

Brandon Select Board Meeting
September 25, 2023
7:00 p.m.

The Brandon Select Board will meet Monday, September 25, 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 – September 11, 2023
- 3) Town Manager's Report
- 4) Rec Director's Report
- 5) Public Comment and Participation
- 6) Announce New Budget Committee Session
- 7) Letter of Support for Brandon Park Village LLC CRRP Application
- 8) Tax Stabilization Application for MT Associates, 9 Conant Square
- 9) ARPA Allocation Discussion
- 10) Fiscal
 - a) Update Blanket Payroll Authorization
 - b) Warrant – September 25, 2023 - \$216,689.63
- 11) Adjournment

**Brandon Select Board Meeting
September 11, 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, Cecil Reniche-Smith

Others In Attendance: Seth Hopkins, Ralph Ethier, Mike Frankiewicz, Lollie Hoxie, Chris Brickell, David Kachajian, Bernie Carr, Susan Benedict, Debbie Boyce, Paula Ashley, Janet Coolidge, Claire Astone, Steve Bisette, Chris Conlin, Steven Jupiter, Tom Kilpeck, Jim Emerson, Vicky Disorda

Others in Attendance via Zoom: Neil Silins, Adam Murach, Bruce Jenson, Jack Schneider, Keith Whitcomb

1. Call to order

The meeting was called to order by Tracy Wyman - Board Chair at 7:02PM.

a) Agenda Adoption – Motion by Brian Coolidge/Heather Nelson to adopt the agenda. **The motion passed unanimously.**

Add Executive Session in accordance with 1 V.S.A(313)(a)(1) regarding a zoning ordinance complaint issue.

Add 14c – Fiscal – Blanket Payroll Authorization

2. Approval of Minutes

a) Select Board Meeting Minutes – August 28, 2023

Motion by Cecil Reniche-Smith/Brian Coolidge to approve the minutes of the August 28, 2023 Select Board meeting. **The motion passed with one no vote – Tim Guiles.**

Tim Guiles continues to find the minutes to be problematic in the depth and suggested the only part he focused on was the Green Fleet presentation. There was an error in the first paragraph noting 25% reduction by 2025 that should be 26% and 40% reduction by 2030. Mr. Guiles went back to the zoom meeting to assure what he said was accurate. If minutes are passed, the Board agrees that the minutes are what happened in the meeting and the only way is to go back and watch the meeting and he finds this onerous and a mistake to have these minutes and requested to go back to simplified minutes. Cecil Reniche-Smith stated there had been a discussion about whether someone had to be at the meeting to approve minutes and her understanding was they had to be there but has determined one does not have to be there. If the minutes are something that normally occurred, they can be approved. Mr. Guiles stated if he had not gone back to zoom, he would not have known what would have happened was correct. When voting to accept minutes, it is actually what took place. Ms. Reniche-Smith stated that because they are draft minutes, they can be corrected and when it is a number from a report, it is an easy fix. Mr. Guiles stated if the Board has minutes like this, he will vote against them as the minutes need to be a summary of motions and move away from a transcript. Heather Nelson stated that there had been a discussion of trying the abbreviated version and there had been several complaints about the shorter minutes and only one negative for the longer version. She does not feel comfortable approving if she was not present and it takes someone a while to go through the meeting on zoom. Mr. Guiles noted before the shortened minutes came out, there were complaints that were based on the idea.

Motion by Tim Guiles to move to an abbreviated set of minutes. **The motion did not carry.**

Claire Astone thought the minutes are critical and many people do not have technology that is stable and many people are accustomed to the written word.

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 provided the following update from his submitted report:

Mr. Hopkins provided a revision to his Town Manager's report as it appears the Town's grant match for the Conant Square Park & Ride project has not yet been designated. There are some conflicting recollections among the Town staff as to what the initial plan was and what the Town's portion would be. This grant originated in March of 2020 and is expected to be able to be submitted to the State as complete at the end of this month. Currently the expenses are in Fund 56 and cash flow is not an immediate concern. Work will continue on a resolution to this item.

The Town has a new highway department foreman-in-training. The Select Board should be gratified that the Town had two well-qualified in-house candidates apply and complete interviews with the management team and two select board members. We are pleased to announce that Mr. Jeremy Disorda is now the highway foreman-in-training and will work closely the next several months under our very able foreman Shawn Erickson.

Bill Moore directed a crew from McCullough Tree Service in the field today. The following trees were removed: 3 trees at the NE corner of the Town Hall, a defective public shade tree at the corner of N. Seminary & E. Prospect, trees in the cul-de-sac of Fox Lane in Forrest Brook and a tree endangering the traveling public on North Birch Hill Road. A tree on Birch Hill Road was also trimmed. The trees were evaluated by the Town Management Team, Tree Warden, or Highway Foreman. Several were examined as the result of citizen concerns/complaints.

Bill Moore and I met at the town office and then led a Newton Road site visit with Harry Shoppmann III from Vermont Emergency Management. We then participated in a site visit at the Newton Road pump station where the pumps are being repaired again. We will be working with the manufacturer's representative to try to prolong the service of this equipment. They are in good order right now. Thanks to Tim Kingston for his work with the installers and manufacturer.

Mr. Hopkins met with Dr. Ben Lawton and the Insect Control District to invite people to commemorate the work of Art and Donna Doty for pioneering the Insect Water Control District. The public is invited to Crescent Park at 9AM on Saturday, September 30th.

Tim Guiles appreciated the financial snapshot and hoped to receive this on a regular basis.

Neil Silins asked which trees that were removed were shade trees. Mr. Hopkins advised the one on North Seminary Street was a shade tree. The three trees near the town hall were not public shade trees nor was the tree on North Birch Hill Road that was removed and one trimmed. The ones removed in the cul-de-sac were a result of a citizen's complaint that the highway foreman had check out.

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:

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

Due to low numbers for both programs, for the first time there is a collaboration with the Pittsford Rec to have a combined 5/6 girls' soccer team. These "Rec Otters" will rotate between Estabrook Park, Pittsford Recreation Area and Otter Valley.

Estabrook Park will host HarvestFest on October 8th starting at 1PM. Nifty Thrifty will be sponsoring 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 closed due to some safety concerns and we are awaiting some estimates on resurfacing the asphalt. Thanks to the suggestion of Ralph Ethier, we are reversing the order of operations regarding the tennis court rebuild. Removing the poles, resurfacing the asphalt, and painting lines for tennis and pickleball will provide some tennis options 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, skateboard park as an allowed use and no wet 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 would be required.” For any restrictions from the grants that were used to establish the court, it will be assured that the Town meets all requirements before making any decisions regarding Estabrook Park.

Cecil Reniche-Smith reported a letter was received from Mary Lou Webster regarding any improvements to the current tennis court needing a permit from the State. Bill Moore reported the State’s wetland group has provided specifics on what can be done around updating the tennis court.

5. Public Comment and Participation

Brian Coolidge stated the Smalley Road sign is missing and the north end McConnell Road speed limit sign has been missing for a while. Mr. Coolidge did not think the bioswales should be a community effort and the Town staffing has been the same as it has been and the Town should be taking care of them as he does not think it is a good precedent to have the community take care of them. Certain plantings have to be in them and the Town needs to plant items that the State indicates should be in them. Seth Hopkins stated the community gardens were done because the Town’s performance was not good. Compliance with the planting plans can be done and the Town can provide the plants. The buildings and grounds crew is one man and he mows many fields and is regularly getting calls from businesses to eliminate weeds. Mr. Hopkins did not see a negative to volunteer labor that the townspeople enjoy doing. The Town can provide safety training to the community also. Mr. Coolidge stated buildings and grounds helps highway and vice versa. Tracy Wyman noted the Town has been down in staff in the highway department this summer. Mr. Hopkins stated this presented a challenge and the community took a difficulty and turned it into an opportunity with taking more ownership and he thinks that while Brandon is becoming a bigger town with more robust offerings and economic development, Brandon should keep small town efforts. People are willing to teach other people and is a good opportunity. Heather Nelson noted that in her time in Brandon, there had not been so many gardens and it is found to be a lot of work and adoptive gardens have been done in other parts of Town. She agrees if the Town plants it, they should take care of it, however, it seems that there is a learning curve on the number of gardens that we have. Cecil Reniche-Smith stated for most of the bioswales, the plants that are there are appropriate and are living, healthy plants. There is one bioswale on Pearl Street that will need replanting, but the plants are healthy and the Town can provide the plants that are required.

Tracy Wyman expressed concern with parking in front of the banks and would like to see something done about parking as the lots are full very early in the morning. He suggested a 2-hour parking limit from 6AM to 8PM and would prefer there to be no overnight parking in this area as the parking is not being used for the local businesses. Mr. Wyman stated when coming by during the weekends, there is not a parking spot available for Mae’s business and the banks are open from 9AM to Noon. If these are clients for the Brandon Inn, he suggested there should be parking available behind the Inn. There have been complaints from business owners about parking. Heather Nelson suggested asking the Brandon Inn what their parking options are and she wants to make sure that it is not people who had been parking in the municipal parking lot. Cecil Reniche-Smith stated there are a number of parking spots on Park Street and most of that street’s parking is only parallel, but there is a section near the library to diagonal park and suggested striping the spaces. Seth Hopkins stated there would be more slots for diagonal parking and there is a resident who is agreeable to diagonal parking, but he does not know if the visibility would be worse. If the Board wants the next section before the bike lane striped for parallel or diagonal parking the Town can

do that. The other side of the street is for parallel parking. Tim Guiles stated this is a good sign but is a bigger problem than a 2-hour limit and thought it would be good to have a working group to solve the parking issues. He was not sure that a 2-hour limit would achieve what Mr. Wyman wanted to accomplish. Mr. Wyman stated the majority of the cars he has seen are out-of-state cars, but the businesses are paying taxes are not getting a fair shake with parking and he would like to see something corrected before fall to take care of the businesses that are there. Bill Moore advised he spoke with the Brandon Inn about parking and Sid is talking to the people about parking and had noted there is plenty of parking out back and he is telling people to park out back. It had been suggested that materials could be bought in to increase the parking there. Mr. Wyman stated as far as the Town spending money to put in extra parking, he would be against doing this regarding personal parking as all businesses have to take care of their own parking lots. Mr. Wyman stated there is parking available in other places throughout town. Heather Nelson suggested asking the Chamber or the DBA for ideas, given they support the businesses. Bernie Carr stated this is something that has been talked about. With regard to diagonal parking on Park Street, it is not more dangerous than parallel parking and it could be all the way up the street, which would provide extra parking. He noted that people can park where parking is available. As far as helping out with parking, there have been a lot of studies done and it would work to advise parking behind Walgreens if the town paved it. If it is made safer and better lit, more people would park there. For a profitable prosperous downtown, parking is needed. The municipal parking lot behind Dunkin Donuts is new and when the Aubuchon block was developed, parking on the street would be allowed except with the winter parking ban. They then moved to the municipal parking lot that also created plowing issues. Mr. Carr noted there are many things that will not work but suggested possibly creating a group to determine some additional places to park.

Janet Coolidge questioned the union contract for the police regarding cars. Seth Hopkins reported he has reviewed the personnel policy, the Police Union and non-Police Union contracts and has not found language about cars going home.

Vicky Disorda advised the Methodist Church does not have parking and will be approaching the Town to request diagonal parking along Carver Street.

Janet Coolidge advised as a public service announcement that she had an issue with her fire alarms and was advised by the Fire Department that smoke alarms should be replaced every 10 years.

6. Award Bid for Newton Road Reconstruction

Seth Hopkins reported there were five bids received and opened on Tuesday, September 5th. The low bidder was Bruce Meacham Property Maintenance. Mr. Hopkins has called the references and Shawn Erickson has spoken with Mr. Meacham. Cecil Reniche-Smith asked with the divergence between the low and high bids if he has done similar work. Mr. Hopkins reported he has done this type of work and has the equipment to do the job. Shawn Erickson was at the prebid meeting as well as someone from the State's field engineering and it was helpful for Mr. Erickson to participate. Mr. Erickson feels confident about the low bidder and it was noted the bids were all lump sum bids. Brian Coolidge was asked by one of the contractors why the Town is replacing six-year-old culverts. Mr. Hopkins advised Mr. Erickson identified the culverts to be replaced as some are crushed on an end, but some are going to be flushed by the sewer jetting machine.

Motion by Tim Guiles/Cecil Reniche-Smith to award the Newton Road Reconstruction project to Bruce Meacham Property Maintenance.

Mr. Meacham is located in Middlebury. Neil Silins questioned if this is a not-to-exceed contract and Mr. Hopkins confirmed the bid was a not-to-exceed figure. Cecil Reniche-Smith noted the figure would only increase if the work order were changed. Mr. Hopkins noted there were changes to the project at the pre-bid meeting and nothing will change after that.

The motion passed with one no vote – Brian Coolidge.

7. Review Public Car Charging Station at Conant Square Lot

Seth Hopkins noted this item was requested by a Board member. The ChargePoint chargers are owned by the Town and the rate set by the Town is 17 cents per kWh plus 75 cents per hour plugged in (whether charging or not). The Town pays GMP 18.336 cents per kWh plus various fees equating to 23.02 cents. The net revenue to the Town is 15 cents. Jackie Savela had

advised the suggested rates were provided by ChargePoint. ChargePoint retains a fee and the chargers are covered by a five-year warranty. In FY 2023, there was a total revenue of \$948.96 and paid \$838.34 to GMP with a net revenue to the Town of \$111.62.

Cecil Reniche-Smith asked when the warranty expires if the maintenance of the equipment also expires. Tim Guiles advised as long as ChargePoint is running, the Town will continue to pay the fee. It was noted that Jackie Savela has reached out to ChargePoint and there are options. They have not provided all the options that would be available. One option would be to continue with ChargePoint, with the figure possibly increasing after the five-year period. Ms. Reniche-Smith asked if the Board wants to see this as a revenue generator or breaking even. Brian Coolidge stated this should bring in funds to pay for any repairs post-warranty.

Tim Guiles would like to see if there is going to be a cost and would like to see it projected out, possibly from ChargePoint. There is another way to look at the chargers as the Town pays money to promote itself and this charging station is a way to get people to stop in town. It is a small investment for encouraging people to stop. This is the only place in Town that we charge for parking. Seth Hopkins stated the Town is not charging for parking, but for being plugged in. ChargePoint recommended charging people for remaining in the area when not charging their car, as it hinders people from being able to charge. The public car charger rates are all over the map in the nearby areas and one can do whatever makes the most sense. Brian Coolidge thought the fee needs to be increased as it should be self-sustaining. Tracy Wyman agreed that it needs to be self-sustaining for repairs and replacement.

Bernie Carr stated Tesla does not charge for their chargers and they charge for the energy used but charge a lot for a longer stay as they want people to move out of the charging area. Mr. Carr would like to see those types of chargers as a higher rate would be incentive to not stay in the charging area after the charge. Bill Moore noted he will be interested to see this year's usage with a fully functional business in front of the lot. Cecil Reniche-Smith stated the program is a little over break even, but it depends on finding out what happens when the warranty expires as far as what the Town will need to spend on maintenance. There is more research needed before making an informed decision. Brian Coolidge would like to see more information as something needs to be done sooner rather than later with the warranty ending February 2026. Tim Guiles thought the expected life span of the equipment is far longer. Mr. Moore volunteered to look into the additional information. Heather Nelson agreed the information is needed, but it would be good to see how things pan out once the new business is open.

Claire Astone stated as a taxpayer, she does not want to be paying for other people to charge and it is the Town's responsibility to ensure that there are funds to do repairs and suggested increasing the pricing. The Town should take advantage of the use and build a pot of money for stability. Brian Coolidge stated we are trying to be in line and get ahead of the curve. Tracy Wyman suggested it would be good to have more information and the Board can then decide from there.

8. Respond to Police Union Initiation of Collect Bargaining Process

Seth Hopkins reported the Select Board received a letter to initiate renegotiation of the contract and there is a proposed schedule. Tracy Wyman stated there needs to be a committee of Select Board members. Mr. Hopkins advised the entire Board could be a negotiation committee or there could be three members but would require the meetings to be warned. Tim Guiles, Tracy Wyman, and Brian Coolidge volunteered to be on a committee with the Town Manager. It was noted that weeknight evenings are preferred for the meetings.

Motion by Cecil Reniche-Smith/Heather Nelson to establish a negotiating team comprised of Brian Coolidge, Tim Guiles, Tracy Wyman, and Seth Hopkins for purpose of responding to the Police Union for the collective bargaining. **The motion passed unanimously.**

9. Holding Cell at Police Station

Seth Hopkins reported this item is a request from the Police Chief who was present to answer questions. Chief Kachajian advised this is in response to events that happened at the police station as there is not a holding cell and when individuals are arrested, they are shackled to the wall. One individual took it upon himself and destroyed the holding area ripping out the

telecommunication and electrical conduit and another individual tried to do the same thing. Last night with the processing area out of order, an individual was placed in the interview room and attempted to destroy the heating ducts. Chief Kachajian suggested it would be beneficial to have a short-term holding cell for those individuals who are violent or dangerous, as these incidents are increasing. There is also concern if someone is shackled to the wall by an arm or leg and that person is unruly, there could be the risk of breaking a wrist or ankle and getting seriously injured and could be a liability for the Town. The cell would also be for the officers' safety as two officers were injured and each time a claim is filed with the VLCT, the insurance costs increase. It is his duty to reduce liability and assure the safety of the prisoners. In the first incident, the person threatened to grab an electrical conduit. Chief Kachajian has funds for a capital expenditure and would like a one-person holding cell that would only be temporary for people that are violent and risk causing injury to themselves or the officers and damaging municipal property. A photo of the item was provided to the public. Tracy Wyman stated this is within the town manager's purview. Seth Hopkins advised this is an expense that could have been authorized, but it is important for the Board to have awareness and the public to have input. Cecil Reniche-Smith is in favor of it but wanted it to be brought to the Board and the public. She was shocked that there was not a safer way to hold arrestees and understands there are constraints with the size of the station and is limiting for a holding cell, but not having one creates risks and liabilities. Heather Nelson asked how long it would be used for. Chief Kachajian advised it would be used for two hours or less as it is rare to have someone in custody for more than 2 hours. This would be used in a case-by-case situation as most people that are arrested are fairly polite but there are issues with people that cause serious problems. Someone could be taken out of the holding area if they become less violent. Claire Astone asked about people that are suicidal if there are ways for people to hang themselves. Chief Kachajian advised there would be an officer stationed where they would monitor the person. This would be a permanent purchase and noted that this cell is used in many courthouses as it comes with wheels, but it can be bolted to the floor. Tracy Wyman was in favor of it and suggested it is something the police department should have. Ms. Astone stated she wants to see the people and officers safe. Chris Brickell asked the cost of the cell. Chief Kachajian advised the cell is \$4495 and freight would be \$350 with a total cost of \$4845 and comes built complete. Mr. Brickell stated for historical data, he used to be the police chief here and the old police station had a cell that could house two people. They got rid of it because it was a safety issue for the officers when dealing with combative people. When moving to the new building it was decided to use shackles. Mr. Brickell stated the dimension is 3 feet by 2 feet and trying to fit someone into a cell that size would be challenging. Most people are there because of poor choices and some people are there for mental health issues. Chief Kachajian advised one does the same thing when putting someone into a cruiser and noted most of the cars do not have cages. He stated there is a sliding secure door where they can be handcuffed when opening the main door. This would be for someone who is six feet tall and if there is someone that is extremely tall or obese, they would have to adjust how they would deal with that person. Ms. Astone asked if there are any lawsuits with this kind of holding cell and Chief Kachajian was not aware of any lawsuits and if he can reduce liability, this is the best that can be done. Cecil Reniche-Smith stated this is an additional tool to have keep the people and officers safe. Debbie Boyce witnessed three officers having all they could do to get someone in the back of a car and towns many times do not have three officers on duty and asked if there is a back-up plan. Chief Kachajian stated every situation is different and he relies on the training and situations and hopes that there is a backup officer available. Heather Nelson asked if there are other comparable alternatives. Chief Kachajian advised there are other towns that have a cell and he is shocked that there has not been a lawsuit against the Town as he sees issues with shackling prisoners to a wall. The reason for this size cell is the cost as he has funds left over from purchasing a cruiser. Debbie Boyce asked if there are guidelines for someone under 18. Chief Kachajian stated if it was a violent individual, they would be placed in it.

Motion by Cecil Reniche-Smith/Tracy Wyman to approve the purchase of a holding cell for the police station using funds that are available. **The motion passed with two no votes - Brian Coolidge and Tim Guiles.**

10. Consider Working Group for Shade Tree Preservation Plan

Seth Hopkins advised the Tree Warden has drafted a Shade Tree Preservation plan and suggested a working group from the Select Board to go through it with him. This is a policy writing enterprise that would be best done in that manner. Tracy Wyman and Brian Coolidge volunteered to work with the Tree Warden on this item.

Motion by Tim Guiles/Cecil Reniche-Smith to appoint Tracy Wyman and Brian Coolidge as the working group with the Tree Warden. **The motion passed unanimously.**

11. Semi-Annual Report from the Energy Committee

Jim Emerson of the BEC noted they are looking for questions and recommendations. Heather Nelson liked the bike racks. Tim Guiles was glad the BEC was active and encouraged them to keep up the good work. Mr. Emerson reported the BEC is planning two Button-Up events this fall with one on October 11th for Brandon businesses and commercial landlords sponsored by the Chamber and SolarFest. A similar format will be held for residents on November 8th. Claire Astone asked whether the e-bike helmets were safety rated. Bill Moore researched this and wearing a bike helmet versus not wearing is better, but one can go 30 to 40mph on a regular bike and there is no difference between e-bike to a regular bike. Ms. Astone advised e-bike helmets are rated for higher speed and are crash tested up to 28 mph and recommended people are educated about that. She has researched this item and they are definitely rated differently. Mr. Moore advised there is an annual safety day and he would like to discuss this subject with Ms. Astone. Chris Conlin stated if an e-bike is going 30 mph, they should be registered and insured. Cecil Reniche-Smith stated there are cheap bike helmets that will not protect, and the difference between a \$10 helmet and a \$50 dollar helmet is great. A traumatic brain injury can happen falling off any bike. They do make e-bike helmets and it is up to the consumer to decide what they want to do.

12. Discussion on BRAVO

Tim Guiles wanted to come to a conclusion about appointing a coordinator and appointing the members of the BRAVO Board. Cecil Reniche-Smith reported she, Heather Nelson and Seth Hopkins met with Claire Astone, Interim BRAVO Coordinator. It was learned that the coordinator is chosen by the Town Manager and approved by the Select Board. The former coordinator resigned and at that time Mr. Atherton appointed Claire Astone as the interim coordinator. There was a discussion about the BRAVO committee operating differently from other committees in the town and part of that was due to the way it was formed. The town committee members are appointed by the Select Board and there was a discussion of bringing BRAVO to be the same as the other committees. One of the items discussed was the role of the coordinator. Ms. Reniche-Smith stated Brandon is the only town to have a local restorative justice committee of all volunteers and one item discussed was whether to remain that way with the members and coordinator as volunteers appointed by the Select Board or to work with the Rutland Restorative Justice Center and use their paid coordinator and provide a local volunteer panel. The coordinator has a specific role of being a liaison with the police chief and writing the reports. The committee of volunteers would then do the work of restorative justice, but the coordinator would not be a part of that process. It may make sense to connect with Rutland's committee with a paid coordinator to see if they could do the coordination with the Town's volunteers that would free them up to do the restorative justice. Claire Astone advised Tim Guiles had served as coordinator and chair up to 2 years ago. Ms. Astone asked what the concern is in terms of having someone paid from Rutland Restorative Justice or someone that has the same training from DOC and works with the judicial system. It was noted they have numerous programs, provide counseling, and do diversion from court that the Town would not be doing. In terms of committee, Ms. Astone stated this is our community and it makes a difference for our committee to work with our police department. Ms. Astone's time is up and she contacted the Town Manager as the selection of a coordinator is the responsibility of the Town Manager. She does not know where the bylaws came from, but the committee has had the head of restorative justice here to provide training. She is happy to assist with training and is working with Addison County for training. She is not opposed to changes but thinks this is our community and the arrests will be made here and the coordinator position is a matter of talking with the police chief, hearing the story, obtaining particulars, talking with the families, and getting a panel together to assure that the documentation is sufficient. Ms. Reniche-Smith noted that she is laying out options based on statute, but not taking away work of the volunteers. The option could be to use the paid coordinator in Rutland and with Brandon part of Rutland County it makes sense to have the coordinator for Rutland County do the upfront work and the town's volunteers do the work for restorative justice. Debbie Boyce advised she worked with Art Doty and Lance Mead who had written the bylaws by taking bylaws from other communities and received her training from Rutland. Ms. Boyce noted where Brandon has not been complete over the last five years is that they are trying to get a person from the community on an advisory board. There is a restructuring of the group that needs to be done. She has talked with June Sargent and she would like the opportunity to be on the ground level in creating the right vision to benefit the town's people. Contact with the schools is missing and there has been a change in the administration there. Ms. Boyce has worked with Addison County and Rutland Diversion. If there was someone that required an assessment, the Town would not be able to do it. Chief Kachajian does not have a problem with BRAVO being tweaked, as it is an excellent program and it should be not only children but adults as well. Ms. Reniche-Smith is waiting to get information back from Rutland and stated this is at the stage of figuring out how to make BRAVO the best it could be and ensure the committee is established the same as all the other committees in

Town. It is not certain with bylaws if the Select Board can reform BRAVO or if they are constrained by the bylaws. Bill Moore advised he served for 15 years on the Rutland County Diversion program and is passionate about this. Restorative justice is important and having a professional trained coordinator is important to assure there are professional interactions with the police chief and families. He sees value in a professional person as this is vitality important and is the cornerstone of restorative justice in Rutland. Ms. Reniche-Smith stated there is the type of diversion that happens with restorative justice that does not make it into the court system. Diversion is when you go to court and are given the opportunity to plead guilty and in return be put in a program to avoid being convicted. Restorative justice does not get to that point. Debbie Boyce suggested a new start. Tim Guiles quoted the following from *The Little Book of Restorative Justice*: “Many feel that the criminal justice process deepens societal wounds and conflicts rather than contributing to healing or peace. Restorative justice is an attempt to address some of these needs and limitations. Often these are offered as choices within or alongside the existing legal system.”

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)

Seth Hopkins recommended for compliance that the Board appoint the Town Manager as the Emergency Management Director and Tom Kilpeck from the Brandon Fire Department as the Emergency Services Voter for a 1-year term ending September 30, 2024.

Motion by Tim Guiles/Brian Coolidge to appoint Seth Hopkins as Brandon’s representative to the Rutland Emergency Management Committee and Tom Kilpeck as the Emergency Services Voter for a 1-year term ending September 30, 2024. **The motion passed with one abstention – Heather Nelson (Not Present).**

14. Fiscal

a) Consider Purchase Order 45038 to Cargill, Inc. for De-icing Salt - \$86,500

Motion by Tim Guiles/Brian Coolidge to approve the purchase order in the amount of \$86,500 for de-icing salt. **The motion passed with one abstention – Heather Nelson (Not Present).**

b) Warrant – September 11, 2023 - \$156,619.94

Motion by Tim Guiles/Brian Coolidge to approve the warrant of August 28, 2023, in the amount of \$156,619.94. **The motion passed unanimously.**

c. Blanket Payroll Authorization

Motion by Tim Guiles/Heather Nelson to accept the new blanket payroll authorization. **The motion passed unanimously.**

Cecil Reniche-Smith reported the Brandon Planning Commission is working on updating the Town Plan which must be completed and adopted by February 2024. There is a target date for having a draft to the statutory parties by November in order to hold the public meetings. Thanks to Logan Solomon of the RRPC for the updated 2020 census data that was required for the Plan.

Susan Benedict would like to bring a water mitigation matter before the Select Board at the next meeting.

Tracy Wyman stated at the next meeting the Board will be discussing the ARPA funding.

Motion by Tim Guiles/Brian Coolidge to enter into executive session at 9:29PM for the purpose of negotiating or securing a real estate lease option to include the Town Manager per 1 V.S.A.313(a)(2). **The motion passed unanimously.**

15. Executive Session

The Board came out of executive session at 10:05PM. There were no actions required.

Motion by Cecil Reniche-Smith/Heather Nelson to enter into executive session at 10:07 PM for the appointment, or employment, or evaluation of a public officers or employee, excluding the Town Manager, per 1 V.S.A.313(3)(a)(3). **The motion passed unanimously.**

16. Executive Session

The Board came out of executive session at 10:16PM. There were no actions required.

Motion by Cecil Reniche-Smith/Brian Coolidge to enter into executive session at 10:17PM regarding a zoning ordinance complaint for which premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage, per 1 V.S.A.313(a)(1). **The motion passed unanimously.**

17. Executive Session

The Board came out of executive session at 10:50PM. There were no actions required.

18. Adjournment

Motion by Brian Coolidge/Heather Nelson to adjourn the Select Board meeting at 10:51PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary

FOLLOW-UP ITEMS FROM PREVIOUS BOARD MEETING(S)

Contractor Bruce Meacham has signed the notice to proceed with the Neshobe River and Newton Road work. He anticipates an on-site date the first half of the week of September 25th.

Demolition work for the three Town-owned buyout properties on Newton Road by contractor Richard Reed & Sons has been completed; the invoice appears in the warrant.

I did some research on the Brandon Carnival / Brandon Area Toy Project and, unless there is contrary direction from the selectboard, would like to convene a meeting with stakeholders including invitations to those who have expressed concern regarding potential conflicts of interest arising in the Town's relationship with non-profit organization(s) we partner with.

Approximately \$70,000 in delinquent property taxes, water, and wastewater bills has been collected in the past two weeks. Thanks to Jackie Savela at the town office who handles payment plans with taxpayers who initiate them to clear their arrearage. Payment plans when honored keep properties out of tax sale and clear the delinquency within a year. (Interest accrues.)

FOCUS AREAS DURING REPORTING PERIOD

I have held independent regular course-of-business meetings with Rep. Stephanie Jerome, several heads of Town departments, various Town board chairs and members, property developers and redevelopers, non-profit leaders, and outside vendors as well as community members.

The monthly meeting with the engineers and contractor on the wastewater treatment facility upgrade was Thursday 21 September. Current forecast of substantial completion is Winter 2024. The Town has used the full amount of the loan it obtained and is now utilizing grant funds. The clarifier and screen equipment have been delivered and Town staff (chief operator Steven Cijka and operator Tim Kingston) have been participating in appropriate aspects of the project. For the awareness of the selectboard, a communication I had with engineer Jason Booth ahead of this meeting revealed that while we are in a \$5½M upgrade effort, the project primarily entails improvements to the processing of wastewater, and there may be something on the order of another \$3M - \$5M in plant structural and other upgrades recommended which were beyond the available funding stitched together for the current work.

I prepared a draft memorandum of understanding among the Town, the Chamber, and the Friends of Town Hall regarding the annual Chamber auction for consideration of all parties.

The Town continues to seek bids on the Town Hall chimney repair but have had several decline and only have one estimate in-hand for this insurance claim.

Bill Moore and I met at the town office with Harry Schoppmann from Vermont Emergency Management about Brandon's flood response, mitigation efforts (past and present), and interactions with VEM in natural disasters and other emergency incidents. Also in emergency management, Tim Guiles and I completed a FEMA emergency management course together.

With Tim Kingston from our wastewater department, we made a site visit to the Newton Road pump station and spoke with the professionals who were making repairs to our pumps there. The

variable frequency drive has been replaced under warranty. There are additional concerns about the longevity of this equipment which Tim is addressing with the manufacturer.

In economic development, Bill and I met at the town office with Laura Merone-Walsh and Frank Trombetta, principals of M T Associates, ahead of their opening of the Dunkin' with gas station and car wash at 9 Conant Square. A tax stabilization application is before the board this evening for this infill redevelopment investment. The businesses are now all open and have been the topic of a front-page story in *The Reporter*.

We prepared for, hosted, and followed up with a second team from FEMA in Brandon who were here in particular to examine our 2017 Neshobe River overflow relief structure (the downtown culvert). This was another positive series of interactions and demonstrated the value of both the ongoing partnerships with State and Federal agencies as well as the community's commitment to responsible hazard mitigation as displayed in its appropriation of its share of the significant cost. Work with the first FEMA team is ongoing regarding our public assistance claims.

I met with representatives of VHB along with our historic preservation commission chair as they got underway on a survey they are conducting on historic resources in Brandon outside the National Historic Register area in the center of town. They will identify specific historic structures and provide suggestions to our commission which will inform the commission's future work.

At the request of chair Cecil Reniche-Smith, I attended the planning commission's evening meeting on September 18th. The focus was infrastructure. They are working well together and with other community groups and leaders to craft a comprehensive and thoughtful Town Plan.

FOR AWARENESS OF THE SELECTBOARD

I spoke with Brian Sanderson, VTrans District 3 Projects Manager, to ascertain the status of our structures grant application for the McConnell Road culvert. We will not be receiving this grant this year. The application was sent by the Town on 12 April 2023 by email ahead of the 15 April due date. The application was not received by VTrans. I believe that this was due to the size of the file the Town transmitted (site photos). As the deadline has passed, we will resubmit for funding in next year's structures grant cycle. We have identified tactics for avoiding such missed connections in the future. Our application will be in a very favorable position for the next award.

Highway Foreman Shawn Erickson and Foreman-in-training Jeremy Disorda will jointly develop a work plan and Police Chief David Kachajian will develop a department budget ahead of this year's budget workshop season, customarily to commence in November.

Chief Kachajian has been awarded a grant of \$18,000 from the Department of Justice through Senator Sanders's office for an electric police motorcycle to procure and field after the winter. A purchase order will be brought to the selectboard for consideration.

RESIDENTS' CONCERNS

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

To attempt to control costs, our zoning officer is reaching out to his counterparts in larger communities for technical assistance (equipment and potentially an operator) in a mutual aid way to facilitate our collection of data required to enforce our Brandon land use ordinance to resolve a months-long compliance issue.

STAFFING

Highway foreman Shawn Erickson is comfortable with bringing on a crew member about the first

of the year to fill the crew position opened by Jeremy Disorda's anticipated elevation to foreman the first of February upon successful completion of Jeremy's training under Shawn, which has gotten underway. This was unbudgeted staffing that will last one month during winter operations.

FINANCIAL SNAPSHOT

FINANCIAL SNAPSHOT	
Operating Expenses (excludes tonight's warrant)	20.4% of funds / 25% of year
Unrestricted / Unassigned Fund Balance	\$696,096
Local Option Tax Available / Undesignated	\$110,488
Unobligated ARPA (will report only until fully obligated)	\$569,624
Known Grant Matches Not Yet Designated (excluding Union Street)	\$50,000 for Conant Square Park & Ride lot
Delinquent property taxes (prior years)	was \$417,367 / now \$393,561
Delinquent water & wastewater (prior years)	was \$335,503 / now \$289,046

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 New Budget Committee Session

Town manager's recommendation: Recommend budget committee members be solicited now, named at the 9 October meeting, and (customarily four) sessions in November and December be scheduled at either the 9 or 16 October selectboard meeting.

Item #7 Park Village LLC Grant Support Letter

Town manager's recommendation: Recommend support for this re-use of an existing building which will provide 19 units to help address Vermont's and Brandon's need for housing.

Item #8 Tax Stabilization for M T Associates

Town manager's recommendation: Recommend approval based on the amount invested to redevelop this parcel, and a pledge from the Town at the time we purchased the parking lot

Item #9 ARPA Discussion

Town manager's recommendation: Recommend consideration of (a) community sentiment as expressed in several listening sessions since 2021; (b) the board's previously articulated framework of the greatest benefit to the widest segment of the community lasting the longest period of time; (c) leveraging ARPA funds to be used as matching funds to "draw down" additional resources from grant making agencies; and (d) current and future infrastructure needs.

Item #10 Blanket Payroll and Regular Warrant

Town manager's recommendation: Recommend approval as presented.

Respectfully submitted,

Seth M. Hopkins.



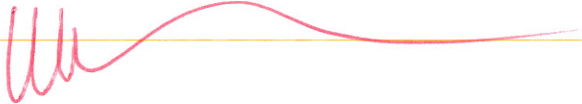
TOWN of
BRANDON
EST. 1811 VERMONT

RECREATION

September 22, 2023

- Planning for winter basketball has begun. Attended two meetings last week to work with regional partners around aligning goals, best practices and even more in the way of collaboration with the Pittsford Rec and Otter Valley
- Speaking of collaboration. We are working with those same partners to create the inaugural “Otter Jamboree” as an end of the year tournament for our youth soccer kids in grades 3-6. This will be held on October 22nd at the Pittsford Rec Area
- Thank you in advance to Arturo Mendiola for providing frame construction for “Leaf People” that are a feature of Harvest Fest (October 8th, Estabrook Park)
- A big thank you to sponsors McGee CDJR and Pockette Pest Control for underwriting the soccer jersey purchases for grades the U10 girls and boys teams.
- Volleyball is back! Wednesdays at Otter Valley North Campus from 6:30 – 8:30. Commissioner Amber Lee will be helping people ages 16 – 99 serve up some fall and winter activity!
- Fall Trivia starts on October 1st 6:30 PM at Center Street Bar. This popular FREE adult event is a multi-year collaboration with the Brandon Free Public Library.

Respectfully Submitted,



Bill Moore



September 21, 2023

Lindsay Kurrle, Secretary
Agency of Commerce and Community Development
One National Life Drive
Montpelier, Vermont 05620

Secretary Kurrle,

The Town of Brandon would like to express our enthusiastic support for a housing project being proposed at 333 Jones Drive by Yossi Schor of Brandon Park Village, LLC. Their application for Community Recovery and Revitalization Program funding is worthy of selection for this competitive grant program.

In 1993, the State of Vermont closed the Brandon Training School and sold off the buildings in the campus to various entities. The vast majority were purchased and converted into housing and office space. Building K sat vacant until being purchased in 2011. The current owners made significant renovations to make useable half of the 52,000 square feet and save the building from falling into complete disrepair. Yossi Schor is picking up where they left off by endeavoring to create 19 units of desperately needed housing. The repurposing and renovation of this historic building to help address the housing needs of the Brandon community seems to be the perfect use of the CRRP funding.

Like many communities in Vermont, Brandon lacks “the missing middle” housing stock that provides new families the opportunity to live, work and recreate in our town. Our new town plan, that is currently being updated and is set to be ratified by February of 2024, will further address this need. In addition to that work, our planning commission is working with the Rutland Regional Planning Commission and a municipal planning grant to update our land use ordinance (BLUO) to this end as well. The “Housing” section of our current town plan implores us *“Encourage the preservation and renovation of existing homes, especially unique and historic properties”* *“Continue to support efforts to provide safe and affordable housing”* *“Maintain a land use pattern of relatively densely settled villages and clustered development radiating from the town center which may be efficiently served by community facilities and services”* Again, this project will perfectly address these town plan strategies and goals. Mr. Schorr was extraordinarily responsive when asking “what does Brandon need?”

Please consider the town a willing an active partner in this project.

Brian Coolidge, Select Board

Cecil Reniche-Smith, Select Board - Vice-chair

Tim Guiles, Select Board

Tracy Wyman, Select Board - Chair

Heather Nelson, Select Board - Clerk

From: Yossi Schorr <yossi@yhsholdings.com>
Sent: Monday, September 11, 2023 10:33 AM
To: Bill Moore <bmoore@townofbrandon.com>; Seth Michael Hopkins <shopkins@townofbrandon.com>
Subject: Support letters

Hi

As someone who is investing in housing in the community
I'm looking in to repurpose building K in the old training school (333 Jones Dr)
For housing
I would like to know if I could get letters of support from

1. the town providing details about whether the proposed project is compatible with the local town plan and the community supports the proposed project
2. the Regional Planning Commission providing details about whether the proposed project is compatible with the regional plan
3. Letter of support from the Regional Development Corporation providing details about whether the proposed project has a clear local significance

The plan is to convert the building into 19 residential units
multifamily building to supply needed new affordable and moderate-income housing in Brandon while supporting local.

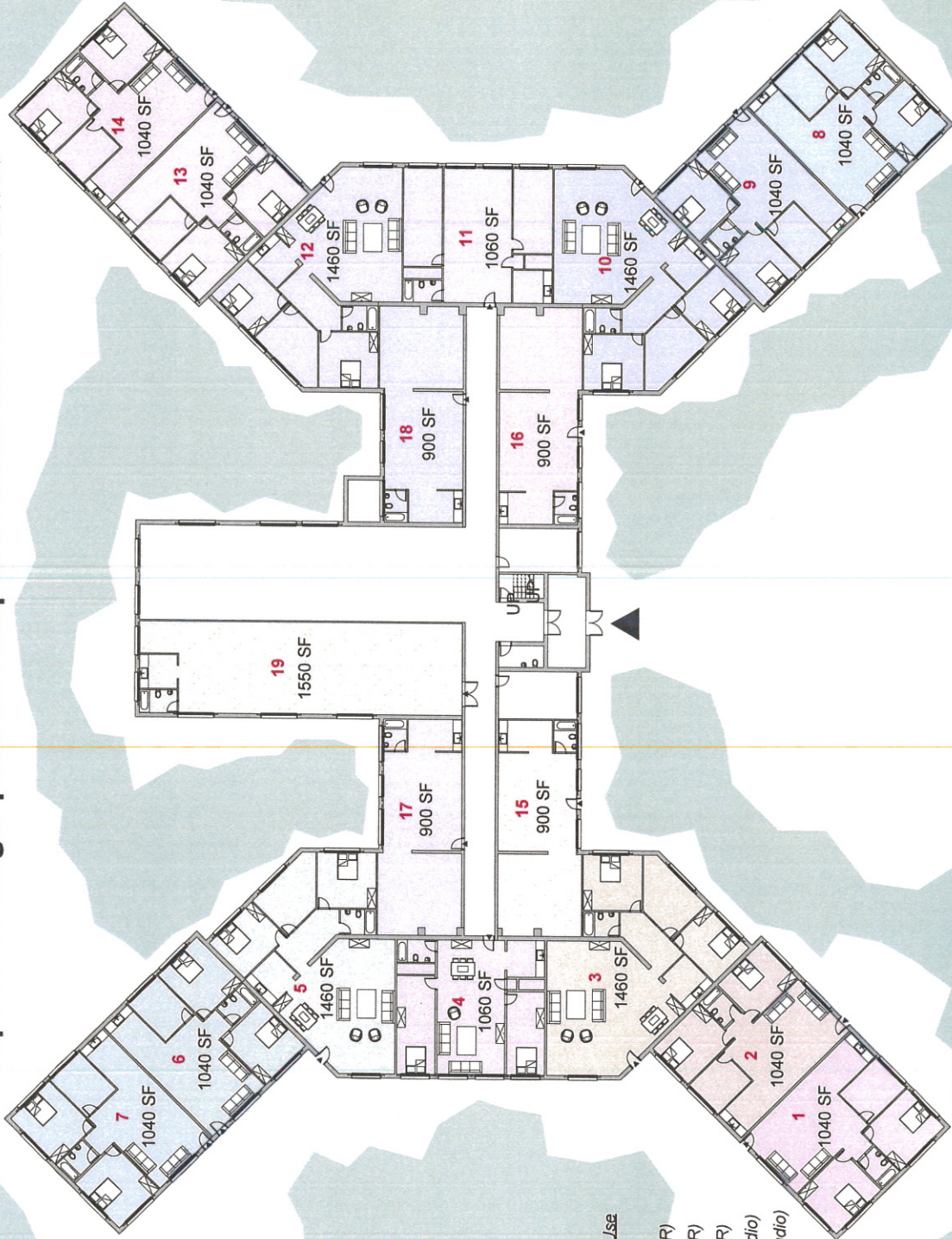
Includes

- 8 units 1040 sq.ft (3 BR)
- 4 units 1460 sq.ft (3 BR)
- 2 units 1060 sq.ft (2 BR)
- 4 units 900 sq.ft (Studio)
- 1 units 1550 sq.ft (Studio)

Thank you.
Best,

Yossi Schorr
M +1 917 520 1604
E yossi@yhsholdings.com

Propose strategic plan for Adaptive Reuse 333 Jones Drive



- Proposed Main Floor Use**
- 19 Residential Units
 - 8 units 1040 sq.ft (3 BR)
 - 4 units 1460 sq.ft (3 BR)
 - 2 units 1060 sq.ft (2 BR)
 - 4 units 900 sq.ft (Studio)
 - 1 units 1550 sq.ft (Studio)



Town of Brandon Tax Stabilization Application

Applicant Property Owner	<i>M.T. ASSOCIATES LLC</i>
Applicant Property Contact	<i>Frank Trumbetta</i>
Contact Tax Bill Address	<i>217 N. MAIN Street</i>
Parcel Number	<i>0042 - 0009</i>
Current FY Assessed Value	<i>\$ 280,000</i>
Total Property Improvement (attach invoices)	<i>\$3,000,000</i>
Contract Length (per policy)	
Fiscal Year Start of Contract	

I affirm that all evidence provided as a part of this application does represent the true investment value and costs incurred by the property owner for the above-referenced property.


 Applicant Representative Signature

Francis M Trumbetta
 Representative Printed Name

Frances E. Davis
 Witness

9/11/2023
 Dated

Town Representatives	Approve	Date	Signatures
Econ Development Officer	Y/N	<i>9/18/2023</i>	<i>WJH</i>
Town Manager	Y/N	<i>9/19/2023</i>	<i>See Mr. Hopkins</i>
Select Board			

TOWN OF BRANDON
NOTICE TO TAXPAYERS AS OF 06/18/2020

Change in Appraisal from the Pre-Grievance Hearing

MT ASSOCIATES LLC
MIDWAY OIL CORP (#100)
217 N MAIN ST
RUTLAND VT 05701-2412

Parcel ID : 0042-0009 Location A:
SPAN : 078-024-11258 Location B:
Total Acreage : 0.98 Location C:

	Total Real Value	Homestead Value	House Site Value
Previous (last year) total	147,400		
Current (this year) total	404,700		
Difference:	257,300		

Real Value Comments: ADDED CAR WASH & COMM SPACE 50% COMPLETE

THIS IS YOUR OFFICIAL NOTICE FROM THE PREGRIEVANCE HEARINGS.
IF YOU ARE SATISFIED WITH THE CHANGES MADE, NO FURTHER ACTION IS REQUIRED.
IF YOU WOULD LIKE TO SCHEDULE AN OFFICIAL GRIEVANCE PLEASE CONTACT
NEMRC HEARING CALL CENTER (802)321-8025

* A homestead is the principal dwelling improvements and land owned and occupied by a Vermont resident individual as the individual's domicile. A homestead does not include buildings or improvements detached from the home and used for business or rental purposes. A housesite is that portion of a homestead that includes the principal dwelling and as much of the land surrounding the dwelling as is reasonable necessary for use of the dwelling as a home, but in no event more than two acres per dwelling unit.

32 V.S.A. § 4111(g) A person who feels aggrieved by the action of the listers and desires to be heard by them, shall, on or before the day of the grievance meeting, file with them his or her objections in writing and may appear at such grievance meeting in person or by his or her agents or attorneys. No grievance shall be allowed for a change solely to reflect a new use value set by the current use advisory board or the adjustment of that value by the common level of appraisal. Upon the hearing of such grievance, the parties thereto may submit such documentary or sworn evidence as shall be pertinent thereto.

PAYABLE TO:
MAIL TO:

TOWN OF BRANDON
49 CENTER STREET
BRANDON VT 05733-1193

This is the only bill you will receive. Please forward to new owner if sold.

TAX BILL

802- 247-3635

PARCEL ID	BILL DATE	TAX YEAR
0042-0009.	07/07/2023	23/24

1% Interest assessed monthly on late installments. 1 1/2% Interest on balances remaining after Aug 15. 8% Penalty on balances remaining after May 15 . AVOID 8% PENALTY, PAY BY MAY 15.

Description: COMM BLDG & .98 AC
Location: 9 CONANT SQ

SPAN # 078-024-11258 SCL CODE: 024
TOTAL PARCEL ACRES 0.98

OWNER MT ASSOCIATES LLC
MIDWAY OIL CORP (#100)
217 N MAIN ST
RUTLAND VT 05701-2412

FOR INCOME TAX PURPOSES

ASSESSED VALUE		NONHOMESTEAD
REAL	404,700	404,700
TOTAL TAXABLE VALUE	404,700	404,700
GRAND LIST VALUES	4,047.00	4,047.00

MUNICIPAL TAXES				EDUCATION TAXES			
TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES	TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES
TOWN	0.7864	x4,047.00=	3,182.55	NONHOMESTEAD EDUCATION	1.6530	x4,047.00=	6,689.69
FIRE DIST	0.0946	x4,047.00=	382.85				
APPROPRIATION	0.0697	x4,047.00=	282.08				
LOCAL AGREEMENT RATE	0.0059	x4,047.00=	23.88				
TOTAL MUNICIPAL TAX 3,871.36				TOTAL EDUCATION TAX 6,689.69			
MUNICIPAL STATE PAYMENT 0.00				EDUCATION STATE PAYMENT 0.00			
MUNICIPAL NET TAX DUE 3,871.36				EDUCATION NET TAX DUE 6,689.69			
				TAX SUMMARY			
				Municipal + Education			
				TOTAL TAX 10,561.05			
				TOTAL STATE PAYMENT 0.00			
				TOTAL NET TAX DUE 10,561.05			

See reverse side for education tax rate calculation information.

Payments	
1	08/15/2023
	2,640.26
2	11/15/2023
	2,640.26
3	02/15/2024
	2,640.26
4	05/15/2024
	2,640.27

DETACH THE STUBS BELOW AND RETURN WITH YOUR PAYMENT

TOWN OF BRANDON
TAX YEAR 23/24

TOWN OF BRANDON
TAX YEAR 23/24

TOWN OF BRANDON
TAX YEAR 23/24

TOWN OF BRANDON
TAX YEAR 23/24

1ST PAYMENT DUE	
08/15/2023	
OWNER NAME	
MT ASSOCIATES LLC	
PARCEL ID	
0042-0009	
AMOUNT DUE	2640.26
AMOUNT PAID	

2ND PAYMENT DUE	
11/15/2023	
OWNER NAME	
MT ASSOCIATES LLC	
PARCEL ID	
0042-0009	
AMOUNT DUE	2640.26
AMOUNT PAID	

3RD PAYMENT DUE	
02/15/2024	
OWNER NAME	
MT ASSOCIATES LLC	
PARCEL ID	
0042-0009	
AMOUNT DUE	2640.26
AMOUNT PAID	

4TH PAYMENT DUE	
05/15/2024	
OWNER NAME	
MT ASSOCIATES LLC	
PARCEL ID	
0042-0009	
AMOUNT DUE	2640.27
AMOUNT PAID	



123006171



123006172



123006173



123006174

MT Closing / Town of Brandon
8/2/16

executed copy

PURCHASE AND SALE CONTRACT
THIS IS A LEGALLY BINDING CONTRACT

THIS AGREEMENT is made and entered into by and between **MT Associates, LLC**, a Vermont limited liability company, with a principal place of business at 217 North Main Street, Rutland, Vermont 05701 (hereafter the "Seller") and **Town of Brandon**, a Vermont municipality in Brandon, Vermont with its town office at 49 Center Street Brandon, Vermont 05733. (hereafter the "Purchaser").

- 1) **Agreement of Sale and Purchase:** Seller offers to sell and convey the Property to Purchaser, and Purchaser agrees to purchase the Property described herein at the price and on the terms and conditions stated in this Contract.
- 2). **Total Purchase Price:** FORTY THOUSAND and 00/100 DOLLARS (\$40,000.00).
- 3). **Contract Deposit:** None
- 4). **Description of Real Property:** The subject property is located at 9 Conant Square in the Town of Brandon, Vermont, and is presently owned by MT Associates, and is described within a Warranty Deed from Eugene J. Pagano and Sally A. Pagano, dated November 5, 1997, and is recorded in Book 129, Pages 572-575 of the Town of Brandon Land Records (See copy of this deed attached as Exhibit B).

The property consists of an irregular shaped rear land parcel of approximately 0.512 acres, which includes a right-of-way from Center Street (Conant Square) over the front portion of the land parcel to be used in common with Seller and its business invitees. ("common right of way"). The entire land parcel of 1.492 acres, shown as Parcel A of 0.98 acres which has an automobile service station with gasoline sales, and Parcel B of 0.512 acres, is on a survey entitled "Proposed Subdivision of Lands of MT Associates" prepared by Robert N. Tinker, land surveyor revised July 17, 2015."

This description, including the location of a twenty foot common right of way across on the southerly side of Seller's reserved lands and premises between the property and Center Street, is shown on the Tinker survey revised July 17, 2015. Said survey shall control the description of the property and twenty foot wide common right of way being conveyed, provided such survey is not inconsistent with any provision of this Agreement. The tentative location of the

side of the Property, all as accessed from Center Street, aka Conant square, Rte 7; ("Project").


Purchaser will not oppose Seller in applying for all local, municipal, state or federal land use permits or approvals required to build the Project, including but not limited to waste water permits, public building permits, fire safety and signage permits.

Seller's obligation to close under this Agreement is contingent upon Seller receiving all local, municipal, state or federal land use permits or approvals needed to build the Project, including but not limited to waste water permits, public building permits, fire safety, and signage permits.

Seller's obligation to close under this Agreement is contingent upon Seller receiving tax stabilization satisfactory to Seller.

Purchaser's obligation to close under this Agreement is contingent upon the voters in the Town of Brandon approving the Town purchasing the Property at a special Town meeting warned for that purpose and upon proper approval to spend the funds necessary for the purchase. Said special Town meeting vote was held Tuesday, June 30, 2015 and seventy-one percent (71%) of the voters present voted to approve the purchase.


- 10). **Closing:** Closing and transfer of title shall take place within 45 days from the issuance of all Permits Seller needs to construct the Project and the granting of tax stabilization as provided in § 9 above. Closing may occur earlier if the parties agree. Neither party shall be obligated to extend the date for closing. **Time is of the essence of the closing date.**
- 11). **Possession:** Possession and occupancy of the premises shall be given at closing.
- 12). **Payment of Purchase Price:** Purchaser shall pay the purchase price at closing.
- 13). **Deed:** At closing, Seller shall deliver to Purchaser a Vermont Warranty Deed, furnished and paid for by Seller, conveying marketable title, as defined by Vermont law, to the Property which is subject of this Contract.

By: 
Its Manager and duly
authorized Agent

~~ACCEPTANCE OF OFFER AND AGREEMENT TO SELL~~

Purchaser hereby accepts Seller's offer and agrees to purchase the Property at the price and upon the terms set forth in this Contract and any addenda thereto.

Date: Aug 24, 2015

Town of Brandon
By: 
David Atherton, Town Manager

0578-194/604326



Revision 25 Sept 2023: reflects (a) correction in wage schedule step assigned to three police officers (Alwick, Mannino, Stendardo) from \$26.27 to \$26.79 and (b) removal of Michaela Newell from employee list as she is now an independent contractor.

SELECTBOARD

BLANKET PAYROLL AUTHORIZATION
FOR FISCAL YEAR ENDING 30 JUNE 2024

Pursuant to 24 VSA §1623 (a) (2), the Selectboard of the Town of Brandon authorizes the Treasurer of the Town of Brandon to make payroll payments to the following individuals at the rates approved and set forth below. This authorization is effective through the close of the current fiscal year on 30 June 2024 unless earlier modified or revoked by vote of the Selectboard.

SALARIED STAFF: Annual amounts to be paid in 26 installments

Gage, Susan M	\$80,000	Kachajian, David W	\$92,820
Hopkins, Seth M	\$75,000	Moore, William III	\$70,000

HOURLY STAFF: Regular hourly wage for permanent full- and part-time employees

Alwick, Aidan C	\$26.79	Kelleher, Ethan	\$18.50	Savela, Jacolyn	\$26.25
Biasuzzi, Jeffrey M	\$27.58	Kilpeck, Brian	\$26.25	Smith, Elaine	\$26.11
Burtch-MacLeod, Ana	\$18.50	Kilpeck, Thomas	\$25.00	Snow, Daniel	\$28.35
Cijka, Stephen J	\$34.86	Kingston, Timothy	\$32.76	Stendardo, Nicholas	\$26.79
Danforth, Susan G	\$15.00	Mannino, Joseph	\$26.79	Stevens, Lawrence F	\$25.00
Disorda, Jeremy S	\$30.00	McKeighan, Nathan	\$22.05	VonSchleusingen, Michael	\$28.69
Erickson, Shawn M	\$35.81	Merkert, Luanne	\$25.59	Wright, Colleen	\$20.80
Folger, Karen P	\$26.78	Rimmer, Kevin M	\$25.75	Wyman, Jonathan	\$20.00
Graziano, Linda	\$24.83	###		###	

OCCASIONAL STAFF: Non-contracted; elected/appointed/seasonal

Board of Civil Authority (12)	\$13.18 per hour	Summer camp staff (5)	\$15 per hour
Knapp, Hillary	\$110 per hearing/\$50 per decision	Bryant, Charlene	\$150 per meeting
Selectboard members (5)	\$1,200 each per year in 3 payments of \$400 each in March, July, and November		
	###		

The Town of Brandon Personnel Policy and the Collective Bargaining Agreements with the New England Police Benevolent Association and the American Federation of State, County and Municipal Employees terms apply.

ADOPTED this 25th day of September 2023.

SIGNATURES of SELECTBOARD:

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
301024	AAA POLICE SUPPLY	07/24/23	pants 29276	10-5-14-10320 Clothing Allowance	703.92	52900	09/25/23
301024	AAA POLICE SUPPLY	09/06/23	ammo 31053	10-5-14-30120 Professional Supplies	120.00	52900	09/25/23
101056	AIKIDO VERMONT	09/20/23	spring/summer aikido 09/20/23	10-5-18-50090 Adult Activities	2462.17	52901	09/25/23
100015	ALLEN ENGINEERING & CHEMI	09/19/23	chlorine 11250436301	20-5-55-50120 Sodium Hypochorite	1246.50	52902	09/25/23
100856	APPLIED INDUSTRIAL TECHNO	09/12/23	belts 7027872429	10-5-15-44120 Roadside Mower- Maint	164.42	52903	09/25/23
310833	AXON ENTERPRISE, INC.	09/12/23	taser course INUS185808	10-5-14-10340 Professional Development	495.00	52904	09/25/23
100605	BAR HARBOR BANK & TRUST	09/15/23	WWTF BAN int pymt 5929-9/30/23	20-5-55-60100 Interest Exp - Short Term	4926.03	52905	09/25/23
100605	BAR HARBOR BANK & TRUST	09/15/23	WWTF BAN int. pymt 5934-9/30/23	20-5-55-60100 Interest Exp - Short Term	13101.27	52906	09/25/23
311015	BEN'S UNIFORMS	09/14/23	uniform braid 111010	10-5-14-10320 Clothing Allowance	140.00	52907	09/25/23
310861	BIASUZZI, JEFFREY	09/10/23	reimburse for postage 09/10/23	10-5-12-30132 Planning/Zoning Postage	7.90	52908	09/25/23
310189	BISSETTE, STEVEN	09/14/23	repaint wall 885401	10-5-22-43090 PD Bldg Maint.	50.00	52909	09/25/23
310699	BRANDON GLC SOLAR, LLC	10/01/23	monthly solar 201B	10-5-22-42130 Bldgs & Grounds Electric	2365.00	52910	09/25/23
310699	BRANDON GLC SOLAR, LLC	10/01/23	monthly solar 201B	20-5-55-42130 Electric	1935.00	52910	09/25/23
100280	BRANDON LUMBER & MILLWORK	09/08/23	painting supplies 1812/3	10-5-22-43160 Parks Maint.	41.54	52911	09/25/23
100280	BRANDON LUMBER & MILLWORK	09/12/23	fasteners 2217/3	10-5-22-43150 Town Hall Repair/Maint.	3.57	52911	09/25/23
100280	BRANDON LUMBER & MILLWORK	09/12/23	fasteners 2231/3	10-5-22-43150 Town Hall Repair/Maint.	-2.08	52911	09/25/23
100280	BRANDON LUMBER & MILLWORK	09/12/23	paint, brushes, fasteners 2298/3	10-5-22-43160 Parks Maint.	68.93	52911	09/25/23
100280	BRANDON LUMBER & MILLWORK	09/14/23	batteries 2465/3	20-5-55-43160 Maint. Supplies - General	35.98	52911	09/25/23
100280	BRANDON LUMBER & MILLWORK	09/14/23	paint 2553/3	10-5-22-43160 Parks Maint.	50.98	52911	09/25/23
100280	BRANDON LUMBER & MILLWORK	09/15/23	paint 2589/3	10-5-22-43160 Parks Maint.	63.98	52911	09/25/23
100280	BRANDON LUMBER & MILLWORK	09/19/23	chlorine tablets 3219/3	10-5-22-43160 Parks Maint.	139.99	52911	09/25/23
100280	BRANDON LUMBER & MILLWORK	09/19/23	posts/staple gun/staples 3287/3	10-5-14-10340 Professional Development	62.98	52911	09/25/23
310688	BRANDON POLICE DEPT	09/19/23	postage/prisoner meals 9/19/23	10-5-14-30132 Postage Expenses PD	46.85	-----	--/--/--
310688	BRANDON POLICE DEPT	09/19/23	postage/prisoner meals 9/19/23	10-5-14-40430 Community Police	8.98	-----	--/--/--
200218	BRANDON REPORTER	08/31/23	Rec Car show 8/31/23	10-5-18-10330 Advertising/Recruitment	285.00	52912	09/25/23

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
310449	08/29/23	knee pads	10-5-18-40010	80.00	52913	09/25/23
		922641694	Middle School Football			
301063	09/19/23	web gis mapping	10-5-11-20110	3000.00	52914	09/25/23
		17884	Mapping			
100860	08/31/23	Union St sidewalk project	46-5-21-20110	1483.50	52915	09/25/23
		37922	Union St- Legal			
100860	08/31/23	legal - zoning violation	10-5-12-21111	697.50	52915	09/25/23
		37923	Legal Services - zoning			
100462	09/01/23	August trucking of sludge	20-5-55-50170	1980.00	52916	09/25/23
		2906765	Trucking			
301503	09/13/23	diesel fuel	10-5-15-41130	703.24	52917	09/25/23
		501236	Fuel - Vehicles HW			
301503	09/06/23	diesel fuel	10-5-15-41130	942.60	52917	09/25/23
		628949	Fuel - Vehicles HW			
310097	09/02/23	service: 09/09 - 10/08	10-5-18-42100	141.34	52918	09/25/23
		EST 09/02/23	Recreation Telephone			
310097	09/09/23	service: 09/16 - 10/15	10-5-10-42100	95.60	52919	09/25/23
		TH 09/09/23	Telephone Exp. Admin.			
310037	09/06/23	service: Aug 06 to Sep 05	10-5-15-42100	130.77	52920	09/25/23
		HWY 09/06/23	HW Telephone			
310037	09/06/23	service: Aug 6 to Sep 5	10-5-14-42100	52.79	52920	09/25/23
		PD 09/06/23	PD Telephone Service			
301148	08/31/23	alternator, tube	10-5-15-41160	212.73	52921	09/25/23
		X40102832301	HW Maint. Supplies-Vehicl			
100470	08/25/23	spark plug	10-5-22-43120	14.20	52922	09/25/23
		0069760	Municipal Mowing-maint			
100470	09/01/23	Toro mower repairs	10-5-22-43120	672.40	52922	09/25/23
		0069804	Municipal Mowing-maint			
330426	09/14/23	installed new radio	10-5-15-41180	930.67	52923	09/25/23
		10395985	HW Outside Maint. - Vehic			
100494	09/08/23	testing	20-5-55-22120	45.00	52924	09/25/23
		461758	Testing			
300187	08/31/23	dolomite, plant mix	56-5-10-50100	8479.05	52925	09/25/23
		233696	Arnold Dist Rd - paving			
300187	08/31/23	dolomite, plant mix	10-5-15-46140	1003.26	52925	09/25/23
		233696	Gravel			
300974	09/21/23	tees	10-5-18-40000	416.00	52926	09/25/23
		4830	Youth Soccer			
300974	09/21/23	tees	10-5-18-40000	403.00	52926	09/25/23
		4831	Youth Soccer			
300974	09/21/23	tees	10-5-18-40000	2041.00	52926	09/25/23
		4832	Youth Soccer			
311128	09/11/23	oil @ Newton Rd pump stat	20-5-55-43160	31.96	52927	09/25/23
		203581	Maint. Supplies - General			
311128	09/13/23	threadlocker, elect tape	10-5-15-41160	44.41	52927	09/25/23
		203663	HW Maint. Supplies-Vehicl			
311128	09/18/23	blister pack capsules	10-5-15-41160	27.20	52927	09/25/23
		203860	HW Maint. Supplies-Vehicl			
311128	09/19/23	windsheild wash	10-5-14-41160	29.94	52927	09/25/23
		203945	PD Maint. Supplies-Vehicl			

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
310233	09/05/23	GREEN MOUNTAIN POWER 7 Conant Sq lighting	10-5-22-42130	42.09	52928	09/25/23
	09/23	047828	Bldgs & Grounds Electric			
310233	09/11/23	GREEN MOUNTAIN POWER Newton Rd pump station	20-5-55-42130	475.62	52928	09/25/23
	09/23	089202	Electric			
310233	09/06/23	GREEN MOUNTAIN POWER Central Park	10-5-22-42130	676.61	52928	09/25/23
	09/23	170028	Bldgs & Grounds Electric			
310233	09/06/23	GREEN MOUNTAIN POWER Estabrook Park	10-5-22-42130	70.17	52928	09/25/23
	09/23	240302	Bldgs & Grounds Electric			
310233	09/08/23	GREEN MOUNTAIN POWER Wastewater Plant	20-5-55-42130	186.84	52928	09/25/23
	09/23	260302	Electric			
310233	09/06/23	GREEN MOUNTAIN POWER Carver St pump station	20-5-55-42130	53.57	52928	09/25/23
	09/23	290502	Electric			
310233	09/06/23	GREEN MOUNTAIN POWER Green Park	10-5-22-42130	25.99	52928	09/25/23
	09/23	317702	Bldgs & Grounds Electric			
310233	09/06/23	GREEN MOUNTAIN POWER Country Club pump station	20-5-55-42130	32.67	52928	09/25/23
	09/23	338602	Electric			
310233	09/05/23	GREEN MOUNTAIN POWER 7 Conant Sq car chargers	10-5-22-42500	140.28	52928	09/25/23
	09/23	339840	Electric EV Car Stations			
310233	09/11/23	GREEN MOUNTAIN POWER Town Hall	10-5-22-42130	136.72	52928	09/25/23
	09/23	451302	Bldgs & Grounds Electric			
310233	09/06/23	GREEN MOUNTAIN POWER Brookdale pump station	20-5-55-42130	33.85	52928	09/25/23
	09/23	467702	Electric			
310233	09/05/23	GREEN MOUNTAIN POWER Crescent Park	10-5-22-42130	230.81	52928	09/25/23
	09/23	737937	Bldgs & Grounds Electric			
310233	09/08/23	GREEN MOUNTAIN POWER Police Station	10-5-22-42130	249.03	52928	09/25/23
	09/23	822212	Bldgs & Grounds Electric			
310233	09/06/23	GREEN MOUNTAIN POWER street lights	10-5-22-42130	3193.98	52928	09/25/23
	09/23	851302	Bldgs & Grounds Electric			
310233	09/06/23	GREEN MOUNTAIN POWER WWTP security light	20-5-55-42130	28.42	52928	09/25/23
	09/23	860302	Electric			
310233	09/08/23	GREEN MOUNTAIN POWER Champlain St pump station	20-5-55-42130	199.17	52928	09/25/23
	09/23	867202	Electric			
310552	09/12/23	INNOVATIVE SURFACE SOLUTI chloride	10-5-15-46150	5459.81	52930	09/25/23
		PS-INV001551	Chloride			
310745	09/12/23	JACOBS, JAKE swim lessons	10-5-18-30000	880.00	52931	09/25/23
	09/12/23		Swim Lesson Expense			
311176	09/20/23	LILY WHITE CLEANING SERVI cleaning	10-5-22-10130	367.50	52932	09/25/23
	092023		Admin Custodian			
311176	09/20/23	LILY WHITE CLEANING SERVI cleaning	10-5-22-10120	140.00	52932	09/25/23
	092023		PD Custodian			
300880	09/19/23	MARBLE VALLEY REGIONAL TR july 2023 -june-2024	10-5-17-71460	3500.00	52933	09/25/23
		824004	Public Transit			
310586	09/13/23	MARTIN, DAVID J epoxy primer	10-5-12-40100	95.57	52934	09/25/23
	09/13/23		Energy Cm Public Outreach			
310630	08/07/23	MASTERCARD GFOA renewal - SG	10-5-13-10330	160.00	52935	09/25/23
		44981	Dues & Subscriptions			
310630	08/09/23	MASTERCARD bike lock,security trackr	56-5-05-10500	225.45	52935	09/25/23
		44982	Electric Bike Grant			
		E-Bike Grant funds.				
310630	08/28/23	MASTERCARD sports equipment	10-5-18-60160	68.99	52935	09/25/23
		44983	Net Sports			

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
310630	MASTERCARD	08/28/23 sports equipment 44983	10-5-18-40010 Middle School Football	342.76	52935	09/25/23
310630	MASTERCARD	08/28/23 sports equipment 44983	10-5-18-50090 Adult Activities	59.65	52935	09/25/23
310630	MASTERCARD	08/28/23 sports equipment 44983	10-5-18-40000 Youth Soccer	131.94	52935	09/25/23
310630	MASTERCARD	08/30/23 Town Fair 2023 - SH 44984	10-5-10-10340 Professional Development	176.00	52935	09/25/23
310630	MASTERCARD	07/31/23 external hard drives 45141	10-5-14-30110 Office Supplies	79.72	52935	09/25/23
310630	MASTERCARD	08/16/23 dog food 45143-2	10-5-14-40440 Police Dog Expenses	66.48	52935	09/25/23
310630	MASTERCARD	08/31/23 safe & lock 45145	10-5-14-30110 Office Supplies	61.48	52935	09/25/23
310062	MCCULLOUGH BROS., INC.	09/12/23 tree removals SEPT 2023	10-5-15-44130 Tree Removal/Planting	5000.00	52936	09/25/23
310796	NATIONAL BUSINESS LEASING	09/18/23 lease: 10/1/23 - 10/31/23 80963298	10-5-10-30130 Service Contracts	102.00	52937	09/25/23
100788	NEW ENGLAND MUNICIPAL RES	09/06/23 Lisa - Jul y & August 53472	10-5-11-22140 Property Assessor	1377.50	52938	09/25/23
101063	PERKINS, KATELYN	06/29/23 refund swim lessons 822429	10-5-18-30000 Swim Lesson Expense	45.00	52939	09/25/23
310736	POCKETTE PEST CONTROL	09/19/23 pest control: Police Dept 28845	10-5-22-43090 PD Bldg Maint.	65.00	52940	09/25/23
310736	POCKETTE PEST CONTROL	09/19/23 pest control: Town Hall 28849	10-5-22-43150 Town Hall Repair/Maint.	40.00	52940	09/25/23
310736	POCKETTE PEST CONTROL	09/19/23 pest control: Town Office 28850	10-5-22-43100 Town Office	70.00	52940	09/25/23
310736	POCKETTE PEST CONTROL	09/19/23 pest control: storage 28851	10-5-18-20500 Storage Unit Supply/Maint	50.00	52940	09/25/23
200155	RED APPLE SELF STORAGE	08/10/23 trailer 8/10/23	10-5-22-90500 Capital Outlay B & G	3500.00	52941	09/25/23
301061	RICHARD A. REED & SON	09/15/23 Newton Demo-FEMA 17276	56-5-06-20200 Newton Rd Flood-Legal	120000.00	52942	09/25/23
301 & 337 Newton Rd, 17 Burke Pk.						
310418	SILLOWAY NETWORKS INC	09/18/23 Computer 42219342	10-5-11-30210 Office Equipment	995.99	52943	09/25/23
330348	VERIZON WIRELESS	09/13/23 service: Aug 14 - Sep 13 9944420631	10-5-21-10310 Travel & Expenses	20.18	52944	09/25/23
330348	VERIZON WIRELESS	09/13/23 service: Aug 14 - Sep 13 9944420631	10-5-18-42100 Recreation Telephone	20.18	52944	09/25/23
330348	VERIZON WIRELESS	09/13/23 service: Aug 14 - Sep 13 9944420631	20-5-55-42100 Wastewater Telephone	40.36	52944	09/25/23
330348	VERIZON WIRELESS	09/13/23 service: Aug 14 - Sep 13 9944420631	10-5-15-42100 HW Telephone	40.36	52944	09/25/23
330348	VERIZON WIRELESS	09/13/23 service: Aug 14 - Sep 13 9944420631	10-5-14-42100 PD Telephone Service	40.36	52944	09/25/23
100067	VLCT	04/05/23 GVT Fin Overview- TG 164	10-5-10-10340 Professional Development	10.00	52945	09/25/23
100067	VLCT	04/19/23 Finance Train01- JS 395	10-5-10-10340 Professional Development	20.00	52945	09/25/23

09/22/23
10:13 am

TOWN OF BRANDON Accounts Payable
Check Warrant Report # 63690 Current Prior Next FY Invoices
All Invoices For Check Acct 01(10 General Fund) 09/25/23 To 09/25/23

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
100067	05/16/23	VLCT Finance Train05- JS 765	10-5-10-10340 Professional Development	20.00	52945	09/25/23
310046	09/11/23	W.B. MASON CO INC paper, envelopes 241038322	10-5-10-30110 Office Supplies	139.46	52946	09/25/23
310205	09/14/23	WILK SEALING INC paving Conant parking lot 5221	56-5-19-20240 Park & Ride Contractors	15320.00	52947	09/25/23
Report Total				216689.63		

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 \$ ***216,689.63
Let this be your order for the payments of these amounts.

