

**BRATTLEBORO SELECTBOARD
TUESDAY, FEBRUARY 2, 2016
EXECUTIVE SESSION – 5:30PM
REGULAR MEETING – 6:15PM
MINUTES**

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

Staff present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Finance Director John O'Connor, Fire Chief Mike Bucossi, Assistant Fire Chief Peter Lynch, Police Chief Mike Fitzgerald, Police Captain Mark Carignan, Town Clerk Annette Cappy, Library Director Starr LaTronica, and Executive Secretary Jan Anderson.

Media present: Tim Johnson representing WTSA, Chris Mays representing the Brattleboro Reformer, Olga Peters representing The Commons, and BCTV staff and volunteers.

Others present: James Banslaben, Dale Joy, Erin Fagley, Krista Belson, Bruce Bonnette, Steve Bonnette, Kate McGinn, Todd Einig, Sharon Couturier, ASL Interpreters Elizabeth Bjerke and Janet Dickinson, and others who did not sign the attendance sheet.

Chair Gartenstein called the meeting to order at 5:30pm in the Selectboard meeting room in the Municipal Center. He confirmed that the meeting was officially warned.

MOTION BY DAVID GARTENSTEIN TO ENTER INTO EXECUTIVE SESSION TO DISCUSS LABOR RELATIONS AGREEMENTS WITH EMPLOYEES, CONTRACT MATTERS, PROBABLE LITIGATION, AND PERSONNEL MATTERS/EVALUATIONS WHERE PREMATURE GENERAL PUBLIC KNOWLEDGE WOULD PLACE THE MUNICIPALITY AND PEOPLE INVOLVED AT A SUBSTANTIAL DISADVANTAGE. THE TOWN MANAGER AND ASSISTANT TOWN MANAGER WERE INVITED TO ATTEND. MOTION CARRIED 4-0 (SCHOALES WAS NOT PRESENT AT THE TIME OF THE VOTE).

Gartenstein reconvened the meeting at 6:18pm.

APPROVE MINUTES

MOTION BY DONNA MACOMBER TO APPROVE THE MINUTES FROM JANUARY 12, JANUARY 19, AND JANUARY 25, 2016, AS PRESENTED. MOTION CARRIED 5-0.

CHAIR'S REMARKS

Chair Gartenstein noted that the Selectboard would resume its normal meeting schedule with meetings on the first and third Tuesday of each month.

MANAGER'S COMMENTS

None.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

None.

PUBLIC PARTICIPATION

None.

LIQUOR COMMISSIONERS

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

Second Class Liquor License – *Best Vittles, Inc., d/b/a Green Mountain Market & Deli*. Steve Bonnette and Bruce Bonnette, principals of Best Vittles, Inc., spoke about the business to be situated in a new

building located at 423 Marlboro Road. Elwell confirmed that the application had been reviewed and approved by staff. There was a brief discussion by the Board.

MOTION BY JOHN ALLEN TO APPROVE THE SECOND CLASS LIQUOR LICENSE FOR BEST VITTLES, INC., D/B/A GREEN MOUNTAIN MARKET & DELI. MOTION CARRIED 5-0.

Special Event Permits – Harris Hill Ski Jump, February 20 and 21

- (i) Charles Dodge, d/b/a Putney Mountain Winery, LLP
- (ii) Whetstone Station Restaurant and Brewery

Gartenstein said that the Board was asked to approve two special event permits for the sale of alcohol at the Harris Hill Ski Jump on Saturday, February 20, and Sunday, February 21, from 10am to 6pm each day. Kate McGinn and Todd Einig, from Harris Hill Ski Jump, discussed the event and operation of a beer tent. Elwell confirmed that the application had been reviewed and approved by staff. There was a brief discussion by the Board.

MOTION BY KATE O’CONNOR TO APPROVE THE SPECIAL EVENT PERMITS FOR CHARLES DODGE, D/B/A PUTNEY MOUNTAIN WINERY, AND FOR WHETSTONE STATION RESTAURANT AND BREWERY, TO SELL ALCOHOL AT THE HARRIS HILL SKI JUMP ON FEBRUARY 20 AND 21, 2016, FROM 10AM TO 6PM. MOTION CARRIED 5-0.

Special Event Permits – Cabin Fever Food and Drink Festival, River Garden, February 19

- (i) Whetstone Station Restaurant & Brewery
- (ii) Champlain Orchards
- (iii) Stonecutter Spirits
- (iv) Caledonia Spirits
- (v) Vermont Distillers, Inc.
- (vi) 14th Star Brewing Company, LLC
- (vii) Honora Winery & Vineyard, Inc., d/b/a Honora Winery and J’ville Brewery.

Gartenstein said that the Board was asked to approve seven special event permits for the sale of alcohol at the Cabin Fever Food and Drink Festival, sponsored by Strolling of the Heifers, to be held at the River Garden, located at 157 Main Street, on Friday, February 19, from 5:00pm to 8:00pm. Erin Fagley and Krista Belson, from Strolling of the Heifers, spoke about the event. There was a brief discussion by the Board.

MOTION BY DONNA MACOMBER TO APPROVE SPECIAL EVENT PERMITS FOR THE FOLLOWING VENDORS FOR THE CABIN FEVER FOOD AND DRINK FESTIVAL SPONSORED BY STROLLING OF THE HEIFERS AT THE RIVER GARDEN ON FRIDAY, FEBRUARY 19, FROM 5:00PM TO 8:00PM:

- (i) **WHETSTONE STATION RESTAURANT & BREWERY**
- (ii) **CHAMPLAIN ORCHARDS**
- (iii) **STONECUTTER SPIRITS**
- (iv) **CALEDONIA SPIRITS**
- (v) **VERMONT DISTILLERS, INC.**
- (vi) **14TH STAR BREWING COMPANY, LLC**
- (vii) **HONORA WINERY & VINEYARD, INC., D/B/A HONORA WINERY AND J’VILLE BREWERY.**

MOTION CARRIED 5-0.

Allen inquired about the frequency of issuing special event permits over the past few months. There was a brief discussion. The Board asked staff to review the frequency and process around issuing special event permits and to bring the matter before the Board soon. Town Clerk Cappy spoke about the relatively recent implementation of the special event permit process by the State Department of Liquor Control.

MOTION BY DAVID SCHOALES TO ADJOURN AS LIQUOR COMMISSIONERS. MOTION CARRIED 5-0.

UNFINISHED BUSINESS

Police-Fire Facilities Project –

- (i) *Type and Term of Debt*
- (ii) Special Representative Town Meeting
 - (a) *Schedule Informational Meeting, Wednesday, March 2, at Academy School, Doors open at 6:00pm, Caucuses 6:30pm, Meeting 7:00pm;*
 - (b) *Approve Warning for Special Representative Town Meeting, Saturday, March 12, at Brattleboro Area Middle School, 8:30am.*

(i) *Type and Term of Debt.* Gartenstein said that the Board was presented with information regarding options for the type (issuing bonds vs. borrowing from a bank) and term (20, 25, or 30 years) of debt for financing the Board's recommended alternative (Black Mountain Road alternative) for the Police-Fire Facilities Project. Elwell discussed the financial information on the spreadsheets provided with his memo dated January 27, 2016, and said that the Board was not asked to make a decision about financing until after the vote by Representative Town Meeting. He noted that a bond may be preferable over a bank loan due to the stability of the bond option and uncertainties in long-term bank financing. Gartenstein spoke about the additional spreadsheets distributed at the meeting separating the old and new debt and the impacts on tax rates. There was some discussion by the Board.

NO ACTION TAKEN.

- (ii) Special Representative Town Meeting
 - (a) *Schedule Informational Meeting*
 - (b) *Approve Warning for Special Representative Town Meeting.*

Elwell said that the Board was asked to (1) schedule an Informational Meeting to be held on Wednesday, March 2, at Academy School in preparation for the Special Representative Town Meeting (on March 12), and (2) to approve the Warning for the Special Representative Town Meeting. Gartenstein read the ballot article to be included on the Special RTM Warning. There was some discussion by the Board.

MOTION BY DAVID GARTENSTEIN TO APPROVE AS PRESENTED THE WARNING FOR THE SPECIAL REPRESENTATIVE TOWN MEETING TO BE HELD ON SATURDAY, MARCH 12, 2016, STARTING AT 8:30AM, AT THE BRATTLEBORO AREA MIDDLE SCHOOL. MOTION CARRIED 5-0.

MOTION BY DAVID GARTENSTEIN TO SCHEDULE THE SPECIAL INFORMATIONAL MEETING TO BE HELD ON WEDNESDAY, MARCH 2, 2016, AT ACADEMY SCHOOL, WITH DOORS TO OPEN AT 6:00PM, CAUCUSES AT 6:30PM, AND THE MEETING AT 7:00PM (IN PREPARATION FOR THE SPECIAL REPRESENTATIVE TOWN MEETING ON MARCH 12 RELATING TO THE POLICE-FIRE PROJECT). MOTION CARRIED 5-0.

NEW BUSINESS

Annual Representative Town Meeting –

- (i) *Schedule Informational Meeting, Wednesday, March 9, at Academy School, Doors open at 6:00pm, Caucuses 6:30pm, Meeting 7:00pm;*
- (ii) *Confirm Date, Time and Location – Saturday, March 19, at Brattleboro Area Middle School, 8:30am.*

Elwell said that the Board was asked to schedule the Informational Meeting on Wednesday, March 9, at Academy School in preparation for the Annual Representative Town Meeting (on March 19). He also confirmed the date and location of the Annual Representative Town Meeting. Elwell said that staff would reach out to local organizations to meet and continue providing information to the public about the Police-Fire Facilities Project. There was a brief discussion by the Board.

MOTION BY JOHN ALLEN TO SCHEDULE THE ANNUAL INFORMATIONAL MEETING TO BE HELD ON WEDNESDAY, MARCH 9, 2016, AT ACADEMY SCHOOL, WITH DOORS TO OPEN AT 6:00PM, CAUCUSES AT 6:30PM, AND THE MEETING AT 7:00PM (IN PREPARATION FOR THE ANNUAL REPRESENTATIVE TOWN MEETING ON MARCH 19). MOTION CARRIED 5-0.

2016 Certificate of Highway Mileage – Public Works Department. Elwell said that the Board was asked to approve the Certificate of Highway Mileage for the year ending February 10, 2016, as presented in the memorandum dated January 8, 2016, from Public Works Director Steve Barrett. There was no discussion by the Board.

MOTION BY KATE O’CONNOR TO APPROVE THE CERTIFICATE OF HIGHWAY MILEAGE FOR THE YEAR ENDING FEBRUARY 10, 2016, AS PRESENTED. MOTION CARRIED 5-0.

Town Road and Bridge Standards – Certification of Compliance, Public Works Department. Elwell said that the Board was asked to approve the Certification of Compliance for Town Road and Bridge Standards and Network Inventory, as presented in the memorandum dated January 20, 2016, from Steve Barrett and Hannah O’Connell. There was no discussion by the Board.

MOTION BY KATE O’CONNOR TO APPROVE THE CERTIFICATION OF COMPLIANCE FOR TOWN ROAD AND BRIDGE STANDARDS AND NETWORK INVENTORY, AS PRESENTED. MOTION CARRIED 5-0.

Ordinance Amendments - Chapter 3 (Animals and Fowl), First Reading. Gartenstein said that the Board was asked to hold a first reading on amendments to Chapter 3 of the Town of Brattleboro Code of Ordinances. Police Captain Carignan and Town Clerk Cappy reviewed and discussed the requested amendments to the ordinances for reasons set forth in their memoranda dated January 26, 2016. Schoales noted a typo on page 44 and requested it be corrected. Dale Joy inquired how the proposed ordinance addressed dangerous dogs not on a leash. There was some discussion by the Board. Gartenstein said that a second reading and public hearing would be held at the next Selectboard meeting on February 16.

NO ACTION TAKEN.

Design Review Committee –

- (i) *Amend the Membership to Include One-Year Alternate*
- (ii) *Appoint Members.*

(i) *Amend the Membership to Include One-Year Alternate.* Elwell said that the Board was asked to amend the membership of the Design Review Committee to include an Alternate. He said that the Board previously approved a three-member committee and was now asked to add an alternate position in the event that a member of the Committee had a conflict of interest and/or was unable to participate in a particular project or meeting. There was no discussion by the Board.

MOTION BY DAVID GARTENSTEIN TO AMEND THE MEMBERSHIP OF THE DESIGN REVIEW COMMITTEE TO INCLUDE ONE ALTERNATE MEMBER POSITION FOR A ONE-YEAR TERM. MOTION CARRIED 5-0.

(ii) *Appoint Members.* Gartenstein said that the Board was asked to appoint members to the Design Review Committee. Elwell said that the terms for the regular member and the alternate member would expire in June, 2017. There was no discussion by the Board.

DAVID GARTENSTEIN NOMINATED TEODORO SENNI TO THE DESIGN REVIEW COMMITTEE. SCHOALES NOMINATED MARY MCLOUGHLIN AS AN ALTERNATE. NOMINATIONS CARRIED 5-0.

Announce Committee Vacancies. Gartenstein read vacancies on the Planning Commission and other Town committees and boards. There was no discussion.

NO ACTION TAKEN.

There was no further business.

MOTION BY DONNA MACOMBER TO ADJOURN AT 7:33PM. MOTION CARRIED 5-0.

David Schoales, Clerk