

# MEMORANDUM



To: Selectboard  
From: Peter B. Elwell, Town Manager  
Re: Administrative Report  
Date: October 27, 2016

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The following will summarize the proposed motions for the Selectboard meeting on Tuesday, November 1, 2016. The Board will meet in executive session at 5:15pm to discuss contracts, the leasing or sale of real estate, and the appointment of a public officer or employee. The Board will reconvene the business meeting at 6:15pm in the Selectboard Meeting Room.

7. **LIQUOR COMMISSIONERS** – *None.*
8. **WATER AND SEWER COMMISSIONERS** – *None.*
9. **UNFINISHED BUSINESS**

A. Police-Fire Facilities Project

(i) *General Update*

(ii) *Lease for Reformer to Occupy 2,200 square feet at 62 Black Mountain Road.*

Town Manager Elwell will provide a general update on the progress of construction at the West Brattleboro Fire Station, the commencement of construction at the Central Fire Station, and preparations for construction at the Police Department. He will also request Selectboard approval of the proposed lease which has been negotiated with representatives of New England Newspapers, Inc., and approved by Town Attorney Bob Fisher.

**POTENTIAL MOTION: TO APPROVE A LEASE BETWEEN THE TOWN OF BRATTLEBORO AND NEW ENGLAND NEWSPAPERS, INC., AS SET FORTH IN THE LEASE AGREEMENT ATTACHED TO TOWN MANAGER ELWELL'S MEMORANDUM DATED OCTOBER 27, 2016.**

- B. Traffic Safety/Pedestrian Safety Improvements with FY17 Funds - Staff Recommendations per Selectboard's Prior Request. At its meeting on September 20, 2016, the Selectboard voted "to spend \$30,000 from the current year's budget to purchase or install traffic pedestrian safety devices, instructing the Department of Public Works to make a recommendation to the Selectboard within two months on how the \$30,000 should be spent." The back-up materials for the November 1 Selectboard meeting include a memorandum dated October 21, 2016, from Steve Barrett and Hannah Tyler stating DPW's recommendation to purchase traffic safety equipment for a variety of explicitly identified locations in town.

**POTENTIAL MOTION: TO APPROVE THE DEPARTMENT OF PUBLIC WORKS' RECOMMENDATIONS FOR INSTALLATION OF CERTAIN TRAFFIC SAFETY AND PEDESTRIAN SAFETY EQUIPMENT, AS SET FORTH IN THE MEMORANDUM DATED OCTOBER 21, 2016, FOR A TOTAL COST OF \$30,110.**

## 10. NEW BUSINESS

- A. VTrans Bike and Pedestrian Program Grant – Accept and Appropriate  
(i) *Flashing Light Crosswalk Signal on Western Avenue at Holton Home*  
(ii) *Flashing Light Crosswalk Signal on Western Avenue at Union Hill.*

The Board is asked to accept and appropriate a Bicycle and Pedestrian Program Grant in the amount of \$8,000 from the Vermont Agency of Transportation to help pay the costs of two Rapid Rectangular Flashing Beacon (RRFB) devices for installation at the crosswalks on Western Avenue near Union Hill and Holton Home.

**POTENTIAL MOTION: TO ACCEPT AND APPROPRIATE A BICYCLE AND PEDESTRIAN PROGRAM GRANT IN THE AMOUNT OF \$8,000 FROM THE VERMONT AGENCY OF TRANSPORTATION TO HELP PAY THE COSTS OF TWO RAPID RECTANGULAR FLASHING BEACON DEVICES FOR INSTALLATION AT THE CROSSWALKS ON WESTERN AVENUE NEAR UNION HILL AND HOLTON HOME.**

- B. FY18 Proposed Budget  
(i) *Town Manager's Overview*  
(ii) *Schedule of Upcoming Meetings for Selectboard Review.*

Town Manager Elwell will provide an overview of the FY18 proposed budget, distribute the proposed budget document and related materials, and request Selectboard approval of a schedule of meetings at which the Selectboard will discuss, modify and approve the budget.

**NO MOTION IS REQUIRED ON THIS ITEM.**

- C. Solid Waste Matters  
(i) *Windham Solid Waste Management District (WSWMD) Proposed FY18 Budget*  
(ii) *Alternative for Disposal of Recycling.*

The Windham Solid Waste Management District (WSWMD) circulated two FY18 budget alternatives to member towns for consideration. One includes the Material Recovery Facility (MRF) and one does not. Information about the budgets and about the Town's alternative for disposal of recyclables is set forth in the memorandum dated October 21, 2016, from Assistant Town Manager Patrick Moreland. The Board is asked to indicate its preference for either the "Existing Operations" budget or the "No MRF" budget and to reiterate its support for a "50/50" (population / grand list) assessment model.

**POTENTIAL MOTION: TBD**

- D. Brattleboro Development Credit Corporation (BDCC) Refinancing of 343 John Seitz Drive at Exit One Industrial Park - Subordination Agreement between the Town and People's United Bank. Brattleboro Development Credit Corporation (BDCC) is refinancing its mortgage originally dated July 9, 1996, and the Board is asked to approve a subordination agreement of a related Town loan. As set forth in the memorandum dated October 24, 2016, from Town Attorney Fisher, the mortgage has previously been refinanced and significantly reduced, and the requested subordination agreement will not alter the probability of the Town recovering funds in this matter. The Town Attorney recommends that the Board authorize the Town Manager to execute the subordination agreement.

**POTENTIAL MOTION: TO AUTHORIZE TOWN MANAGER PETER ELWELL TO EXECUTE THE SUBORDINATION AGREEMENT WITH PEOPLE'S UNITED BANK FOR THE BDCC REFINANCING OF 343 JOHN SEITZ DRIVE AT EXIT ONE INDUSTRIAL PARK.**

- E. Whetstone Station Associates Refinancing of Whetstone Station Restaurant and Brewery Property - Subordination Agreement between the Town and Brattleboro Savings & Loan Association. Whetstone Station Associates, LLC, and Whetstone Station Restaurant and Brewery, LLC (“Whetstone”), are refinancing a mortgage originally dated April 26, 2012, and the Board is asked to approve a subordination agreement of a related Town SBAP loan. As set forth in the memorandum dated October 27, 2016, from Fisher and Fisher Law Office, Whetstone is current, is making regular payments on its SBAP loan, and has substantially reduced the principal amount of that loan. The proposed subordination agreement will not alter the Town's position with regard to recovering its investment in this matter, so the Town Attorney recommends that the Board authorize the Town Manager to execute the subordination agreement.

**POTENTIAL MOTION: TO AUTHORIZE TOWN MANAGER PETER ELWELL TO EXECUTE THE SUBORDINATION AGREEMENT WITH THE BRATTLEBORO SAVINGS AND LOAN ASSOCIATION FOR THE WHETSTONE REFINANCING.**

- F. Arts Committee Proposals  
(i) *Transportation Center*  
(ii) *High-Grove Parking Lot.*

The Arts Committee has submitted two public art proposals for the Board's consideration – “Transportation Center Mural” and “High Grove Lot Mural.” The Board is asked to approve installation of the two murals subject to the conditions set forth in the memorandum dated October 27, 2016, from Town Manager Peter B. Elwell and the self-imposed conditions of the Arts Committee as specified in the proposals.

**POTENTIAL MOTION: TO APPROVE INSTALLATION OF THE “TRANSPORTATION CENTER MURAL” AND “HIGH GROVE LOT MURAL” AS PROPOSED BY THE TOWN ARTS COMMITTEE, SUBJECT TO THE CONDITIONS SET FORTH IN THE MEMORANDUM DATED OCTOBER 27, 2016 FROM TOWN MANAGER PETER B. ELWELL AND THE SELF-IMPOSED CONDITIONS OF THE ARTS COMMITTEE AS SPECIFIED IN THE PROPOSALS.**

- G. Proposal to Prohibit “Single-Use Plastic Bags” in Retail Stores in Brattleboro. The Board is asked to consider a partial ban on “single use plastic bags” as proposed in the e-mail from Timothy Maciel, dated October 21, 2016.

**POTENTIAL MOTION: TBD**

- H. 2016 Bulletproof Vest Partnership Grant – Accept and Appropriate. The Board is asked to accept and appropriate a grant in the amount of \$1,400 from the Department of Justice, Bureau of Justice Assistance to help pay for the purchase of bullet proof vests.

**POTENTIAL MOTION: TO ACCEPT AND APPROPRIATE A GRANT IN THE AMOUNT OF \$1,400 FROM THE DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, TO HELP PAY FOR THE PURCHASE OF BULLET PROOF VESTS.**

- I. DEMHS Assistance to Firefighters Grant – Approve Application. The Board is asked to approve the Fire Department's application for a \$990,000 Assistance to Firefighters Grant from the Vermont Department of Homeland Security/FEMA to pay for a new aerial ladder truck.

**POTENTIAL MOTION: TO APPROVE THE FIRE DEPARTMENT'S APPLICATION FOR A \$990,000 ASSISTANCE TO FIREFIGHTERS GRANT FROM THE VERMONT DEPARTMENT OF HOMELAND SECURITY/FEMA TO PAY FOR A NEW AERIAL LADDER TRUCK.**

- J. Award Winter Sand Bid. The Board is asked to award the bid for winter sand to Zaluzny Excavating, of Vernon, Vermont. Zaluzny's bid of \$8.70 per cubic yard was the lowest of four bids received. The Town intends to purchase 2,500 cubic yards of sand for this winter so the expected total price for this bid award is \$21,750.

**POTENTIAL MOTION: TO AWARD THE BID FOR WINTER SAND TO ZALUZY  
EXCAVATING IN THE UNIT PRICE AMOUNT OF \$8.70 PER CUBIC YARD, WITH AN  
EXPECTED TOTAL COST OF \$21,750 TO PURCHASE 2,500 CUBIC YARDS OF SAND.**

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