

**BRATTLEBORO SELECTBOARD
TUESDAY, JUNE 7, 2016
REGULAR MEETING - 6:15PM
MINUTES**

Selectboard members present: Kate O'Connor, David Schoales, John Allen, and Richard DeGray.

Staff Present: Assistant Town Manager Patrick Moreland, Finance Director John O'Connor, Town Clerk Annette Cappy, Planning Director Rod Francis, Recreation & Parks Director Carol Lolatte, and Executive Secretary Jan Anderson.

Media present: Chris Mays representing the Brattleboro Reformer and BCTV staff and volunteers.

Others present: James Banslaben, Steve Libby, Brenda Siegel, Tasha Warshaw, Louise Zak, Sharon Couturier, Marshall Wheelock, ASL interpreters Elizabeth Fox and Janet Dickinson, and others who did not sign the attendance sheet.

Acting Chair Kate O'Connor called the meeting to order at 6:15pm. She confirmed that the meeting was properly warned. She noted that Chair David Gartenstein and Town Manager Peter Elwell were not present at this meeting, and in their absence she would be Acting Chair and Patrick Moreland was Acting Town Manager.

APPROVE MINUTES

MOTION BY JOHN ALLEN TO APPROVE THE MINUTES FROM MAY 10 AND MAY 17, 2016 AS PRESENTED. MOTION CARRIED 4-0.

CHAIR'S REMARKS

Acting Chair O'Connor announced that the reconstruction of the Green Street retaining wall was complete and suggested that the public visit the site to see the final product. She also announced that the U.S. Air Force Band was performing a free concert on June 12 at 2:00pm on the Common and invited the public to attend. She thanked the American Legion for its support in bringing the U.S. Air Force Band to Brattleboro.

MANAGER'S COMMENTS

Acting Town Manager Moreland announced that the rebuilding of the eastern stairway at the Transportation was nearing completion and was expected to be open by the end of the week. He also provided an update on the FEMA buyout project at 805 Western Avenue. He said that a recommendation for the demolition contractor would be presented to the Board at its next meeting.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

Schoales noted that the Windham Solid Waste Management District Board would meet on Thursday, June 9, and said he would provide an update to the Board after the meeting.

PUBLIC PARTICIPATION

Brenda Siegel spoke about the Southern Vermont Dance Festival and said it was scheduled in Brattleboro from July 14 through 17. She said that she initiated the festival after the Town, her family, and other residents and businesses were devastated by Tropical Storm Irene and the Brooks House fire. She said that the purpose of the festival was to bring people into Town and offer education in the arts and to help the economy recover. O'Connor read a proclamation proclaiming July 14 through 17 as Southern Vermont Dance Festival Weekend and she presented the Proclamation to Siegel.

NEW BUSINESS

Approve Resolution, Certificate, and Related Documents for Additional Bonds for Police-Fire Facilities Project – Vermont Municipal Bond Bank. Finance Director John O'Connor said that the Board was asked to approve the Resolution, Certificate and related documents to have the Vermont Municipal Bond Bank

issue bonds for the Town in the amount of \$7,800,000, plus interest (at a rate to be determined), for the Police-Fire Facilities Project as set forth in his memorandum dated May 17, 2016. He discussed the bond documents. There was a brief discussion by the Board.

MOTION BY JOHN ALLEN TO APPROVE THE RESOLUTION, CERTIFICATE, AND RELATED DOCUMENTS TO BORROW \$7,800,000, PLUS INTEREST, FROM THE VERMONT MUNICIPAL BOND BANK. MOTION CARRIED 4-0.

Approve Grant Agreement and Accept and Appropriate Grant – I-91 Bridge Impact Grant, Department of Public Works. Moreland said that the Board was asked to approve the Grant Agreement and to accept and appropriate the grant funds in the amount of \$200,000 for financial assistance from the State of Vermont, Agency of Transportation to repave portions of Upper Dummerston Road and Western Avenue due to the impact by the reconstruction of I-91 bridges over the West River. Kate O'Connor thanked the Agency of Transportation and the Governor for their making the grant available. There was a brief discussion by the Board.

MOTION BY DAVID SCHOALES TO APPROVE THE GRANT AGREEMENT WITH THE VERMONT AGENCY OF TRANSPORTATION, AND TO ACCEPT AND APPROPRIATE THE GRANT FUNDS IN THE AMOUNT OF \$200,000 FOR REPAVING PORTIONS OF UPPER DUMMERSTON ROAD AND WESTERN AVENUE. MOTION CARRIED 4-0.

Authorize Application for FEMA Pre-Disaster Mitigation Grant to Purchase Land Along the Whetstone Brook – Town of Brattleboro Planning Department and Vermont River Conservancy. Planning Director Francis said that the Board was asked to authorize that the Town be the applicant for a Federal grant for purchase of property located at 250 Birge Street as a flood mitigation measure. He spoke about the project and possible mitigation procedures as described in his memo dated June 1, and Steve Libby's memo dated June 2, 2016, including the grant covering 75% of the cost and requirement for a 25% local match which was expected to be covered by the Vermont River Conservancy. Steve Libby, Executive Director of the Vermont River Conservancy, was also present and spoke the project and possible funding sources, as well as general river conservation and flood hazard mitigation. There was some discussion by the Board.

MOTION BY JOHN ALLEN TO AUTHORIZE ACTING TOWN MANAGER PATRICK MORELAND TO APPLY FOR A FEMA PRE-DISASTER MITIGATION GRANT TO PURCHASE 250 BIRGE STREET, CONTINGENT UPON THE VERMONT RIVER CONSERVANCY SATISFYING ALL CONDITIONS OF THE GRANT INCLUDING THE 25% LOCAL MATCH. MOTION CARRIED 4-0.

Bid Award – Gibson-Aiken Center Windows (Phase 2). Recreation & Parks Director Lolatte said that the Board was asked to award the bid to Vermont Vinyl in the amount of \$29,875 for Phase 2 of the window replacement project at the Gibson-Aiken Center. She spoke about phase 1 and 2 of the project, bids that had been received, and her reasons for the recommendation. There was some discussion by the Board.

MOTION BY JOHN ALLEN TO AWARD THE BID FOR PHASE 2 OF THE WINDOW REPLACEMENT PROJECT AT THE GIBSON-AIKEN CENTER TO VERMONT VINYL IN THE AMOUNT OF \$29,875. MOTION CARRIED 4-0.

Ordinance Amendment – First Reading, Chapter 19 (Cemetery Ordinance); and Define Cemetery Committee Membership and Term Limits - Town Clerk and Cemetery Committee. Town Clerk Annette Cappy and Marshall Wheelock, Chair of the Cemetery Committee, were present and spoke about recent recommendations made by the Cemetery Committee. Wheelock said that the Committee asked that the membership be reduced to five members with staggered 3-year terms and he discussed the reasons for the Committee's recommendation. Cappy said that that the Board was also asked to hold a first reading on proposed amendments to the Cemetery Ordinance (Chapter 19), and Wheelock reviewed the proposed amendments. There was some discussion by the Board. O'Connor said that the Board would hold a second reading and public hearing on the Ordinance amendments at its June 21 meeting.

MOTION BY JOHN ALLEN TO REDUCE THE NUMBER OF SEATS ON THE CEMETERY COMMITTEE TO FIVE WITH STAGGERED 3-YEAR TERMS. MOTION CARRIED 4-0.

Annual Dog Warrant – Moreland said that the Board was asked to approve the annual dog warrant. He said that the warrant contained the names of owners who failed to license their dogs this year, and he discussed the follow-up procedure to license the dogs. Town Clerk Cappy spoke about the dog licensing procedure. O'Connor spoke about her concerns over the statutory language that dogs may be euthanized if owners did not license their dogs. There was some discussion by the Board.

MOTION BY RICHARD DEGRAY TO APPROVE THE ANNUAL DOG WARRANT. MOTION CARRIED 4-0.

There was no further business.

MOTION BY RICHARD DEGRAY TO ADJOURN AT 7:25PM. MOTION CARRIED 4-0.

David Schoales, Clerk