

Police-Fire Facility Committee
Thursday, January 28, 2015, 4:00pm
Hanna Cosman Meeting Room, Municipal Center
Minutes

In attendance: Robin Sweetapple, Steve Phillips, Kathy Dowd, Tony Farnum, Dave Emery, Sr., Prudence MacKinney, and John Allen.

Absent: Eli Gould, Philip Chapman

Staff Present: Peter B. Elwell, Patrick Moreland, Mike Bucossi, Russell Rice, Mark Carignan, Pete Lynch, Michael Fitzgerald

Others Present: Steve Horton, Tad Montgomery, Dave Schoales, Howard Weiss-Tisman

- A. Sweetapple called the meeting to order at 4:05pm and confirmed that the meeting was properly warned.
- B. Project Update – Sweetapple began with an Introduction of Peter B. Elwell, Brattleboro’s new town manager. She explained that the purpose of calling this meeting on short notice was to develop feedback for the Selectboard before the FY16 budget is approved.

Elwell began by articulating that a clear path forward for the project exists, and it is based on the hard work already performed by this committee. Board voted to pursue the Putney Road option, Plan F, and the selected site needs to be developed from a concept into an alternative. The next step is for Staff and Elwell recognizes the desire of the committee to move ahead without delay. Elwell acknowledges that this process of engaging property owners and developing the alternative will take some time, but it is a top priority.

Horton offers that there are three known potential sites, but that others may also exist, but have yet to be developed even to the concept stage. Until a site is secured, Brattleboro should remain open to a good deal. Other potential properties include Brattleboro Bowl and the VFW property on Black Mountain Drive. Phillips asks how specific does the Town need to be in proposing to spend \$1Million on acquiring new property for a potential new police site. Elwell offers that the Selectboard may or may not choose to keep the \$140,202 in the budget to repay potential additional borrowing, however having the money in the budget is not to be confused with authorization to borrow additional money for the project. The Selectboard has the authority to include the money in the budget, but it is Representative town meeting that authorizes borrowing, and in order to be prepared for a vote to provide bond authorization, we must first conduct the work necessary to develop the concept of Plan F into a viable alternative. Phillips again asks if the discussion at Representative Town Meeting

will be generic or if we will be seeking specific Bond Authorization. Elwell confirms that we are not ready to seek bond authorization until we have completed the work to develop the alternative. Elwell is clear that project development and project funding can proceed on separate tracks. Elwell has specific direction from the Selectboard to proceed with developing the alternative, and so that is what will happen.

John Allen asks if Brattleboro able to use existing bond proceeds for a portion of the original project that is not undergoing any significant change, such as Station 2. Allen asks if Elwell recommends taking all or part of the \$140,202 out of the budget. Elwell confirms that the whole amount could be removed because bond authorization is needed for any additional borrowing, and until we have authorization, money in the budget does not move the project forward. A second question involves the ability of the Town to secure additional bond proceeds using the existing bond authorization for the completion of Central Station, another piece of the original project that is not undergoing a change. Phillips also offers that he believes that Gartenstein may seek new authorization even if the law does not require it. Elwell explains that the existing authorization includes three sites and any material change from that plan will legally require new authorization. Elwell and Moreland each believe that new bond authorization is required, but that specific confirmation from bond counsel is needed to confirm this position.

Dave Schoales would like to see specific bond counsel opinion on the question. Emery agrees with Allen that the fire portion of the project should be able to proceed with additional borrowing for completion because that piece of the project remains unchanged. The committee has held for a long time that all three projects must move forward together, and so the question about the Town's ability to move ahead with only the fire projects has not previously required an answer. Emery suggests that the fire portion of the project should proceed, and the committee should continue to work on the police plan.

Dowd asks how the \$4.7 Million figure was developed. Allen informs that the \$4.7 Million is needed to complete the two fire projects and hold \$1 Million as a placeholder for the acquisition of property for police. Dowd confirms that this will not result in a completed police project. Allen asks if the committee understands that the Selectboard may choose to remove the \$140,202 from the budget and take up the project in a Special Representative Town Meeting. Allen is concerned that if the facility project is the only item on the agenda that voters may reject the additional borrowing. Schoales suggests that having the funds in the budget will allow for a discussion of the project, and Representative Town Meeting is where that discussion should occur. Should bond council indicate that new authorization is required, the voters could vote to remove the \$140,202 in funds to repay the additional borrowing. Elwell clarifies that he is not ready to recommend to the Selectboard that the funds be removed, having only been employed by Brattleboro for one week.

So the question is, can Brattleboro proceed with additional borrowing for the fire portion of the project without new bond authorization. A second question is, can Brattleboro spend existing bond proceeds on a section of the fire project. Elwell confirms that an answer will be determined before Representative Town Meeting. Phillips adds that if Brattleboro must approve the local option tax for this project to be successful. Sweetapple indicates that the committee has been left uninformed about how the project will proceed, and that is not acceptable given how the public looks to the committee for answers.

Bucossi indicates that he cannot accept separating police improvements from the fire portion of the project. Emery indicates that the committee has also held this position, but now we ought to consider moving ahead with the portion of the project that we have ready.

Phillips moves that the committee recommend that Brattleboro should move forward with Plan F at the earliest opportunity that the Selectboard may find available. Farnum second. The vote passes with six in the affirmative and with one vote not cast. MacKinney would like Elwell to investigate moving the police away from the Municipal Center. Sweetapple indicates that the Selectboard has already asked the committee to move forward with a Plan F, one which assumes moving the police department away from the Municipal Center. After some discussion, MacKinney casts an affirmative vote.

Weiss-Tisman asks if the public will be allowed to vote on the relocation of the police department. Moreland indicates that Representative Town Meeting will need to approve any further plan for the police that requires bond authorization. Moreland also indicates that additional informational meeting open to the public will likely precede any new bond vote. Bond authorization in Brattleboro falls within the authority of Representative Town Meeting. Public meetings will be held.

- C. Approve Minutes (December 11, 2014 & December 16, 2014) – MacKinney moved to approve the minutes of December 11. Dowd asks for clarification on paragraph 2 of item D. Moreland reports that the word should read “in” and not “win”. Dowd seconds with corrections. The motion passed with six votes in the affirmative and one abstention.

Dowd moved to approve the minutes of December 16. Farnum second. The motion passed unanimously.

- D. Adjourn.

Meeting adjourned at 5:25pm.