

**BRATTLEBORO SELECTBOARD
TUESDAY, JANUARY 7, 2014
EXECUTIVE SESSION – 5:15PM
REGULAR MEETING – 6:15PM
MINUTES**

Selectboard members present: David Gartenstein, Kate O'Connor, David Schoales, Donna Macomber, and John Allen.

Staff present: Interim Town Manager Patrick Moreland, Finance Director John O'Connor, Town Attorney Robert Fisher, Fire Chief Mike Bucossi, Assistant Fire Chief Peter Lynch, Fire Alarm Supervisor Joe Newton, Police Chief Gene Wrinn, and Executive Secretary Jan Anderson.

Media present: Tim Johnson representing WTSA, Howard Weiss-Tisman representing the Brattleboro Reformer, and Olga Peters representing The Commons.

Others present: Steven M. Cormier, Kurt Daims, Roxie Daims, Paul Cameron, Kimberly Smith, Bill Dion, Chad Simmons, Tad Montgomery, Lester Humphreys, Michael Bosworth, Timothy Maciel, Adrasteia Andrews, Bruce Beliveau, ASL Interpreters Elizabeth Bjerke and Janet Dickinson, BCTV staff and volunteers, and others who did not sign the attendance sheet.

Chair Gartenstein called the meeting to order at 5:18pm in the Selectboard meeting room. He confirmed that the meeting was officially warned.

MOTION BY DAVID GARTENSTEIN TO ENTER INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER AND CONTRACT LITIGATION MATTER WHERE THE SELECTBOARD HAS CONCLUDED THAT PREMATURE PUBLIC KNOWLEDGE WOULD PUT THE MUNICIPALITY AT A SUBSTANTIAL DISADVANTAGE. INTERIM TOWN MANAGER PATRICK MORELAND AND TOWN ATTORNEY ROBERT FISHER WERE INVITED TO ATTEND THE SECOND PORTION OF THE SESSION. MOTION CARRIED 5-0.

Chair Gartenstein reconvened the meeting at 6:15pm.

APPROVE MINUTES

MOTION BY DONNA MACOMBER TO APPROVE THE MINUTES FROM DECEMBER 15 AND DECEMBER 17, 2013 AS PRESENTED. MOTION CARRIED 5-0.

CHAIR'S REMARKS

Chair Gartenstein noted that with the recent winter weather, the driving conditions have been difficult. He encouraged drivers to exercise caution while driving.

MANAGER'S COMMENTS

Interim Town Manager Moreland also asked drivers to drive carefully during the inclement weather, and he reminded pedestrians to dress in light colors and wear reflective clothing. He said that driving conditions, particularly on Western Avenue, were difficult with many potholes, and that Public Works would patch and repair when possible but they were temporary fixes. He said the road consisted of concurrent responsibilities and jurisdiction between the Town (patching) and State (paving), and that the State had been contacted and encouraged to repave the road sooner rather than later.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

Allen said he was not able to attend the last Police-Fire Facility Building Committee meeting and asked for an update. Moreland said that the Committee discussed energy-saving ideas and were provided with a minor update from Project Manager Steve Horton, and that no decisions had been made.

PUBLIC PARTICIPATION

Bill Dion spoke briefly about the anticipated tax rate increase, the relatively small expense proposed to conduct energy audits on five Town buildings, and about his concerns with the bus system including the schedule and routes.

Roxanna Daims, Outreach Coordinator for Brattleboro Common Sense, distributed a notice entitled Youth Vote as drafted by Attorney Paul Gillis. She spoke about the notice and her suggested Charter change lowering the voting age to 16 years, and she requested that the Selectboard add it to the ballot for public vote at the upcoming Town Meeting. Gartenstein said that the Administration would look into the process for Charter revisions and that Town Administration would contact her about the process. Gartenstein also announced that the Warnings for Town Meeting and Representative Town Meeting would be finalized and approved at a special Selectboard meeting scheduled on Wednesday, January 29, at 5:00pm.

LIQUOR COMMISSIONERS

MOTION BY JOHN ALLEN TO CONVENE AS LIQUOR COMMISSIONERS. MOTION CARRIED 5-0.

Approve First Class Liquor License – Blue Moose LLC. Moreland said that the Board was asked to approve the transfer of a first class liquor license for the Blue Moose Cafe. He said the business would be relocated from 29 High Street to 39 Main Street. There was no discussion by the Board.

MOTION BY DONNA MACOMBER TO TRANSFER A FIRST CLASS LIQUOR LICENSE FOR THE BLUE MOOSE CAFÉ, LLC TO 39 MAIN STREET. MOTION CARRIED 5-0.

MOTION BY JOHN ALLEN TO ADJOURN AS LIQUOR COMMISSIONERS. MOTION CARRIED 5-0.

UNFINISHED BUSINESS

Energy Committee – Energy Use in Town Buildings (tabled from December 3, 2013 meeting) Gartenstein said that at the December 3 meeting, the following motion was tabled:

MOTION BY DAVID SCHOALES TO DIRECT THE INTERIM TOWN MANAGER TO IMMEDIATELY ENGAGE AN AUDITING FIRM TO CONDUCT THE PROPOSED AUDITS FROM THE ENERGY COMMITTEE AND COME BACK WITH THE PROJECTED COST SAVINGS, REBATE AND GRANT OPPORTUNITIES THAT THE AUDIT WILL PROVIDE AND THAT THE FUNDING COME FROM THE MONEY THE TOWN IS NOT CURRENTLY SPENDING ON THE TOWN MANAGER, NOT TO EXCEED \$3,400.

Moreland said that at the December 3, 2013 meeting, the Board asked him to investigate the likelihood of a surplus in the budget at the end of the current fiscal year, particularly taking into account that the Town Manager had not yet been replaced and that the unused salary may be available to re-allocate toward energy audits. He reviewed preliminary budget figures, and said that the fiscal year was only one-half complete and it was too early to predict where the budget would end up. He noted some line areas where both expenses and revenue were expected to change. Gartenstein said that he had concerns about the proposed \$3,400 expenditure for energy audits, including realistic financial savings, verification of costs of the audits, actual energy efficiency work to be performed, staff time to be expended, and other variables around the proposed audits. He said that he was in support of energy efficiency but wanted to proceed with a well thought out, long-term plan which may include setting up a fund, possibly in the amount of \$50,000, for energy efficiency purposes. The Board asked that members of the public be given an opportunity to speak.

Bill Dion spoke of his concerns regarding the plans and expenditures for the Police-Fire Facility, energy concerns, and climate change.

Lester Humphreys, Chair of the Energy Committee, said he supported a well thought-out energy plan and setting funds aside for that purpose. He also said that the \$3,400 cost of energy audits as proposed at the December 3 meeting was not accurate, and he suggested taking time to determine actual and

reasonable costs but requested that funds be included in this year's budget so as not to cause a lengthy delay.

Tim Maciel said that he applauded the work of the Energy Committee, and he supported setting aside \$3,400 as a start to an energy savings fund.

Kurt Daims spoke in favor of energy saving measures and common sense energy conservation. He also asked that funds allocated to Brattleboro Climate Protection not be used for this purpose.

Paul Cameron, Town Energy Coordinator, spoke in support of setting up a fund for energy work, for performing an energy audit of the Municipal Building, and for determining a plan to address other Town buildings, all with some urgency.

Kim Smith, member of the Windham Regional Commission Energy Committee, spoke in support of a commitment to energy savings. She spoke of the importance of performing energy audits for background purposes, to prioritize options, and for moving forward efficiently. She said that the payback time of energy savings work was short but the benefits were long-term.

Chad Simmons spoke in support of past five speakers.

Tad Montgomery, member of the Energy Committee, commended Gartenstein for his research on the true cost of energy audits and in support of a \$50,000 energy fund. He suggested utilizing the \$3,400 proposed in Schoales' motion to proceed with work on the Municipal Building that would be incorporated into renovations on the Police facilities.

There was substantial discussion by the Board, including supporting energy efficiency, setting up an energy efficiency fund, the Town's past commitment to energy efficiencies, the Honeywell project with costs and savings, performing "envelope" energy efficiency audits, the accurate cost of energy audits for Town buildings, the inadequacy of the \$3,400 estimate for energy audits, and many other aspects of energy and energy efficiencies.

Schoales addressed his pending motion and said that funds were previously identified for energy audits but spent elsewhere. He supported an organized energy plan and said that such a plan would start with audits and that cost estimates for the audits were free. He spoke of potential surpluses in the budget that could be used to start an energy conservation fund. He then amended his motion as follows:

AMENDED MOTION BY DAVID SCHOALES TO DIRECT THE INTERIM TOWN MANAGER TO IMMEDIATELY ENGAGE AN AUDITING FIRM TO ESTIMATE THE COST OF THE PROPOSED AUDITS FROM THE ENERGY COMMITTEE.

Schoales spoke further to his motion and suggested getting estimates for energy audits as quickly as possible, and putting it on an upcoming Selectboard agenda to then discuss a plan to go forward;

There was much more discussion by the Board including potential savings from changing the street lights, staff time required in performing energy audits, discussing a long-term plan, funding an energy efficiency fund, impact on delaying energy efficiency measures, and cost to taxpayers. Moreland said that he was working with Bob Rueter on a realistic estimate for performing an energy audit on the Municipal Building.

Gartenstein offered a friendly amendment to amend the motion on the floor, as follows:

AMENDED MOTION BY DAVID SCHOALES TO DIRECT THE INTERIM TOWN MANAGER TO IMMEDIATELY ENGAGE AN AUDITING FIRM TO ESTIMATE THE COSTS OF AUDITS OF THE TOWN'S FACILITIES.

Schoales accepted the friendly amendment. There was discussion about obtaining estimates for the audits. Moreland asked for clarification of the scope of the work and specific areas of concentration. He also requested that the word "immediately" be removed from the motion to allow for time to properly address audits and costs on a per-facility basis. Schoales agreed to further amend his motion, as follows:

FURTHER AMENDED MOTION BY DAVID SCHOALES TO DIRECT THE INTERIM TOWN MANAGER TO ENGAGE AN AUDITING FIRM TO ESTIMATE COSTS OF PROPOSED AUDITS OF TOWN FACILITIES.

Moreland asked for clarification about which Town facilities were to be included in the audits. Schoales agreed to amend his motion to limit the scope of the audits to the facilities listed on the Energy Committee's memo, as follows:

FURTHER AMENDED MOTION BY DAVID SCHOALES TO DIRECT THE INTERIM TOWN MANAGER TO ENGAGE AN AUDITING FIRM TO ESTIMATE COSTS OF PROPOSED AUDITS OF TOWN FACILITIES LISTED ON THE ENERGY COMMITTEE'S NOVEMBER 26, 2013 MEMO.

Moreland noted that the Municipal Center was not included in the November 26 memo and he asked whether it should be included. Schoales agreed to further amend his motion, as follows:

FURTHER AMENDED MOTION BY DAVID SCHOALES TO DIRECT THE INTERIM TOWN MANAGER TO ENGAGE AN AUDITING FIRM TO ESTIMATE COSTS OF PROPOSED AUDITS AT THE MUNICIPAL CENTER, BROOKS LIBRARY, GIBSON-AIKEN CENTER, PUBLIC WORKS GARAGE, SKATING RINK, AND WATER TREATMENT PLANT. MOTION CARRIED 5-0.

NEW BUSINESS

Communications Tower – Brattleboro Fire & Brattleboro Police. Moreland said that as previously presented to the Board, the present owner of the radio tower on Wantastiquet Mountain significantly raised the rent from \$10 per year to \$12,000, plus an annual escalating clause at 3% and the cost of electricity. He said that the resulting overall cost of the proposed 5 year tower lease on Wantastiquet, with utilities and rent escalations included, would be \$82,000. He said that the Town's Fire Alarm Superintendent, Joe Newton, had been working with the Fire and Police Chiefs, and the communication vendor, Bruce Beliveau of Beliveau Communications & Consulting, on locating other potential sites and options for communications equipment for the Fire and Police Departments. He said that after much analysis and work, and with the generosity of a variety of community partners, a better long-term plan had been determined and the Board was asked to approve the plan and costs.

Fire Chief Bucossi provided a memo to the Board and he summarized the new communications plan and spoke of concerns with the existing plan. He said that the proposed plan was far more reliable and cost-efficient than the current communications system. Police Chief Wrinn spoke of variables to the communications plan for the Police Department. He said that his department applied for a grant which, if awarded, would be used to replace outdated radios and to purchase improved, updated equipment. Fire Alarm Superintendent Newton spoke of the vulnerability of the equipment at the current site, and the importance of having an accessible and reliable communications system. Bruce Beliveau supported the proposed communications plan and spoke of his concerns in maintaining equipment and lines to the Wantastiquet Mountain tower. All speakers thanked and commended the valuable community partners who generously offered support to house equipment, for financial assistance, and assistance implementing the plan, including Brattleboro Memorial Hospital, School for International Learning, and Harris Hill Association.

The Board asked several questions pertaining to the proposed sites, relocation costs, equipment, Beliveau Communications' quote, and pending grant. There was some discussion by the Board which was overwhelmingly supportive of the proposed plan. Members of the Board thanked the Town Department Heads, the Interim Town Manager, Bruce Beliveau, Brattleboro Memorial Hospital, School for International Training/World Learning, and Harris Hill Association for all of their hard work, dedication, cooperation, and generosity.

MOTION BY JOHN ALLEN TO AUTHORIZE THE INTERIM TOWN MANAGER TO CONTRACT WITH BELIVEAU COMMUNICATIONS IN AN AMOUNT NOT TO EXCEED \$57,500 TO RELOCATE BRATTLEBORO FIRE AND BRATTLEBORO POLICE RADIO EQUIPMENT OFF OF WANTASTIQUET MOUNTAIN. MOTION CARRIED 5-0.

Gartenstein said that if the Unassigned Fund Balance did not contain enough funds to pay for the communications tower relocation, then Representative Town Meeting would have to approve the expenditure. He said that the fiscal year ended on June 30, 2014 but the Warnings for Town Meeting had to be finalized by the end of January so another motion would be necessary to add the matter to the Town Meeting Warnings.

MOTION BY DONNA MACOMBER TO ADD THE FOLLOWING ARTICLE TO THE 2014 REPRESENTATIVE TOWN MEETING WARNING, "TO SEE IF THE TOWN WILL VOTE TO APPROPRIATE UP TO \$57,500 FROM THE UNASSIGNED FUND BALANCE TO DEFRAY THE COSTS ASSOCIATED WITH RELOCATION OF RADIO COMMUNICATIONS EQUIPMENT OFF OF WANTASTIQUET MOUNTAIN". MOTION CARRIED 5-0.

Appoint Representative – Connecticut River Transit. Gartenstein said that no applications were received to fill the Town's seat on the CRT Board. He asked that the position be added to a rolling list of committee vacancies. There was no discussion by the Board.

NO ACTION TAKEN.

Accept and Appropriate Grant – VDEMHS Technical Rescue Grant, Fire Department. Fire Chief Bucossi and Assistant Fire Chief Lynch were present. Chief Bucossi said that the Board was asked to accept and appropriate a grant in the amount of \$30,067.54 from the Vermont Department of Emergency Management and Homeland Security for support of technical rescues. There was a brief discussion by the Board.

MOTION BY KATE O'CONNOR TO ACCEPT AND APPROPRIATE A GRANT IN THE AMOUNT OF \$30,067.54 FROM VERMONT DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY FOR TECHNICAL RESCUE TRAINING AND EQUIPMENT. MOTION CARRIED 5-0.

Accept and Appropriate Grant – GHS Equipment Incentive Grant, Police Department. Police Chief Wrinn said that the Police Department participated in traffic enforcement events, mostly on holiday weekends, and because of its participation the Department was notified that it was eligible for a Governor's Highway Safety (GHS) grant. Chief Wrinn said that the Board was asked to accept and appropriate a grant in the amount of \$5,000 for the purchase of portable radar equipment. There was a brief discussion by the Board.

MOTION BY DONNA MACOMBER TO ACCEPT AND APPROPRIATE A GRANT IN THE AMOUNT OF \$5,000 FROM VERMONT DEPARTMENT OF PUBLIC SAFETY FOR APPROVED PUBLIC SAFETY EQUIPMENT. MOTION CARRIED 5-0.

FY 15 Budget – Discussion. Gartenstein provided a detailed overview of the Board's past budget discussions and the current status of the proposed budget. He said that the Board worked extensively with the Interim Town Manager, Finance Director, Department Heads, and members of the public in discussing and drafting the budget. He said that the Board considered its goals in the budget process and the potential impact on taxpayers. He said that the Board looked at level-funding and level-served budgets, cuts in capital budget, other possible cuts, personnel cuts, service cuts, dispatch efficiencies, eliminating positions, abandoning roads, eliminating payments to Fire-call staff, eliminating trash pick-up, eliminating line striping and/or funding for traffic calming devices, decreasing human services funding, reallocating agriculture funds, trash pick-up, fee for services, local option sales tax, and benefits to employees. He said that the Board agreed that many long-term questions remain and should be addressed over the coming year. He said that the proposed budget currently stood at \$16,306,285, which included a capital transfer of \$310,000 that was saved from renovations to skating rink. He said that the Board concluded that many of the cuts that were discussed would cut into core municipal services in ways that were not acceptable and would affect efficiencies and public safety. He compared last year's budget to the proposed FY15 budget and discussed some budget considerations adopted last year (such as applying \$750,000 in surplus funds to the general budget) but were not available this year.

Additionally, he discussed the impact of the bond for the upcoming Police-Fire facilities project. He also outlined some pending matters that would be discussed at the next Board meeting.

Tad Montgomery inquired about the funds that were assigned to improvements of the ice skating rink and additional improvements contemplated for the skating rink. He also spoke in favor of a trash pay-as-you-throw system.

There was discussion by the Board about the budget. Each Board member spoke of concerns regarding the budget discussions, proposed budget, and long-term matters. Gartenstein said that the Board would approve the budget at its January 21 meeting, which would then go before Representative Town Meeting for approval.

NO ACTION TAKEN.

CORRESPONDENCE AND MEETINGS

Allen read the dates and times of Town Committee meetings and other upcoming events. There was no further business.

MOTION BY DONNA MACOMBER TO ADJOURN AT 8:32PM. MOTION CARRIED 5-0.

David Schoales, Clerk