

MEMORANDUM



To: Selectboard
From: Peter B. Elwell, Town Manager
Re: Administrative Report
Date: August 27, 2015

The following will summarize the proposed motions for the Selectboard meeting on Tuesday, September 1, 2015. The Board will conduct interviews of committee applicants at 5:15pm in the Selectboard meeting room, after which it will meet in executive session at 5:45pm to discuss pending or probable civil litigation to which the public body is or may be a party, the negotiating or securing of real estate purchase or lease options, appointments, and labor relations agreements with employees. The Board will reconvene the regular business meeting at 6:15pm.

7. LIQUOR COMMISSIONERS

- A. Special Event Permit – *Three Dollar Dewey's, Inc., d/b/a McNeill's Pub and Brewery*. The Board is asked to approve a special event permit for Three Dollar Dewey's, Inc., d/b/a McNeill's Pub and Brewery for a special event at the New England Youth Theatre, located at 100 Flat Street, on September 4, 2015, from 7:00pm to 10:00pm.

POTENTIAL MOTION: TO APPROVE THE SPECIAL EVENT PERMIT FOR THREE DOLLAR DEWEY'S, INC., D/B/A MCNEILL'S PUB AND BREWERY FOR A SPECIAL EVENT AT THE NEW ENGLAND YOUTH THEATRE ON SEPTEMBER 4, 2015, FROM 7:00PM TO 10:00PM.

8. WATER AND SEWER COMMISSIONERS - None

9. UNFINISHED BUSINESS

- A. Telecommunications Tower – *1277 Putney Road, Blue Sky Towers LLC (for AT&T Mobility)*. A petition to erect a wireless communication tower at 1277 Putney Road was filed with the Public Service Board (PSB) by Blue Sky Towers LLC (for AT&T Mobility). At the Board meeting on August 18, the Board discussed the visual impact and other aspects of the tower with Planning Director Rod Francis and with Attorney Will Dodge from Downs Rachlin & Martin, representing Blue Sky Towers and AT&T. At the conclusion of that discussion, the Board asked Mr. Dodge to provide additional information about the visual impact of the tower if the height was lowered and the color changed to brown or green. Mr. Dodge has provided the requested information and Mr. Francis has provided additional staff review. The new materials from both parties are included in the Board's packet.

POTENTIAL MOTION: One or the other of the following:

TO AUTHORIZE OFFICIAL TOWN COMMENTS IN THE FORM OF A LETTER TO THE PUBLIC SERVICE BOARD URGING DENIAL OF THE PROPOSED TOWER UNLESS THE PROPOSED INSTALLATION IS MODIFIED AS FOLLOWS:

or

TO AUTHORIZE OFFICIAL TOWN COMMENTS IN THE FORM OF A LETTER TO THE PUBLIC SERVICE BOARD URGING APPROVAL OF THE PROPOSED TOWER SUBJECT TO THE FOLLOWING CONDITIONS:

10. NEW BUSINESS

- A. VCDP Planning Grant – *Public Hearing, Groundworks Collaborative, 39 Frost Street*. A memo from Assistant Town Manager Patrick Moreland, dated August 24, 2015, is included in the Board's packet. As set forth in the memo, the Board is asked to:

(i) Hold a public hearing and approve an application to the Vermont Community Development Program (VCDP) for a Planning Grant for Groundworks Collaborative in the amount of \$30,000 to support the Groundworks Housing Resource Center planning project;

(ii) Adopt the resolution from the VCDP for grant application authority, identifying Assistant Town Manager Patrick Moreland as the contact person and Town Manager Peter Elwell as the authorizing official; and

(iii) Approve a grant in the amount of \$5,500 from Program Income to Groundworks Collaborative in support of the Groundworks Housing Resource Center planning project.

POTENTIAL MOTION #1: TO APPROVE AN APPLICATION TO THE VERMONT COMMUNITY DEVELOPMENT PROGRAM (VCDP) FOR A PLANNING GRANT FOR GROUNDWORKS COLLABORATIVE IN THE AMOUNT OF \$30,000 TO SUPPORT THE GROUNDWORKS HOUSING RESOURCE CENTER PLANNING PROJECT.

POTENTIAL MOTION #2: ADOPT THE RESOLUTION FROM THE VCDP FOR GRANT APPLICATION AUTHORITY, IDENTIFYING ASSISTANT TOWN MANAGER PATRICK MORELAND AS THE CONTACT PERSON AND TOWN MANAGER PETER ELWELL AS THE AUTHORIZING OFFICIAL.

POTENTIAL MOTION #3: APPROVE A GRANT IN THE AMOUNT OF \$5,500 FROM PROGRAM INCOME TO GROUNDWORKS COLLABORATIVE IN SUPPORT OF THE GROUNDWORKS HOUSING RESOURCE CENTER PLANNING PROJECT.

- B. VCDP Implementation Grant – *Public Hearing, Brattleboro Development Credit Corporation (BDCC), Exit 1 Industrial Park*. A memo from Assistant Town Manager Patrick Moreland, dated August 21, 2015, is included in the Board's packet. As set forth in the memo, the Board is asked to:

(i) Hold a public hearing and approve an application to the Vermont Community Development Program (VCDP) for an Implementation Grant for the Brattleboro Development Credit Corporation (BDCC) in the amount of \$1 Million to support the Exit One Expansion Project;

(ii) Adopt the resolution from the VCDP for grant application authority, identifying Assistant Town Manager Patrick Moreland as the Contact Person and Town Manager Peter Elwell as the authorizing official; and

(iii) Approve a loan in the amount of \$200,000 from Program Income to BDCC in support of the Exit One Expansion Project subject to specific terms and conditions that will be determined if and when the VCDP grant is awarded.

POTENTIAL MOTION #1: TO APPROVE AN APPLICATION TO THE VERMONT COMMUNITY DEVELOPMENT PROGRAM (VCDP) FOR AN IMPLEMENTATION GRANT FOR THE BRATTLEBORO DEVELOPMENT CREDIT CORPORATION (BDCC) IN THE AMOUNT OF \$1 MILLION TO SUPPORT THE EXIT ONE EXPANSION PROJECT.

POTENTIAL MOTION #2: ADOPT THE RESOLUTION FROM THE VCDP FOR GRANT APPLICATION AUTHORITY, IDENTIFYING ASSISTANT TOWN MANAGER PATRICK MORELAND AS THE CONTACT PERSON AND TOWN MANAGER PETER ELWELL AS THE AUTHORIZING OFFICIAL; AND

POTENTIAL MOTION #3: APPROVE A LOAN IN THE AMOUNT OF \$200,000 FROM PROGRAM INCOME TO BDCC IN SUPPORT OF THE EXIT ONE EXPANSION PROJECT SUBJECT TO SPECIFIC TERMS AND CONDITIONS THAT WILL BE DETERMINED IF AND WHEN THE VCDP GRANT IS AWARDED.

- C. Accept and Appropriate GHSP Grant – 2016 Highway Safety Law Enforcement Grant. The Board is asked to accept and appropriate the 2016 Highway Safety Grant in the amount of \$41,996.25 from the Governor's Highway Safety Program to pay for projects to improve highway safety, reduce DUIs, increase seatbelt use, and reduce deaths and serious injuries due to collisions.

POTENTIAL MOTION: TO ACCEPT AND APPROPRIATE THE 2016 HIGHWAY SAFETY GRANT IN THE AMOUNT OF \$41,996.25 FROM THE GOVERNOR'S HIGHWAY SAFETY PROGRAM.

- D. Ordinance Amendments – First Reading
(i) *Appendix C, Article I, Section 16-87 (Loading and Unloading Zones);*
(ii) *Appendix C, Article II, Section 16-100 (No Parking Areas);*
(iii) *Chapter 16, Article I, Section 16-7 (Parking Citation Appeal Process).*

The Board is asked to hold a first reading on proposed amendments to three parking ordinances as more particularly described in the memorandum from Assistant Town Manager Patrick Moreland dated August 24, 2015. A public hearing and second reading will be held by the Board at its meeting on September 15, 2015.

NO ACTION IS REQUIRED ON THIS ITEM.

- E. National Endowment for the Arts (NEA) Our Town Grant -
(i) *Appoint Selection Committee*
(ii) *Schedule Special Meeting on September 29 to Hear Public Comment on Selection Committee's Recommendations.*

The Board is asked to constitute the Selection Committee for the NEA Our Town Grant. Interviews of potential committee members will be held at the beginning of this meeting. The Selection Committee is expected to meet between September 15 and September 25 to publicly review the finalists' proposals, meet with the artists, and determine the Committee's recommendation(s) to the Board regarding which proposal(s) should be implemented with NEA funds as the culmination of this 3-phase grant. The Board also is asked to confirm that it will hold a special meeting on Tuesday, September 29, at 5:30pm to review the Selection Committee's recommendation(s) and hear public comments on this matter, with a final Board decision to be made at the regular meeting on Tuesday, October 6.

POTENTIAL MOTION #1: TO APPOINT THE FOLLOWING INDIVIDUALS TO SERVE AS THE SELECTION COMMITTEE FOR THE PUBLIC ARTS PROJECT THAT CONSTITUTES THE THIRD TRACK OF THE N.E.A. OUR TOWN GRANT: _____.

POTENTIAL MOTION #2: TO CONFIRM THAT THE SELECTBOARD WILL HOLD A SPECIAL MEETING ON TUESDAY, SEPTEMBER 29, FOR THE PURPOSE OF CONSIDERING THE SELECTION COMMITTEE'S RECOMMENDATION(S) AND HEARING PUBLIC COMMENTS.

- F. Committee Appointments. The Board is asked to appoint Todd Fontaine to the Recreation & Parks Board. One seat is available on the Board with an unexpired term ending June of 2017. Dr. Fontaine also applied for a seat on the Planning Commission, but no seats are available at this time.

POTENTIAL MOTION: TO APPOINT TODD FONTAINE TO THE RECREATION & PARKS BOARD FOR A TERM ENDING JUNE 2017.

- G. Name Private Drive – Dogwood Drive (in Black Mountain Estates). The Board is asked to approve the street name of Dogwood Drive which is a private drive off of Buttonwood Drive in the Black Mountain Estates development as depicted on the map in the Board's packet.

POTENTIAL MOTION: TO APPROVE THE NAME OF DOGWOOD DRIVE, A PRIVATE DRIVE OFF OF BUTTONWOOD DRIVE IN THE BLACK MOUNTAIN ESTATES DEVELOPMENT.

- H. VLCT Annual Business Meeting – Appoint Delegate. The Board is asked to appoint Town Manager Peter Elwell as voting delegate for the Town of Brattleboro at the VLCT Annual Business Meeting to be held at the 2015 Town Fair on Thursday, October 8, 2015.

POTENTIAL MOTION: TO APPOINT PETER B. ELWELL AS VOTING DELEGATE FOR THE TOWN OF BRATTLEBORO AT THE VLCT ANNUAL BUSINESS MEETING ON THURSDAY, OCTOBER 8, 2015.

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