

**BRATTLEBORO SELECTBOARD  
TUESDAY, JULY 7, 2015  
COMMITTEE INTERVIEWS – 5:15PM  
EXECUTIVE SESSION – 5:30PM  
REGULAR MEETING – 6:15PM  
MINUTES**

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

Staff present: Town Manager Peter B. Elwell, Assistant Town Manager Patrick Moreland, Finance Director John O'Connor, Planning Director Rod Francis, and Executive Secretary Jan Anderson.

Media present: Tim Johnson representing WTSA.

Others present: James Banslaben, Martha Ratcliffe, Pat Smith, Moss Kahler, Dick DeGray, Kate Anderson, Greg Worden, Matt Livingston, Dora Bouboulis, Michelle Simpson-Siegel, Jen Austin, Jim Verzino, Pal Borofsky, Greg Worden, Matt Livingston, ASL Interpreters Janet Dickinson and Christine Bricault, BCTV staff and volunteers, and others who did not sign the attendance sheet.

Chair Gartenstein called the meeting to order at 5:20pm in the Selectboard meeting room in the Selectboard meeting room. He confirmed that the meeting was officially warned.

Committee Interviews – The Board interviewed Pat Smith and Martha Ratcliffe, candidates for the Town representative on the Brattleboro Housing Partnerships Board. Gartenstein thanked the candidates for volunteering for the position and said that the Board would make appointments later in the regular meeting.

**MOTION BY DAVID GARTENSTEIN TO ENTER INTO EXECUTIVE SESSION TO DISCUSS APPOINTMENTS, NEGOTIATIONS REGARDING REAL ESTATE PURCHASE OR LEASE OPTIONS, AND CONTRACTS, WHERE PREMATURE GENERAL PUBLIC KNOWLEDGE WOULD CLEARLY PLACE THE SELECTBOARD, THE TOWN, AND THE PEOPLE INVOLVED AT A SUBSTANTIAL DISADVANTAGE. THE TOWN MANAGER WAS INVITED TO ATTEND. MOTION CARRIED 5-0.**

Chair Gartenstein reconvened the meeting at 6:22pm.

***APPROVE MINUTES***

**MOTION BY JOHN ALLEN TO APPROVE THE MINUTES FROM JUNE 16, 2015 AS PRESENTED. MOTION CARRIED 5-0.**

***CHAIR'S REMARKS***

Chair Gartenstein thanked the organizers of the 4th of July festivities, including the parade and fireworks display. He announced that Route 30 would be closed to all traffic under the I-91 overpass on Thursday, July 9 from 3:00am to 11:00am to allow for construction on the I-91 Bridge. He also noted that the item on tonight's agenda regarding the Exit One Industrial Park would be removed in order to allow more time for the complex negotiations to take place. He also noted that several previous Selectboard members were present in the audience and he thanked them for their continued participation in Town government.

***MANAGER'S COMMENTS***

Elwell spoke about adjustments to the time table for particular projects in the annual Selectboard Goals, including the Comprehensive Review of Town Operations, amending the Land Use Regulations, and the Police-Fire facilities project. He also provided a brief status of ongoing projects in town, including the receipt of a grant and the anticipated release of an RFP for the Green Street retaining wall project, the Main Street sidewalk project, safety improvements to the Municipal Center, and the receipt of a one-year extension for completion of the NEA Our Town grant project.

### **SELECTBOARD COMMENTS AND COMMITTEE REPORTS**

Gartenstein provided an opportunity for Board members to discuss for a final time the type of wall and material to be used in restoring the Green Street retaining wall. There was a brief discussion by the Board and no changes were made to the prior decision.

Macomber said that the Traffic Safety Committee met recently, and she discussed positive effects that the committee's work has had on driver behaviors regarding pedestrians and crosswalks. She said that the committee would continue to work with Local Motion to improve safety and possibly initiate an additional promotion to distribute reflective leg bands for bicyclists and pedestrians.

Schoales spoke about the recent murders at a church in South Carolina and he encouraged the public to continue to address racism in this country and work to eliminate it.

Allen said he expected that the Police-Fire Facilities Project would begin to move forward again and asked that the Police-Fire Facilities Building Committee be prepared to meet again soon.

### **PUBLIC PARTICIPATION**

Dora Bouboulis announced that the Southern Vermont Dance Festival would take place next week and she discussed many of the events scheduled. She invited the public to attend and participate.

### **NEW BUSINESS**

Set Tax Rate – FY16 Property Taxes. Gartenstein said that the Board was asked to set the Property Tax Rates for Fiscal Year 2016. Finance Director O'Connor provided and discussed a memo dated June 30, 2015 with the proposed tax rates. There was some discussion by the Board.

**MOTION BY KATE O'CONNOR TO APPROVE A MUNICIPAL TAX RATE OF \$1.1607 PER \$100.00 OF ASSESSED VALUATION FOR GENERAL FUND OPERATIONS, AN ADDITIONAL \$0.1356 PER \$100.00 OF ASSESSED VALUATION FOR THE DOWNTOWN IMPROVEMENT DISTRICT, AN ADDITIONAL \$6.7206 PER \$100.00 OF ASSESSED VALUATION FOR THE TRI-PARK SPECIAL ASSESSMENT, AND TO RATIFY THE STATE MANDATED EDUCATION RATES AT \$1.6769 PER \$100.00 OF ASSESSED VALUATION FOR HOMESTEAD PROPERTIES AND \$1.5048 PER \$100.00 OF ASSESSED VALUATION FOR NON-RESIDENTIAL PROPERTIES. MOTION CARRIED 4-0 (SCHOALES WAS NOT PRESENT AT THE TIME OF THE VOTE).**

Pay-As-You-Throw – Program Update. Assistant Town Manager Patrick Moreland and Pay-As-You-Throw (PAYT) Coordinator Moss Kahler provided the Board with a status report on the transition to the new PAYT solid waste program and participation in the curbside recycling and composting programs. Kahler noted that additional compost carts were on order. Moreland also discussed enforcement efforts. There were many questions and much discussion by the Board.

### **NO ACTION TAKEN.**

Exit 1 Industrial Park – Potential Agreement with Brattleboro Development Credit Corporation (BDCC) re: G.S. Precision Expansion. This matter was removed from the agenda.

### **NO ACTION TAKEN.**

Town Participation in WCEDP Advisory Committee -- For distribution of "Entergy Money". Gartenstein noted that earlier in the year, the Selectboard set a list of goals to accomplish this year and it specifically addressed the role of the Board in economic development in the town and region. He said that the Town advocated for and has now earned a seat at the table in the discussions of determining and administering distribution of the Entergy Vermont Yankee funds as the result of the shutdown of the VY nuclear power plant. Elwell said the Town was now formally on the Windham County Economic Development Program (WCEDP) Advisory Committee and that the first meeting was held earlier in the day. He said that the State would hear recommendations from the Advisory Committee and then determine procedures for administration of the program and the selection of participants in the distribution of the funds. He

discussed the program, the Advisory Committee and its various participants. He said that the Board was asked to appoint a permanent member to represent the Town on the WCEDP Advisory Committee. There were many questions and much discussion by the Board.

**MOTION BY DAVID GARTENSTEIN TO APPOINT PETER ELWELL TO REPRESENT THE TOWN OF BRATTLEBORO ON THE WINDHAM COUNTY ECONOMIC DEVELOPMENT PROGRAM ADVISORY COMMITTEE. MOTION CARRIED 5-0.**

Downtown Brattleboro Alliance (f/k/a Downtown Alliance and Building a Better Brattleboro)

- i. *Update on 2014-2015 Accomplishments and 2015-2016 Work Plan*
- ii. *Potential Partnership between Downtown Brattleboro Alliance and Brooks House Developers – Discussion*

Michelle Simpson-Siegel, Jen Austin, Dick DeGray, and Jim Verzino, members from the Downtown Brattleboro Alliance (DBA), were present and provided the Board with information regarding DBA's 2014-2015 accomplishments and an update of the 2015-2016 work plan. DeGray spoke about the downtown flower and beautification programs and thanked the many participants, volunteers and donors. Simpson-Siegel spoke about the work of DBA, the economic development committee, organization committee, and promotions committee. Verzino spoke about economic development goals for DBA. There were many questions by the Board and much discussion.

Gartenstein said he understood that a conversation between DBA members and the Brook House Developers had taken place about a potential partnership regarding a proposed park in the Harmony Lot, and he asked the DBA members to discuss any proposals about the partnership and/or improvements to Harmony Lot. Simpson-Siegel spoke about various ideas and projects presented to DBA and confirmed that the Mesabi group spoke about developing a marketplace near the Harmony tunnel but said that no action had been taken by the DBA Board. DeGray spoke about a lighting project that had been presented to DBA Board in connection with the NEA Our Town grant. Gartenstein asked that the Selectboard be given a chance to participate in any project with significant public interest, such as development of the Harmony Lot. Pal Borofsky, Kate Anderson, Dora Bouboulis, and Matt Livingston provided their opinions and comments. There was some discussion by the Board.

**NO ACTION TAKEN.**

Traffic Safety Engagement with Local Motion – Memorandum of Understanding. Elwell said that the Board was asked to approve a Memorandum of Understanding (MOU) and Scope of Work (SOW) for revising and improving the Town's Traffic Calming Plan in the collaboration with Local Motion of Burlington, Vermont. He said that the Traffic Safety Committee reviewed the MOU and SOW and recommended approval by the Board. Planning Director Francis spoke about the analysis of traffic safety data presented by Local Motion. Dora Bouboulis spoke about educating the culture about traffic safety. There was a discussion by the Board.

**MOTION BY DONNA MACOMBER TO APPROVE THE MEMORANDUM OF UNDERSTANDING AND SCOPE OF WORK WITH LOCAL MOTION, AS PRESENTED. MOTION CARRIED 5-0.**

Name Private Drive – Magnolia Drive. Gartenstein said that the Board was asked to approve the name of Magnolia Drive for a private drive off of Buttonwood Drive in the Black Mountain Estates development. There was a brief discussion by the Board.

**MOTION BY JOHN ALLEN TO APPROVE THE NAME OF MAGNOLIA DRIVE, A PRIVATE DRIVE OFF OF BUTTONWOOD DRIVE IN THE BLACK MOUNTAIN ESTATES DEVELOPMENT. MOTION CARRIED 5-0.**

Award Bid – Financing for Purchase of Grader, Dump Truck and Police Cruisers. Finance Director O'Connor said that the Board was asked to award the bid for financing the purchase of a grader and dump truck for the Department of Public Works and two police cruisers for the Police Department to TD Bank for \$632,000, with a four-year capital equipment note, at a fixed annual rate of 1.51%. He said that three bids were received and TD Bank submitted the lowest bid. There was a brief discussion by the Board.

**MOTION BY DONNA MACOMBER TO AWARD THE BID TO TD BANK FOR A FOUR-YEAR \$632,000 CAPITAL EQUIPMENT NOTE, AT A FIXED ANNUAL RATE OF 1.51%, FOR THE PURCHASE OF A GRADER, DUMP TRUCK, AND TWO POLICE CRUISERS. MOTION CARRIED 5-0.**

National Endowment for the Arts (NEA) Our Town Grant – Appoint Screening Committee. Gartenstein said that the Board had expected to appoint a Screening Committee to review proposals submitted in response to the Call for Artists / Request for Proposals in connection with the NEA Our Town Grant, but only one application had been received. He suggested extending the deadline to submit applications and adding the appointments to the July 21 agenda. Dora Bouboulis suggested accepting applications from people outside of the community. There was a brief discussion by the Board.

**NO ACTION TAKEN.**

Committee Appointments – Gartenstein said that the Board was asked to appoint members to various boards and committees for the year starting July 1, 2015. There was no discussion by the Board.

**MOTION BY DAVID GARTENSTEIN TO APPOINT JANET BAILEY AND ERICA BREEN TO THE AGRICULTURAL ADVISORY BOARD FOR TERMS ENDING JUNE, 2018. MOTION CARRIED 5-0.**

**MOTION BY DAVID GARTENSTEIN TO APPOINT ADAM SALVIANI TO THE ARTS COMMITTEE FOR A TERM ENDING JUNE, 2016. MOTION CARRIED 5-0.**

**MOTION BY DAVID GARTENSTEIN TO APPOINT GEORGE HARVEY TO THE ENERGY COMMITTEE FOR A TERM ENDING JUNE, 2018. MOTION CARRIED 5-0.**

**MOTION BY DAVID GARTENSTEIN TO APPOINT RACHEL ZAMORE TO THE PLANNING COMMISSION FOR A TERM ENDING JUNE, 2019. MOTION CARRIED 5-0.**

**MOTION BY DAVID GARTENSTEIN TO APPOINT DYLAN MACKINNON TO THE TREE ADVISORY COMMITTEE FOR A TERM ENDING JUNE, 2018. MOTION CARRIED 5-0.**

Gartenstein asked for nominations for the Brattleboro Housing Partnerships Board.

Macomber nominated Martha Ratcliffe.

Schoales nominated Patricia Smith.

Gartenstein asked for votes for Martha Ratcliffe. Votes totaled 3.

Gartenstein asked for votes for Patricia Smith. Votes totaled 4.

**PATRICIA SMITH WAS APPOINTED TO THE BRATTLEBORO HOUSING PARTNERSHIPS BOARD WITH 4 VOTES.**

Gartenstein announced that the Board would re-enter into executive session and that no action would be taken during or after the executive session.

**MOTION BY DAVID GARTENSTEIN TO RE-ENTER EXECUTIVE SESSION TO DISCUSS REAL ESTATE OPTIONS AND CONTRACTS, WHERE PREMATURE GENERAL PUBLIC KNOWLEDGE AND DISCLOSURE WOULD CLEARLY PLACE THE TOWN, THE SELECTBOARD, AND THE PEOPLE INVOLVED AT A SUBSTANTIAL DISADVANTAGE. THE TOWN MANAGER WAS INVITED TO ATTEND. MOTION CARRIED 5-0.**

There was no further business.

**MOTION BY DONNA MACOMBER TO ADJOURN AT 9:10 PM. MOTION CARRIED 5-0.**

---

David Schoales, Clerk