

BRANDON FIRE DISTRICT NO 1

Prudential Committee Meeting – December 5th, 2024 6:30 PM

Present: Dennis Reisenweaver, Cathy Bilodeau, Natalie Steen

Also in Attendance: Ray Counter, Tom Kilpeck, Brian Kilpeck, Kristy Pinkham, Jan Coolidge, Jeff Cohen, Cindy Cohen, Joyus Emerson

1) Call to Order

Natalie Steen called a meeting to order at 6:31 pm.

Agenda Adoption – Dennis Reisenweaver/Cathy Bilodeau made motion to adopt agenda with the addition of delinquent accounts e) under old business. **Motion passed 3-0.**

Old Business – A) Engineering/Tank Replacement –The Birch Hill property owners see no issues with the purchase & sales agreement and are waiting for comments from their attorney. We will be actively pursuing grant opportunities in 2025. **B) Forrest brook** – Members of former BFD2 expressed frustration and confusion regarding the executed contract from the connection to BFD1. Natalie Steen provided an update from our attorney explaining nothing further is required from us at this time. **C) Record Retention Policy** – Dennis provided a draft for the board to review. Table until next meeting. **D) Delinquent accounts** – No update.

Warrant – Fire Department – Motion by Cathy/Dennis to approve the general fund warrant for the fire department of \$6,321.53. **Motion passed 3-0.**

Warrant – Water Department – Motion by Dennis/Cathy to approve the general fund warrant for the water department of \$41,464.56. Dennis questioned why Markowski billed for ½ hour lunch for three workers, Ray to investigate this. **Motion passed 3-0.**

Warrant–Payroll – Motion by Cathy/Dennis to approve the general fund warrant for payroll of \$7480.94. **Motion passed 3-0.**

Approval of Minutes – Motion by Dennis Reisenweaver/Cathy Bilodeau to approve the minutes of the November 7, 2024, with the edits noted, and the special meeting minutes from November 19, 2024. **Motion passed 3-0.**

Treasurer Report – Kristy Pinkham presented current budget status report and recommended BFD1 seeks a more user-friendly credit card option to help improve efficiencies and save money. The board granted permission to gather information to present at the next meeting. Dennis/Cathy made a motion to accept the treasurer’s report. **Motion passed 3-0.**

Water Department Report – Dennis/Cathy made a motion to accept the water department report as printed. **Motion passed 3-0.**

Fire Department Report – Cathy made a motion to accept the fire department report as printed, Natalie second. Discussion about personnel policy and new hire requirements. **Motion passed 2-0**, Dennis abstained.

Public Comment – Joyus Emerson presented information on an upcoming solar project, previously discussed and denied but this time a new contractor will be conducting the project. The board granted permission for the green mountain power bills to be accessed for research purposes. Motion passed unanimously.

New Business -

- a) **MERP** – Ray Counter shared an update on a grant he previously applied for on behalf of the fire district. BFD1 has been awarded up to \$463,325.23 for energy and efficiency upgrades. The board agrees to move forward with a chair signature so BFD1 can secure the funds. Dennis requests a copy of the initial application that was sent in.
- b) **SCADA** – Ray Counter explained the importance and use of the SCADA system. He emphasized the repercussions of a system failure and tried to convey how much manual work is required to operate the water system without the SCADA system in place. Ray to research other systems and companies and provide information.

Adjournment - Motion by Dennis Reisenweaver/Cathy Bilodeau to adjourn at 9:33 pm. **Motion passed 3-0.**

The next meeting scheduled for the Prudential Committee will be held on Thursday, January 9th at 6:30 pm in the Fire Department conference room at 61 Franklin Street.

Raymond Counter
Clerk for the Board-



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Memorandum

TO: Raymond Counter
FROM: John A. Facey, III
DATE: December 4, 2024
SUBJECT: Legal Effect of Provision - Paragraph #2 “Cash on Hand” in the Interlocal Agreement and Plan of Merger

Paragraph #2 “Cash on Hand” of the interlocal agreement and plan of merger between Brandon Fire District No. 1 (BFD1) and Brandon Fire District No. 2 (BFD2) reads as follows:

BFD2 presently has approximately \$20,000 in a Bar Harbor Bank & Trust account, the ownership and control of which shall be transferred to BFD1. The parties agree that these funds shall be used, in the first instance, to offset connection fees or related costs associated with the merger or discontinuance of BFD2 and/or the future water service fees assessed by BFD1 to BFD2’s former customers, with the funds to be applied evenly to each property formerly serviced by BFD2. The above referenced funds shall be used solely for the purposes described in the preceding sentence until depleted.

The key points are:

1. Financial Assets:

- A. BFD2 has approximately \$20,000.00 in a Bar Harbor Bank & Trust Account.
- B. This amount will be transferred to BFD1 as part of the merger agreement.

2. Usage of Funds:

- A. The transferred funds are designated primarily to offset connection fees or related costs associated with the merger or discontinuance of BFD2.
- B. Additionally, the funds will be used to offset future water service fees assessed by BFD1 to former BFD2 customers.
- C. The allocation of these funds will be evenly applied to each property previously serviced by BFD2.

3. Restricted Use:

- A. The paragraph explicitly states that these funds are to be used solely for the purposes described until they are depleted.
- B. No other uses for these funds are permitted by the terms of the agreement.

The legal effect of this provision is that it binds BFD1 to use the transferred cash solely for specified expenses related to the merger and integration of BFD2's customers. This process would help ensure a smooth financial transition and mitigate against any adverse financial impact on BFD1 customers from the Merger by paying system merger costs and BFD 2 discontinuance costs, and then secondly, by subsidizing BFD2 customer service fees, if any amount was left over.