

**BRATTLEBORO SELECTBOARD
TUESDAY, JUNE 17, 2014
REGULAR MEETING – 6:15PM
MINUTES**

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

Staff present: Interim Town Manager Patrick Moreland, Town Attorney Robert Fisher, Town Assessor Russell Rice, Assistant Assessor Daniel Fyffe, Police Chief Gene Wrinn, Police Captain Mike Fitzgerald, and Executive Secretary Jan Anderson.

Media present: Howard Weiss-Tisman representing the Brattleboro Reformer and Tim Johnson representing WTSA.

Others present: James Banslaben, Francine Vallario, Joe Bushey, ASL Interpreters Janet Dickinson and Elizabeth Bjerke, BCTV staff and volunteers, and others who did not sign the attendance sheet.

Acting Chair Kate O'Connor called the meeting to order at 6:15pm in the Selectboard meeting room. She confirmed that the meeting was officially warned.

APPROVE MINUTES

**MOTION BY DAVID SCHOALES TO APPROVE THE MINUTES FROM JUNE 3 AND JUNE 5, 2014.
MOTION CARRIED 4-0.**

CHAIR'S REMARKS

Acting Chair O'Connor said that David Gartenstein was not at the meeting because he was recuperating from a bicycle accident and she wished him speedy recovery. She also noted that she attended a meeting last week hosted by the Vermont Agency of Commerce and Community Development to discuss economic development projects and the process for distribution of \$10 million expected from the closure of Vermont Yankee Nuclear Plant. She said that the deadline for public comment was extended to June 20 and she encouraged the public to review the proposed process and submit their comments.

MANAGER'S COMMENTS

Interim Town Manager Moreland wished David Gartenstein a speedy recovery. He also noted that the Brattleboro Town Plan was recently awarded Town Plan of the Year by the Vermont Planners Association, and he recognized the work of the Planning Commission and members of Planning Services Rod Francis and Sue Fillion.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

Schoales said that he and John Allen recently attended a meeting of the Windham Solid Waste Management District (the "District") and that the District had issued a Request for Qualifications for proposals to construct up to a 5 megawatt solar array on the former landfill. He said that the future of recycling and trash were also discussed in order to comply with the upcoming changes in the law. He also announced that the Energy Committee had contracted to complete installation of two electric car chargers in the Transportation Center.

Macomber wished David Gartenstein a speedy recovery and said that his leadership, commitment and dedication would be missed and she looked forward to his return. Allen also wished Gartenstein well.

PUBLIC PARTICIPATION - None.

NEW BUSINESS

Financial Report – *Monthly Report, May*. Finance Director John O'Connor discussed the monthly financial report for May, 2014. There was a brief discussion.

NO ACTION TAKEN.

Labor Relations Agreement – Memorandum of Understanding. Kate O'Connor said that the Board was being asked to sign a Memorandum of Understanding with the International Union of Operating Engineers Local 98 and voluntarily recognize the unionization of most clerical and administrative staff. She said that by recognizing the union collective bargaining discussions would begin. Moreland reviewed the process starting when the employees filed a request with the Town. Attorney Fisher reviewed the process on how to proceed. There was a brief discussion by the Board.

MOTION BY DAVID SCHOALES THAT THE BOARD SIGN A MEMORANDUM OF UNDERSTANDING WITH THE INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 98 AND ISSUE A CERTIFICATE OF RECOGNITION THEREBY ALLOWING COLLECTIVE BARGAINING TO PROCEED. MOTION CARRIED 4-0.

Police Chief Search – Town Manager. Kate O'Connor said that Police Chief Wrinn would be retiring on June 27 and that it was the responsibility of the Town Manager to appoint the next Police Chief. Moreland announced that Police Captain Mike Fitzgerald would be appointed as Interim Police Chief effective June 27 at 5:00pm while the search for the Chief was in process. Moreland thanked Captain Fitzgerald for assuming the Chief's responsibilities in the interim. Moreland reviewed the process that he proposed for the Police Chief search, which was outlined in detail in the memo that he provided to the Board. There was some discussion by the Board.

NO ACTION TAKEN.

Business Personal Property Fines – Office of the Assessor. Town Assessor Russell Rice and Assistant Assessor Dan Fyffe were present. Rice said that the Office of the Assessor provided the Selectboard with the list of businesses that failed to file a Business Personal Property Tax schedule. He asked that that Board impose a \$100 fine on the businesses that did not file the schedule. There was a brief discussion by the Board.

MOTION BY JOHN ALLEN TO IMPOSE A FINE OF \$100 FOR BUSINESSES IDENTIFIED BY THE DEPARTMENT OF ASSESSMENT AS HAVING FAILED TO FILE A BUSINESS PERSONAL PROPERTY SCHEDULE FOR 2014. MOTION CARRIED 4-0.

Accept and Appropriate Grant Amendment – GHS OP Enforcement Grant, Brattleboro Police Department. Police Chief Wrinn and Captain Fitzgerald were present. Captain Fitzgerald said that the Board was asked to accept and appropriate a grant amendment to increase the amount of the Vermont Department of Public Safety, Governor's Highway Safety Program grant by \$8,000, for a total of \$10,000, which would pay for staff time and mileage to conduct operations to reduce aggressive and distracted driving. There was a brief discussion by the Board.

MOTION BY DAVID SCHOALES TO ACCEPT AND APPROPRIATE A GRANT AMENDMENT FROM THE VERMONT DEPARTMENT OF PUBLIC SAFETY TO INCREASE THE AMOUNT OF THE GRANT TO \$10,000 FROM \$2,000 TO SUPPORT OPERATIONS TO REDUCE AGGRESSIVE AND DISTRACTED DRIVING. MOTION CARRIED 4-0.

Approve Small Business Assistance Program (SBAP) Loan – Brattleboro Area Farmers Market, Finance Department. Finance Director John O'Connor said that the Board was asked to approve a \$40,000 Small Business Assistance Program (SBAP) loan to the Brattleboro Area Farmers Market. He said that the SBAP committee recommended approving the loan which would be used as a bridge loan by the organization in the redevelopment of their property at the former Planet gas station. Schoales discussed the activity on the property of the Farmers Market, and said that he would recuse himself from the vote because he served on the Farmers Market Board. There was a brief discussion by the Selectboard.

MOTION BY DONNA MACOMBER TO APPROVE AN SBAP LOAN FOR THE BRATTLEBORO AREA FARMERS MARKET TO COMPLETE SITE WORK, PARKING LOT IMPROVEMENTS AND BUILDING RENOVATIONS AT 570 WESTERN AVENUE IN THE AMOUNT OF \$40,000 AT 3% INTEREST

COMPOUNDED MONTHLY, PRINCIPAL AND ACCRUED INTEREST DUE NO LATER THAN DECEMBER 31, 2014. MOTION CARRIED 3-0 (SCHOALES ABSTAINED).

Disband Committee – Skating Rink Committee. Moreland said that the Board was asked to disband the Skating Rink Committee at the request of the Committee because its work had been completed. There was no discussion by the Board.

MOTION BY DAVID SCHOALES TO DISBAND THE SKATING RINK COMMITTEE. MOTION CARRIED 4-0.

Resize Committee – Brattleboro Area Skatepark is Coming (BASIC) Committee. Moreland said that at the request of BASIC, the Board was asked to reduce the size of the committee from nine members to seven. Francine Vallario and Joe Bushey were present and spoke in support of the request. The Board agreed to remove Eric Hurlbert and Lacey Kowalczyk from the committee and to eliminate the seats previously held by them. There was a brief discussion by the Board.

MOTION BY JOHN ALLEN TO REDUCE THE SIZE OF THE BRATTLEBORO AREA SKATEPARK IS COMING (BASIC) COMMITTEE FROM A MEMBERSHIP OF NINE TO A MEMBERSHIP OF SEVEN. MOTION CARRIED 4-0.

Action Team – Food Connects and Brattleboro Area Prevention Coalition. Schoales said that the Board was asked to appoint him to serve on an action team as a Selectboard member for the purpose of implementing community-based Farm to School program that was being funded by a Vermont Department of Health grant awarded to Food Connects and the Brattleboro Area Prevention Coalition. He discussed the request made by Katherine Gillespie in her e-mail to Gartenstein and Moreland. He said that the grantee would work with key community members, community leaders, and municipal staff to mobilize the community and support the implementation of municipal level strategies leading to increased access to physical activity and/or healthy food. There was some discussion by the Board.

MOTION BY DONNA MACOMBER TO APPOINT DAVID SCHOALES AS BRATTLEBORO REPRESENTATIVE TO THE ACTION TEAM. MOTION CARRIED 4-0.

Committee Appointments – O'Connor said that the Board was asked to make appointments to various committees: She nominated the following:

Arts Committee - Hugh Keelan for a term ending June, 2017

Citizen Police Communications Committee (CPCC) - Ann Wright for a term ending June, 2016

Development Review Board (Alternate) – remove David Cadran (at his request)

Development Review Board - David Cadran for a term ending June, 2017

Energy Committee - Thomas Finnell for a 2-year terms ending June, 2016

Honor Roll - E. David Wright for a term ending June, 2015

Recreation & Parks Board - Renee Woliver for a term ending June, 2017

Traffic Safety Committee – Leo Schiff at the recommendation by the Chamber of Commerce for a two-year term ending June, 2016

In-House Positions:

Collector of Taxes - Patrick Moreland for a term ending June, 2015

Road Commissioner - Steve Barrett for a term ending June, 2015

MOTION BY DONNA MACOMBER TO APPROVE THE NOMINATIONS. MOTION CARRIED 4-0.

CORRESPONDENCE AND MEETINGS

Schoales read the dates and times of Town committee meetings and other upcoming events.

O'Connor said that the Board would enter into executive session and that it would not conduct further business after the session.

MOTION BY KATE O'CONNOR TO ENTER INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER WHERE THE SELECTBOARD HAS CONCLUDED THAT PREMATURE

PUBLIC KNOWLEDGE AND DISCLOSURE WOULD PLACE THE MUNICIPALITY AT A SUBSTANTIAL DISADVANTAGE. MOTION CARRIED 4-0.

O'Connor reconvened the meeting at 8:03pm. There was no further business.

MOTION BY DONNA MACOMBER TO ADJOURN AT 8:03PM. MOTION CARRIED 4-0.

David Schoales, Clerk