other customers. In addition, Cargill reserves the right to decline, or suspend shipments of, any Customer order placed under this Price Quote Letter for any reason(s) relating to: Conditions at any Cargill terminal/production facility, weather conditions, or any other reason that may affect Cargill's ability to accept orders.
- Estimated delivery time three to seven business days after release of an order. This quote assumes that Product will be delivered from or picked up at the terminal set forth above. Sourcing of products from another Cargill facility is subject to availability and additional fees that may be applied to your account. Cargill's sale of Product is expressly conditional upon these Terms and Conditions and Customer's acceptance of the attached Terms and Conditions of Sale. Any terms which may exist on the Customer's standard purchase order (or similar forms) and which alter or are inconsistent with the terms and conditions will be of no legal force or effect and will not govern the transaction contemplated by this Price Quote Letter.
- By accepting, Customer agrees that this Price Quote Letter (including the Terms and Conditions and the attached Terms and Conditions of Sale) constitutes the entire understanding between Cargill and Customer and supersedes all other prior agreements or quotations, whether written or oral, between Cargill and Customer with respect to the Product(s). Any individual signing this Price Quote on behalf of Customer represents and warrants that they have full authority to do so, and that the transaction described herein is consistent with any applicable procurement regulations.

Payment Terms	NET 30	Credit Limit	N/A
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Payment terms & credit limits are subject to change.

Thank you for the opportunity to be of service. We are looking forward to supplying your salt needs.

Cargill, Incorporated Salt, Road Safety Sara Cope <i>Sara Cope</i> 800-600-7258 - p 952-404-8491 - f	Accepted
	Signature: <i>Seth M. Hopkins</i>
	Name: <i>SETH M. HOPKINS</i>
	Title: <i>TOWN MANAGER</i>
	e-mail: <i>shopkins@townofbrandon.com</i>

Confidential - This document is intended only for the named recipient (i.e., Seller) and contains confidential information. Anyone other than the Seller is not permitted access to this information. Any dissemination or distribution of this information is a breach of the terms and conditions of this document. If you have received this document in error, please advise CDT by reply e-mail / mail at the address above, and delete this document and any email related thereto



Deicing Technology Business
 24950 Country Club Blvd, Suite 450
 North Olmsted, OH 44070

Please notify us of any required changes to your account information. Any incorrect information will delay your account setup.			
Billing Information		Shipping Information	
Name:			
DBA (if applicable)			
Address 1			
Address 2			
City State Zip			
County			
Attn:			
Phone		Fax	e-mail:

TERMS AND CONDITIONS OF GOVERNMENT ROAD SALT SALES	
<p>1. TERMS TO GOVERN. The terms and conditions set forth herein shall constitute the sole terms and conditions of sale for this quotation (the "Quote") and any orders placed thereunder. No other terms or conditions, whether contained in Buyer's purchase order or elsewhere, shall be binding on Seller unless agreed to in writing by Seller.</p> <p>2. TITLE/RISK OF LOSS. Title and risk of loss shall pass to Buyer at the time the goods are delivered to or picked up by Buyer.</p> <p>3. PAYMENT AND CREDIT TERMS. Failure of the Buyer to pay on the due date for products shipped shall give Seller the right, but not the obligation, to suspend further shipment, without notice to the Buyer, until all previous shipments are paid, or to terminate this agreement and seek all available remedies from Buyer. Interest at the maximum rate permitted by law will accrue on all invoices unpaid as of the net due date. All payments by Buyer shall be final 180 days after shipment of the goods and Buyer shall have no right to audit payments or deduct future payments after such date. Notwithstanding anything else herein contained, Seller reserves the right to modify payment terms or to allow no credit whatsoever to Buyer if Seller determines that it cannot grant Buyer the credit terms which are specified herein or Buyer's credit changes. Buyer understands that this reservation is necessary to allow Seller's credit department to have adequate time to review Buyer's credit status.</p> <p>4. WARRANTY AND LIMITATION OF LIABILITY. Seller warrants that it has the right to convey good title to the goods and that the goods will be delivered free of all liens and encumbrances. EXCEPT FOR THE WARRANTIES SPECIFICALLY SET FORTH ABOVE, SELLER DISCLAIMS ALL OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE PRODUCTS, INCLUDING WITHOUT LIMITATION THE IMPLIED WARRANTIES OF MERCHANTABILITY AND/OR FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT SHALL SELLER BE LIABLE FOR TO BUYER, OR TO ANY THIRD PARTY, FOR ANY INDIRECT, CONSEQUENTIAL, INCIDENTAL, SPECIAL, PUNITIVE OR EXEMPLARY DAMAGES OF WHATSOEVER NATURE (INCLUDING, BUT NOT LIMITED TO, LOST BUSINESS, LOST PROFITS, DAMAGE TO GOODWILL OR REPUTATION AND/OR DEGRADATION IN VALUE OF BRANDS, TRADEMARKS, TRADENAMES, SERVICE NAMES OR SERVICE MARKS) WHETHER ARISING OUT OF BREACH OF CONTRACT, WARRANTY, TORT (INCLUDING NEGLIGENCE, FAILURE TO WARN, OR STRICT LIABILITY) OR OTHERWISE.</p> <p>5. EXCLUSIVE REMEDY. If upon delivery to Buyer the goods appear not to meet the above warranty, Buyer shall immediately notify Seller who shall have a right to inspect them. Buyer shall not return, repair or dispose of any goods that fail to meet the above warranty without Seller's written consent. In the event Seller breaches the above warranty, Buyer's sole and exclusive remedy and Seller's sole and exclusive liability shall be limited to, at Seller's option, replacement of non-conforming goods with conforming goods or return of the purchase price.</p> <p>6. FORCE MAJEURE. Seller shall be excused for failure to deliver or delay occasioned by conditions beyond Seller's reasonable control, including, but not limited to, Acts of God, fire flood, windstorm, acts of governmental authorities, strikes shortage of raw materials, breakdown, shortage or non-availability of transportation facilities or equipment or any similar event not within Seller's control. In the event Seller is unable to supply the total requirements of its customers, Seller may allocate its available supply among its customers in a manner deemed by Seller to be fair and equitable. If Seller declares force majeure hereunder, Seller may cancel any unperformed portion hereof upon ten (10) days written notice to Buyer.</p>	<p>7. INCREASES. Any advance in applicable freight rates or taxes taking effect before the fulfillment of orders placed under this Quote shall be for Buyer's account. All demurrage or detention charges shall be for Buyer's account. Seller reserves the right to add energy and/or transportation related surcharges for Buyer's account. In addition, if Seller is unable, for any reason, to supply the goods from its plant closest to Buyer's facility, then Seller may, but is not required to, supply the goods from another plant, to the extent it is available, subject to Buyer's payment of all increased freight costs.</p> <p>8. DELIVERY. Buyer shall furnish complete shipping instructions in sufficient time to enable Seller to perform its obligations hereunder. Seller shall not be obligated to make shipment in absence thereof. If more than one delivery is called for, each delivery is to be considered a separate contract for purposes of furnishing complete shipping instructions by Buyer. Unless otherwise provided for herein, if the Quote provides for deliveries over a period exceeding one month, Seller shall not be obligated to deliver in any thirty day period more than approximately equal monthly quantities, in relation to the total amount. The destination routing of shipments will be at Seller's option.</p> <p>9. TERMINATION. If either party breaches any of its obligations under this Quote or any order thereunder, the non-breaching party may give ten (10) day notice of termination, and if the breach has not been cured during the said 30-day period, this Quote shall terminate. In the event Buyer files a voluntary petition in bankruptcy, makes an assignment for the benefit of creditors; is adjudicated as bankrupt; and/or becomes insolvent, Seller may terminate this Agreement effective immediately. Termination, pursuant to this Section, while being in itself a remedy for breach, shall not preclude any other legal or equitable remedy which is available to the terminating party.</p> <p>10. TAXES. Buyer shall be liable for any taxes or other exactions levied by Federal, State or local authorities upon the sale, delivery, storage, consumption or transportation of the goods or services, and if any such items are paid or required to be paid by Seller, the amount shall be added to and become part of the price payable to Seller for such goods or services.</p> <p>11. ASSIGNMENT. The rights and obligations under this Quote are not assignable by Buyer unless in writing and signed by Seller.</p> <p>12. FORWARD CONTRACT. The Parties agree that the transactions hereunder constitute a "forward contract" within the meaning of the United States Bankruptcy Code and that each Party is a "forward contract merchant" within the meaning of the United States Bankruptcy Code.</p> <p>13. CONTRACT AMBIGUITIES. The Parties acknowledge that they have had the opportunity to consult with legal counsel of their own choosing. As a result, the rule of construction that provides that ambiguities in a contract shall be construed against the drafter shall not apply to these terms and conditions and the Parties waive any such defense to the terms of these terms and conditions.</p>

09/08/23
10:20 am

TOWN OF BRANDON Accounts Payable
Check Warrant Report # 63685 Current Prior Next FY Invoices
All Invoices For Check Acct 01(10 General Fund) 09/11/23 To 09/11/23

Page 1 of 5
Jacolyn

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
101083	08/03/23	ABRAHAMOVICH, JENNIFER refund swim fees 822485	10-5-18-30000 Swim Lesson Expense	90.00	52846	09/11/23
200263	09/01/23	ALDRICH & ELLIOTT, PC WWTF Upgrade Step III 81537	40-5-20-20120 Engineering	16638.93	52847	09/11/23
100015	08/28/23	ALLEN ENGINEERING & CHEMI chlorine 11250427401	20-5-55-50120 Sodium Hypochlorite	1246.50	52848	09/11/23
310590	08/30/23	AMERICAN WINDOW CLEANING August windows 7597	10-5-22-43100 Town Office	60.00	52849	09/11/23
310251	09/04/23	APEX SOFTWARE sketching software 324638	10-5-11-30210 Office Equipment	260.00	52850	09/11/23
310833	08/18/23	AXON ENTERPRISE, INC. Taser Instructor Course-K INUS180027	10-5-14-10340 Professional Development	495.00	52851	09/11/23
310189	09/07/23	BISSETTE, STEVEN repair processing room-PD 792848	10-5-22-43090 PD Bldg Maint.	320.78	52852	09/11/23
		damage to wall, ins claim.				
310189	09/07/23	BISSETTE, STEVEN PD- upstairs backdoor 9/7/23	10-5-22-43090 PD Bldg Maint.	664.43	52853	09/11/23
		repair leak.				
100190	09/06/23	BLUE SEAL FEEDS pants - TK 70903	20-5-55-10320 Clothing Allowance	109.98	52854	09/11/23
100255	09/01/23	BRANDON FIRE DISTRICT #1 Aug portion of pymts 8/31/23	90-5-15-90600 Paid To BFD No 1	16835.06	52855	09/11/23
100275	08/30/23	BRANDON FREE PUBLIC LIBRA appropriation SEPT	10-5-25-70470 Brandon Library	7666.67	52856	09/11/23
100280	08/28/23	BRANDON LUMBER & MILLWORK pruners 128/3	10-5-22-43160 Parks Maint.	19.99	52857	09/11/23
100280	09/05/23	BRANDON LUMBER & MILLWORK paint, roller, paint tray 1344/3	10-5-22-43160 Parks Maint.	70.36	52857	09/11/23
100280	09/07/23	BRANDON LUMBER & MILLWORK lock, painting supplies 1632/3	10-5-18-40000 Youth Soccer	14.99	52857	09/11/23
100280	09/07/23	BRANDON LUMBER & MILLWORK lock, painting supplies 1632/3	10-5-22-43160 Parks Maint.	121.13	52857	09/11/23
100280	08/29/23	BRANDON LUMBER & MILLWORK chain/padlock 301/3	10-5-22-43160 Parks Maint.	19.57	52857	09/11/23
100280	08/29/23	BRANDON LUMBER & MILLWORK sealer, caulk 355/3	20-5-55-43160 Maint. Supplies - General	39.96	52857	09/11/23
100280	08/30/23	BRANDON LUMBER & MILLWORK sealer, insect repellent 437/3	20-5-55-43160 Maint. Supplies - General	37.16	52857	09/11/23
100280	09/01/23	BRANDON LUMBER & MILLWORK lock 789/3	10-5-18-40000 Youth Soccer	14.99	52857	09/11/23
100280	08/07/23	BRANDON LUMBER & MILLWORK paint brushes 997102/3	10-5-22-43160 Parks Maint.	5.58	52857	09/11/23
100280	08/12/23	BRANDON LUMBER & MILLWORK concrete, grade stakes 997800/3	10-5-12-40100 Energy Cm Public Outreach	159.69	52857	09/11/23
100280	08/14/23	BRANDON LUMBER & MILLWORK sand 998109/3	10-5-22-43160 Parks Maint.	8.59	52857	09/11/23
100280	08/26/23	BRANDON LUMBER & MILLWORK batteries 999925/3	20-5-55-43160 Maint. Supplies - General	18.99	52857	09/11/23
100310	08/30/23	BRANDON SENIOR CITIZENS C appropriation SEPT 2023	10-5-25-70480 Senior Citizen Center	1125.00	52858	09/11/23

09/08/23
10:20 am

TOWN OF BRANDON Accounts Payable
Check Warrant Report # 63685 Current Prior Next FY Invoices
All Invoices For Check Acct 01(10 General Fund) 09/11/23 To 09/11/23

Page 2 of 5
Jacolyn

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
300967	BRANDON, TOWN OF	08/25/23 water @ Estabrook EST 08/25/23	10-5-22-42120 Bldgs & Grounds Water Fee	71.30	52859	09/11/23
300967	BRANDON, TOWN OF	08/25/23 water @ police station PD 08/25/23	10-5-22-42120 Bldgs & Grounds Water Fee	78.94	52859	09/11/23
300967	BRANDON, TOWN OF	08/25/23 water @ Town Hall TH 08/25/23	10-5-22-42120 Bldgs & Grounds Water Fee	82.04	52859	09/11/23
300967	BRANDON, TOWN OF	08/25/23 water @ Town Office TO 08/25/23	10-5-22-42120 Bldgs & Grounds Water Fee	99.52	52859	09/11/23
300967	BRANDON, TOWN OF	08/25/23 water @ wastewater plant WW 08/25/23	20-5-55-42120 Water	1373.01	52859	09/11/23
310449	BSN SPORTS LLC	08/23/23 soccer balls 922563108	10-5-18-40000 Youth Soccer	1105.00	52860	09/11/23
301503	CHAMPLAIN VALLEY FUELS	08/23/23 diesel fuel 628167	10-5-15-41130 Fuel - Vehicles HW	1447.93	52861	09/11/23
301503	CHAMPLAIN VALLEY FUELS	08/30/23 diesel fuel 628552	10-5-15-41130 Fuel - Vehicles HW	1182.16	52861	09/11/23
310097	COMCAST	08/27/23 service: 09/04 - 10/03 PD 08/27/23	10-5-14-42100 PD Telephone Service	434.48	52862	09/11/23
310097	COMCAST	08/27/23 service: 09/04 - 10/03 TO 08/27/23	10-5-10-42100 Telephone Exp. Admin.	623.95	52863	09/11/23
310097	COMCAST	08/21/23 service: 08/28 - 09/27 WW 08/21/23	20-5-55-42100 Wastewater Telephone	204.35	52864	09/11/23
310177	COTT SYSTEMS, INC.	08/30/23 sept host fee 154824	10-5-13-30123 Records Preservation	295.00	52865	09/11/23
330426	CVC PAGING	08/25/23 pagers 226-16883	20-5-55-42100 Wastewater Telephone	37.95	52866	09/11/23
310927	DENNIS NEWTON ELECTRICAL	08/25/23 replace condensate pump 275369	10-5-22-43100 Town Office	589.17	52867	09/11/23
310733	DENTON & SON	09/01/23 July dumpster rental AUG2023	20-5-55-50160 Sludge Disposal	450.00	52868	09/11/23
310978	DERMATEC DIRECT	08/28/23 gloves 1578368	10-5-14-30120 Professional Supplies	251.59	52869	09/11/23
300466	DUNDON PLUMBING & HEATING	08/29/23 portable toilet fee 83122	10-5-18-40000 Youth Soccer	135.00	52870	09/11/23
300466	DUNDON PLUMBING & HEATING	08/29/23 use of septic truck 83210	20-5-55-20240 Contractors	380.00	52870	09/11/23
100494	ENDYNE INC	08/25/23 testing 459436	20-5-55-22120 Testing	25.00	52871	09/11/23
100494	ENDYNE INC	08/30/23 testing 459895	20-5-55-22120 Testing	135.00	52871	09/11/23
100494	ENDYNE INC	09/01/23 testing 461134	20-5-55-22120 Testing	45.00	52871	09/11/23
101084	ENVIRONMENTAL HAZARDS MAN	08/31/23 removal of asbestos 140907	56-5-06-20200 Newton Rd Flood-Legal	2393.00	52872	09/11/23
310760	FUSS & O'NEILL INC	08/23/23 stormwater permit renewal 0253570	10-5-15-20300 State Permits	500.00	52873	09/11/23
100027	G STONE COMMERCIAL DIVISI	08/29/23 roller rental 27503	56-5-10-50100 Arnold Dist Rd - paving	840.00	52874	09/11/23
100216	GRAYBAR ELECTRIC CO INC	08/30/23 Ornamental street Light 93333719036	10-5-15-45120 Signs & Posts	2926.46	52875	09/11/23

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Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
100216	08/22/23	ornmental light freight 9333590309	10-5-15-45120 Signs & Posts	39.00	52875	09/11/23
311128	08/24/23	battery 202819	10-5-15-41160 HW Maint. Supplies-Vehicl	176.99	52876	09/11/23
311128	08/28/23	filters 202971	10-5-15-41160 HW Maint. Supplies-Vehicl	97.20	52876	09/11/23
311128	09/05/23	battery 203267	10-5-15-41160 HW Maint. Supplies-Vehicl	65.99	52876	09/11/23
101085	09/07/23	FEMA-Neshobe River work 422	56-5-60-50100 FEMA-July 2023 Newton Rd	6207.50	52877	09/11/23
311202	08/29/23	CPR class-@BARS 4/23 101	10-5-18-40040 After School Activity	280.00	52878	09/11/23
301152	08/28/23	refund soccer fee 822697	10-5-18-40000 Youth Soccer	45.00	52879	09/11/23
311176	09/06/23	cleaning 090623	10-5-22-10130 Admin Custodian	562.50	52880	09/11/23
311176	09/06/23	cleaning 090623	10-5-22-10120 PD Custodian	122.50	52880	09/11/23
310906	08/31/23	uniform maintenance 9841AC	10-5-14-10320 Clothing Allowance	184.00	52881	09/11/23
301083	08/04/23	Jul 2023 - HRA 2023-07	10-5-18-10218 HRA	2.50	52882	09/11/23
301083	08/04/23	Jul 2023 - HRA 2023-07	20-5-55-10218 HRA WW	5.00	52882	09/11/23
301083	08/04/23	Jul 2023 - HRA 2023-07	10-5-22-10218 HRA	2.50	52882	09/11/23
301083	08/04/23	Jul 2023 - HRA 2023-07	10-5-15-10218 HRA HW	5.00	52882	09/11/23
301083	08/04/23	Jul 2023 - HRA 2023-07	10-5-14-10218 HRA PD	10.00	52882	09/11/23
301083	08/04/23	Jul 2023 - HRA 2023-07	10-5-10-10218 HRA Admin	5.00	52882	09/11/23
301083	08/04/23	Jul 2023 - HRA 2023-07	10-5-13-10218 HRA	5.00	52882	09/11/23
301083	09/06/23	Aug 2023 - HRA 2023-08	20-5-55-10218 HRA WW	5.00	52882	09/11/23
301083	09/06/23	Aug 2023 - HRA 2023-08	10-5-22-10218 HRA	2.50	52882	09/11/23
301083	09/06/23	Aug 2023 - HRA 2023-08	10-5-18-10218 HRA	2.50	52882	09/11/23
301083	09/06/23	Aug 2023 - HRA 2023-08	10-5-15-10218 HRA HW	5.00	52882	09/11/23
301083	09/06/23	Aug 2023 - HRA 2023-08	10-5-14-10218 HRA PD	10.00	52882	09/11/23
301083	09/06/23	Aug 2023 - HRA 2023-08	10-5-10-10218 HRA Admin	5.00	52882	09/11/23
301083	09/06/23	Aug 2023 - HRA 2023-08	10-5-13-10218 HRA	5.00	52882	09/11/23
301153	07/31/23	advertizing - Davenport 292-15847	10-5-18-10330 Advertising/Recruitment	304.00	52883	09/11/23

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301153	07/31/23	advertizing - Davenport 294-18030	10-5-18-10330 Advertising/Recruitment	304.00	52883	09/11/23
310794	08/24/23	marking paint INV897268	10-5-18-40000 Youth Soccer	290.75	52884	09/11/23
100219	08/11/23	windshield replacement 366-1082001	10-5-14-41110 New Equipment - Vehicles	437.04	52885	09/11/23
310842	08/30/23	FY23- field work 2023-2124	10-5-10-22110 Auditors	1500.00	52886	09/11/23
300375	08/28/23	July sludge processing 34288 SLUDG	20-5-55-50160 Sludge Disposal	6300.00	52887	09/11/23
100491	09/04/23	DRB hearing notice 00133728	10-5-12-30310 Legal Advertising	200.80	52888	09/11/23
300528	09/21/22	322011-34BT 3/4 boys team 191799	10-5-18-40000 Youth Soccer	300.00	52889	09/11/23
300528	09/01/23	soccer 213793	10-5-18-40000 Youth Soccer	1800.00	52889	09/11/23
310418	09/01/23	tech support 42219265	10-5-10-30134 Technical Support	150.00	52890	09/11/23
310418	09/01/23	monthly monitoring 42219266	10-5-10-30134 Technical Support	863.50	52890	09/11/23
310921	08/29/23	consulting fee 1203	10-5-10-30130 Service Contracts	540.00	52891	09/11/23
200277	07/30/23	fuel pump, tow 7084	10-5-14-41180 PD Vehicle Maintenance	240.00	52892	09/11/23
200277	08/06/23	tire repair 7101	10-5-14-41180 PD Vehicle Maintenance	25.00	52892	09/11/23
200277	08/11/23	MVA, insp. vehicle SRS mod 7105	10-5-14-41180 PD Vehicle Maintenance	255.00	52892	09/11/23
		for case related follow-up				
330348	08/23/23	service: Jul 24 - Aug 23 99427114647	10-5-14-20233 MDT/Aircards	325.23	52893	09/11/23
100317	09/05/23	dogs 5/1-8/31/23 SEPT 2023	10-2-00-02112 Dog Lic. Fees to State	185.00	52894	09/11/23
100067	08/24/23	TownFair 23-CRS 2811	10-5-10-10340 Professional Development	149.00	52895	09/11/23
300382	08/28/23	2023-Q4 Unemployment Ins REN035495-Q4	10-5-17-61150 Unemployment Insurance	1426.75	52896	09/11/23
300382	08/28/23	2023-Q4 Unemployment Ins REN035495-Q4	20-5-55-61150 WW Unemployment	107.25	52896	09/11/23
100146	08/28/23	2023 Q4 W/C, P&C Ins pymt REN230068-Q4	20-5-55-61110 Insurance Expenses	-0.26	52897	09/11/23
100146	08/28/23	2023 Q4 W/C, P&C Ins pymt REN230068-Q4	10-5-17-61110 VLCT Insurance	-1.49	52897	09/11/23
100146	08/28/23	2023 Q4 W/C, P&C Ins pymt REN230068-Q4	20-5-55-61110 Insurance Expenses	3002.50	52897	09/11/23
100146	08/28/23	2023 Q4 W/C, P&C Ins pymt REN230068-Q4	20-5-55-61160 WW Workers Comp.	1850.50	52897	09/11/23
100146	08/28/23	2023 Q4 W/C, P&C Ins pymt REN230068-Q4	10-5-17-61110 VLCT Insurance	18018.50	52897	09/11/23
100146	08/28/23	2023 Q4 W/C, P&C Ins pymt REN230068-Q4	10-5-17-61160 Worker's Comp Insurance	15172.75	52897	09/11/23

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311070	08/31/23	WEX BANK fuel cards - Aug 2023	10-5-14-41130	2089.96	52898	09/11/23
		91597568	Fuel - Vehicles			
311070	08/31/23	WEX BANK fuel cards - Aug 2023	10-5-22-43120	124.11	52898	09/11/23
		91597568	Municipal Mowing-maint			
311070	08/31/23	WEX BANK fuel cards - Aug 2023	20-5-55-41130	16.38	52898	09/11/23
		91597568	Fuel - Vehicles			
311070	08/31/23	WEX BANK fuel cards - Aug 2023	10-5-15-41130	115.30	52898	09/11/23
		91597568	Fuel - Vehicles HW			
311121	08/30/23	WILMINGTON TRUST Park St CWSRF pymt#3	20-5-55-61060	9273.62	52899	09/11/23
		8/30/23	Park CWSRF RF1-214 -Int			
311121	08/30/23	WILMINGTON TRUST Park St CWSRF pymt#3	20-5-55-61050	21654.87	52899	09/11/23
		8/30/23	Park CWSRF RF1-214- Prin			
Report Total				156619.94		

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 \$ ***156,619.94
Let this be your order for the payments of these amounts.

