

MEMORANDUM

To: Selectboard
From: Peter B. Elwell, Town Manager
Re: Administrative Report
Date: February 26, 2015



The following will summarize the proposed motions for the Selectboard meeting on Tuesday, March 3, 2015. The Board will convene and hold committee interviews at 6:00pm in the Selectboard meeting room and reconvene the business meeting at 6:15pm.

7. **LIQUOR COMMISSIONERS** - *None*

8. **WATER AND SEWER COMMISSIONERS** - *None*

9. **UNFINISHED BUSINESS**

- A. Pay-As-You-Throw - *Public Education and Enforcement*. At the February 17 Selectboard meeting, the Board voted on six motions to begin the implementation of the pay-as-you-throw (PAYT) solid waste and recycling program. At that meeting, the Board asked for more information regarding possible collaborative efforts between Waste Zero and Moss Kahler for education and ancillary services (including enforcement) during the rollout phase. Since the February 17 meeting, Waste Zero and Kahler have developed a plan for how they would work together if the collaborative alternative is preferred by the Selectboard.

POTENTIAL MOTIONS:

TO CONTRACT WITH WASTE ZERO FOR SERVICES IN SUPPORT OF THE INITIAL PAYT ROLLOUT, AS SET FORTH IN OPTION C OF WASTE ZERO'S BID RESPONSE DATED NOVEMBER 26, 2014, AT A COST OF \$17,000, PLUS MATERIALS.

Or

TO CONTRACT WITH MOSS KAHLER, EFFECTIVE JANUARY 1, 2015, TO IMPLEMENT PAYT PROGRAM DEVELOPMENT INCLUDING EDUCATION AND ANCILLARY SERVICES (INCLUDING ENFORCEMENT), AS SET FORTH IN THE PROPOSAL FROM MOSS KAHLER DATED DECEMBER 10, 2014 (AS AMENDED ON JANUARY 3 AND FEBRUARY 4, 2015) AT A COST OF \$22,250, PLUS MATERIALS NOT TO EXCEED \$6,000, FOR A TOTAL OF \$28,250.

Or

TO CONTRACT WITH WASTE ZERO TO DESIGN EDUCATIONAL LITERATURE, ASSIST WITH THE DEVELOPMENT OF THE TOWN'S PAYT WEB PAGE, AND TO ANALYZE AND PRESENT BRATTLEBORO'S PAYT SUCCESS AT REGULAR INTERVALS, IN AN AMOUNT NOT TO EXCEED \$4,250 AND WITH MOSS KAHLER TO PROVIDE SUPPORT SERVICES TO WASTE ZERO WITH BAG DESIGN, PROVIDE RETAIL SUPPORT, PROVIDE PUBLIC EDUCATION FORUMS, SUPPORT THE EXPANSION OF THE CURBSIDE COMPOST PROGRAM, ASSIST WASTE ZERO WITH PUBLIC RELATIONS, GATHER DATA, AND PROVIDE THE MUNICIPALITY WITH ENFORCEMENT SUPPORT SERVICES IN AN

AMOUNT NOT TO EXCEED \$19,000, PLUS MATERIALS NOT TO EXCEED \$6,000, FOR A TOTAL OF \$29,250.

- B. Award Bid – West River Park Snack Bar / Restroom Facility. At the February 17 Selectboard meeting, the Board was asked to award a bid for the West River Park Snack Bar / Restroom Facility to the low bidder, Ingram Construction of Swanzey, NH. The second low bidder was Wholeshot Construction of Townshend, VT, and the Board inquired whether preference could be given to a Vermont company even if the bid was \$266 more. After reviewing the Town's Procurement Manual and consultation with the Town Attorney, it is recommended that the bid be awarded to the lowest bidder for the reasons set forth in the memo from Assistant Town Manager Moreland.

POTENTIAL MOTION: TO AWARD THE BID FOR CONSTRUCTION OF THE WEST RIVER PARK SNACK BAR / RESTROOM FACILITY TO INGRAM CONSTRUCTION OF SWANZEY, NEW HAMPSHIRE, FOR \$63,734.00.

- C. Committee Appointment - BASIC (Brattleboro Area Skatepark Is Coming). The BASIC committee is a seven-seat ad hoc committee and currently six seats are filled. New committee members must be Brattleboro residents and no term limits have been established. Two applications to fill the vacant seat on the BASIC committee have been received. The Board conducted interviews of the two applicants immediately preceding this meeting and will appoint the new member to fill the vacant seat.

POTENTIAL NOMINATIONS AND MOTION: TBD

10. NEW BUSINESS

- A. Dog Park Presentation and Skatepark Update. The Recreation & Parks Department has received several inquiries about building a dog park in Brattleboro. Two citizens identified a location in the upper portion of Living Memorial Park and presented a proposal to the Recreation & Parks Board in November, 2014. The Selectboard is now asked to consider building a dog park at Living Memorial Park. Recreation & Parks Director Carol Lolatte will be present to discuss the request. In addition, the Board will be updated with information regarding the feasibility of building a skatepark in an adjacent area of the upper portion of Living Memorial Park.

POTENTIAL MOTION: TO AUTHORIZE STAFF TO CONTRACT WITH AN ENGINEER FOR PRELIMINARY PLANS FOR BOTH A DOG PARK AND A SKATEPARK IN THE UPPER PORTION OF LIVING MEMORIAL PARK.

- B. Award Bid – FY16 Heating Oil, Barrows & Fisher Oil. The Board is asked to award a contract to Barrows and Fisher Oil for 82,000 gallons of No. 2 heating fuel oil at a prepaid price of \$1.97 per gallon for FY16. Windham Southeast Supervisory Union (WSESU) and the Town recently issued an RFP and three bids were received. Barrows and Fisher Oil, of Brattleboro, Vermont, submitted the lowest bid.

POTENTIAL MOTION: TO AWARD A CONTRACT TO BARROWS AND FISHER OIL FOR 82,000 GALLONS OF NO. 2 HEATING FUEL OIL AT A PREPAID PRICE OF \$1.97 PER GALLON FOR FY16.

- C. Police-Fire Facilities Bond Counsel Opinion - The Town Attorney and Town Manager's office asked Attorney J. Paul Giuliani, bond counsel, for his opinion on use of the \$14.3 million bond previously approved by Representative Town Meeting in conjunction with recent proposed changes to the Police-Fire Facilities Building Project. Attorney Giuliani's letter is included in the Board's packets.

NO MOTION IS REQUIRED ON THIS ITEM.

D. Town Meeting Informational Meeting and Town Meeting Preparation

NO MOTION IS REQUIRED ON THIS ITEM, UNLESS THE SELECTBOARD DECIDES TO CHANGE ITS RECOMMENDATION(S) TO REPRESENTATIVE TOWN MEETING REGARDING THE FY16 BUDGET OR ANY OTHER WARNED ITEM.

E. Comprehensive Review of Town Operations and Financial Planning Project

NO MOTION IS REQUIRED ON THIS ITEM.

- F. VTrans Grant – Traffic Safety Committee, Local Motion. The Traffic Safety Committee has been working with Local Motion, a non-profit bicycle/pedestrian advocacy group from Burlington, Vermont, to develop a system to prioritize bicycle, pedestrian, and traffic safety concerns, and to help the Town seek grant funds for future implementation actions. The Board is asked to endorse the project and approve preparation of a memorandum of understanding with Local Motion to develop the project.

POTENTIAL MOTION: TO ENDORSE WORKING WITH LOCAL MOTION TO ENHANCE THE TOWN'S BICYCLE/PEDESTRIAN SAFETY IMPROVEMENT PROCEDURES AND AUTHORIZE THE TOWN MANAGER TO DEVELOP A MEMORANDUM OF UNDERSTANDING WITH LOCAL MOTION.

- G. Committee Appointment – Small Business Assistance Program (SBAP). The Board is asked to accept the resignation of Stephan Morse from the Small Business Assistance Program and appoint Adam Grinold as his replacement.

POTENTIAL MOTION: TO ACCEPT THE RESIGNATION OF STEPHAN MORSE FROM THE SMALL BUSINESS ASSISTANCE PROGRAM AND APPOINT ADAM GRINOLD TO THE SMALL BUSINESS ASSISTANCE PROGRAM.

- H. Business License Fines – Assessor's Office. The Board is asked to assess penalties upon businesses that have failed to renew or obtain their 2015 Business Licenses. Russell Rice, Town Assessor, will be present to discuss the process and procedure.

POTENTIAL MOTION: TO ASSESS FINES FOR BUSINESSES THAT HAVE FAILED TO RENEW OR OBTAIN 2015 BUSINESS LICENSES, AS PRESENTED AND TO PURSUE COLLECTION OF THOSE FINES IN SMALL CLAIMS COURT.

- I. Proposed Zoning Code Amendments – Presentation. The Planning Commission and Planning Services Department are in the process of revising Land Use Regulations (LUR). Currently two separate documents to govern land use are in effect, Zoning Ordinances and Subdivision Regulations, and combining the two documents into new LUR is being proposed. A series of public presentations and open houses have been conducted to educate the public and stakeholder groups about the LUR and invite comments and feedback. Members from Planning Services and the Planning Commission will be present to discuss the matter.

NO ACTION IS REQUIRED ON THIS ITEM.

- J. Ordinance Amendments - First Reading. The Board is asked hold a first reading on the following two ordinance amendments:

- (a) *Pay-As-You-Throw, Chapter 7 (Ordinance Regulating the Collection and Disposal of Solid Waste)*
- (b) *On-Street Parking, Appendix C (Regulations Governing the Control of Traffic), Art. III (Parking Meter Areas), Section 16-110 (On-Street Areas)*

Chapter 7 of the Code of Ordinances is being revised to accommodate the new PAYT solid waste, recycling, and composting programs. Appendix C is being revised in order to bring the

ordinances current with actual on-street parking meter areas. The second reading and public hearing on both ordinance amendments will take place at the March 17 Selectboard meeting.

NO ACTION IS REQUIRED ON THESE ITEMS.

K. Property Assessed Clean Energy Program (PACE) – *Selectboard Member Schoales*

POTENTIAL MOTION: TBD

PBE: