

**BRATTLEBORO SELECTBOARD
TUESDAY, JULY 21, 2015
COMMITTEE INTERVIEWS – 5:15PM
EXECUTIVE SESSION – 5:45PM
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 B. Elwell, Assistant Town Manager Patrick Moreland, Finance Director John O'Connor, Public Works Director Steve Barrett, Fire Chief Mike Bucossi, Assistant Fire Chief Peter Lynch, Police Chief Mike Fitzgerald, Police Captain Mark Carignan, 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: James Bansleben, Danny Lichtenfeld, Valerie Stuart, Petria Mitchell, Gail Nunziata, Avery Schwenk, Cassandra Holloway, Anita Todd, Kathleen White, Adam Salviani, Karen Cribari, Cassandra Holloway, Susan Rosano, Ellen Williams, Melanie Storm, ASL Interpreters Janet Dickinson and Elizabeth Bjerke, BCTV staff and volunteers, and others who did not sign the attendance sheet.

Chair Gartenstein called the meeting to order at 5:17pm in the Selectboard meeting room in the Municipal Center. He confirmed that the meeting was officially warned.

Committee Interviews – The Board interviewed nine candidates for the NEA “Our Town” Grant Screening Committee. There was some discussion about formation of the committee and the process around it. Gartenstein thanked the candidates for volunteering to be on the committee and said that the Board would make appointments later in the regular meeting.

MOTION BY DAVID GARTENSTEIN TO ENTER INTO EXECUTIVE SESSION TO DISCUSS CONTRACTS, APPOINTMENTS, AND THE NEGOTIATING OR SECURING OF REAL ESTATE PURCHASE OR LEASE OPTIONS, WHERE THERE IS A FINDING THAT PREMATURE GENERAL PUBLIC KNOWLEDGE WOULD CLEARLY PLACE THE MUNICIPALITY, PEOPLE INVOLVED, AND THE TOWN AT A SUBSTANTIAL DISADVANTAGE. THE TOWN MANAGER WAS INVITED TO ATTEND. MOTION CARRIED 4-0 (MACOMBER WAS NOT PRESENT AT THE TIME OF THE VOTE).

Chair Gartenstein reconvened the meeting at 6:20pm.

APPROVE MINUTES

MOTION BY DAVID SCHOALES TO APPROVE THE MINUTES FROM JUNE 30 AND JULY 7, 2015 AS PRESENTED. MOTION CARRIED 4-0 (MACOMBER WAS NOT PRESENT AT THE TIME OF THE VOTE).

CHAIR'S REMARKS

Chair Gartenstein announced the retirement of Library Director Jerry Carbone and expressed appreciation for his 37 years of hard work at the library and 24 years as Director. He said that a process would unfold over the coming months involving management and the Library Board of Trustees to select a new Director. He also commended the Police Department for their effective and diligent work in arresting suspects involved in some high profile criminal activity over the past two or three weeks. He also thanked everyone who contributed to solving the crimes. Gartenstein said that the Main Street sidewalk construction project would begin on August 3 and he asked the public and business owners to be patient while some disruption occurred downtown this summer.

MANAGER'S COMMENTS

Elwell provided an update on the rolling out of the new pay-as-you-throw (PAYT) solid waste program. He said that the compliance rate was nearly 90% and continued to improve, which was better than expected at this early stage in the process. He noted that Walgreens had subsequently agreed to sell the required PAYT bags. He also announced that the compost bins on backorder would be distributed on August 1 from 10am to 2pm at the Living Memorial Park skating rink.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

O'Connor encouraged the public to continue to shop downtown while the sidewalk improvement project was underway.

Schoales announced that the Windham Solid Waste Management District Board (WSWMD) voted last week to award a contract for the installation of solar panels on former landfill site. He said that the District expected to reduced electric bills and provide savings to the Towns within the District.

Allen thanked the public for its cooperation with implementation of the new PAYT program.

PUBLIC PARTICIPATION

None.

LIQUOR COMMISSIONERS

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

Special Event Permit – Hermit Thrush Brewery, LLC, Pints at Brattleboro Film Festival Summer Cinema Slam on August 8. Gartenstein said that the Board was asked to approve the special event permit for Hermit Thrush Brewery, LLC, for an outdoor fundraiser for the Brattleboro Film Festival sponsored by 118 Elliot Street. Avery Schwenk, co-owner of Hermit Thrush Brewery, spoke about the fundraiser event. There was a brief discussion by the Board.

MOTION BY DONNA MACOMBER TO APPROVE THE SPECIAL EVENT PERMIT FOR HERMIT THRUSH BREWERY, LLC, FOR AN OUTDOOR FUNDRAISER FOR THE BRATTLEBORO FILM FESTIVAL AT 118 ELLIOT STREET ON AUGUST 8, 2015. MOTION CARRIED 5-0.

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

WATER AND SEWER COMMISSIONERS

MOTION BY DAVID SCHOALES TO CONVENE AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 5-0.

Water and Sewer Abatements – Tri-Park. Elwell said that the Board was asked to abate certain past due utility charges for Tri-Park Cooperative Housing. He said that the total amount asked to be rebated was \$7,662.90, including services at several sites that were terminated and capped due to damages from Tropical Storm Irene (\$3,077.28), and services at other sites containing abandoned mobile homes (\$4,485.62). He said that a resolution with Tri-Park had been negotiated addressing previous and on-going charges. Finance Director O'Connor spoke briefly about the resolution. There was a brief discussion.

MOTION BY KATE O'CONNOR TO ABATE PAST DUE UTILITY CHARGES FOR TRI-PARK COOPERATIVE HOUSING IN THE TOTAL AMOUNT OF \$7,662.90. MOTION CARRIED 5-0.

Emergency Purchase of Replacement Pumps – Exit 1 Industrial Park Wastewater Pump Station. Public Works Director Barrett said that the Board was asked to approve funds for the emergency replacement of pumps at the Utilities Division Exit #1 Industrial Park wastewater pump station for a cost of \$22,837. He discussed the age of the infrastructure, growth of businesses at the Industrial Park, and inability of the existing pumps to keep up with the discharge flow. There was some discussion by the Board.

MOTION BY JOHN ALLEN TO APPROVE THE EMERGENCY REPLACEMENT OF PUMPS AT THE UTILITIES DIVISION EXIT #1 INDUSTRIAL PARK WASTEWATER PUMP STATION FOR A COST OF \$22,837. MOTION CARRIED 5-0.

MOTION BY DAVID SCHOALES TO ADJOURN AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 5-0.

NEW BUSINESS

Tobacco Advertising Education – Brattleboro Area Middle School Vermont Kids Against Tobacco (VKAT) and Brattleboro Area Prevention Coalition. Cassandra Holloway, from Brattleboro Area Prevention Coalition (BAPC), and Melanie Storm and Anita Todd, from Brattleboro Area Middle School Vermont Kids Against Tobacco (VKAT), were present. Holloway discussed the partnership with BAPC and VKAT to educate the community about the health hazards of tobacco and influence of tobacco advertising on youth. Todd and Storm discussed efforts by VKAT to audit cigarette advertising by stores on Canal Street, an area near the Middle School and High School. They provided a short presentation with statistics about cigarette advertisements. They said that they would work with the Town to enforce the sign ordinances and encourage retailers to comply with the ordinances in order to reduce the amount of cigarette advertising space in windows. There was a brief discussion by the Board.

NO ACTION TAKEN.

Financial Report – Monthly Report, June, Preliminary FY15 Year-end. Finance Director O'Connor provided and reviewed a preliminary financial report for June 2015 and year-end fiscal year 2015. He said that a final report would be presented to the Board when available. There was some discussion by the Board.

NO ACTION TAKEN.

Police-Fire Facilities Project – Update and Next Steps. Gartenstein recited a history of the project, including the previous approval of the project and bond by Representative Town Meeting, and the budget referendum by the public at-large. He said that the Town Manager had recently been asked to review the project, study the programmatic needs of the departments, and review various changes and alternatives that could be made to the project in order to save money. He said that the current overview of the project contemplated leaving plans for the West Brattleboro Fire station as designed, building a two-story building for Central Fire Station (rather than three-story), and reviewing two alternatives for the Police Department, including to keep the department within the existing footprint at the Municipal Center or to move it to a different location on Putney Road. He said there would be public discussion about the possibility of moving the department but cost estimates for both alternatives would be required first. Elwell said that in order to re-examine the modified project, it would be necessary to obtain conceptual floor plans and receive comparative cost estimates, as well as to update the previous estimates. He asked for authority to spend \$3,000 for the Project Manager and \$4,500 for architects, for a total of \$7,500. Gartenstein said that life safety improvements to the facilities would be required whether or not the renovation project moved forward. Weiss-Tisman inquired about how the public would be included in the revised concepts. Tim Johnson inquired about the funds. There was much discussion by the Board.

MOTION BY DAVID GARTENSTEIN TO AUTHORIZE THE TOWN MANAGER TO SPEND A SUM NOT TO EXCEED \$7,500 TO WORK WITH CONSULTANTS TO PROVIDE ADDITIONAL INFORMATION ABOUT THE POLICE-FIRE FACILITIES RENOVATION PROJECT. MOTION CARRIED 5-0.

Commit Funds to Project, Adopt ACCD Resolution, and Accept and Appropriate ACCD Grant – Green Street Retaining Wall. Elwell said that the Board was asked to commit the remaining match funds (\$157,500 from the balance of the capital fund) to the Green Street Retaining Wall project, to adopt the resolution regarding the Urgent Needs Grant, and to accept and appropriate the grant in the amount of \$300,000. There was a brief discussion by the Board.

MOTION BY KATE O'CONNOR TO COMMIT \$157,500 FROM THE FUND BALANCE OF THE CAPITAL FUND TO THE GREEN STREET RETAINING WALL PROJECT. MOTION CARRIED 5-0.

MOTION BY DAVID SCHOALES TO ADOPT THE RESOLUTION FROM THE AGENCY OF

COMMERCE AND COMMUNITY DEVELOPMENT, TO ACCEPT THE GRANT AWARD CONDITIONS, TO APPROPRIATE THE SUM OF \$300,000 FOR THE GREEN STREET RETAINING WALL PROJECT, TO NAME KIM ELLISON AS THE GRANT ADMINISTRATOR, AND TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE AGREEMENT. MOTION CARRIED 5-0.

Award Bid – FY16 Paving Project, Department of Public Works. Public Works Director Barrett said that the Board was asked to award the bid for the FY16 paving project to BDM Sweeper Services of Keene, New Hampshire, in the amount of \$254,865.80. He briefly discussed his memo dated July 10, 2015, that was included in the Board's packets. There was a brief discussion by the Board.

MOTION BY DONNA MACOMBER TO AWARD THE BID FOR THE FY16 PAVING PROJECT TO BDM SWEEPER SERVICES OF KEENE, NEW HAMPSHIRE, IN THE AMOUNT OF \$254,865.80. MOTION CARRIED 4-0 (SCHOALES WAS NOT PRESENT AT THE TIME OF THE VOTE).

Award Bid - Assistant Fire Chief's Vehicle, Fire Department. Elwell said that the Board was asked to award the bid for the purchase of a 2015 GMC Sierra pickup truck to Auto Mall of Brattleboro, Vermont, in the amount of \$30,546.16 for the replacement of the Assistant Fire Chief's vehicle. There was no discussion by the Board.

MOTION BY DAVID GARTENSTEIN TO AWARD THE BID FOR THE PURCHASE OF A 2015 GMC SIERRA PICKUP TRUCK TO AUTO MALL OF BRATTLEBORO, VERMONT, IN THE AMOUNT OF \$30,546.16. MOTION CARRIED 5-0.

Accept and Appropriate Grant – AVCC Tiny Grant, Planning Department. Elwell said that the Board was asked to accept and appropriate a \$450 grant to pay for trail work between Western Avenue and Greenleaf Street. There was no discussion by the Board.

MOTION BY KATE O'CONNOR TO ACCEPT AND APPROPRIATE A \$450 GRANT FROM THE VERMONT COMMUNITY FOUNDATION FOR TRAIL WORK BETWEEN WESTERN AVENUE AND GREENLEAF STREET. MOTION CARRIED 5-0.

Accept and Appropriate Grant – Brownfields Assessment Grant, Planning Department. Elwell said that the Board was asked to accept and appropriate a \$400,000 Brownfields Assessment Grant from the U.S. Environmental Protection Agency. There was a brief discussion by the Board about the diligent work of Planning Department to obtain the grant.

MOTION BY JOHN ALLEN TO ACCEPT AND APPROPRIATE A \$400,000 GRANT FROM THE U.S.E.P.A. TO INVENTORY, CHARACTERIZE, ASSESS, AND CONDUCT PLANNING AND COMMUNITY INVOLVEMENT RELATED TO LOCAL BROWNFIELD SITES. MOTION CARRIED 5-0.

Accept and Appropriate Grant – 1st Wednesdays FY16 Grant, Library Department. Elwell said that the Board was asked to accept and appropriate a \$650 grant from the Vermont Department of Libraries to support the First Wednesday Lecture Series at Brooks Memorial Library. There was no discussion by the Board.

MOTION BY KATE O'CONNOR TO ACCEPT AND APPROPRIATE A \$650 GRANT FROM THE VERMONT DEPARTMENT OF LIBRARIES TO SUPPORT THE FIRST WEDNESDAY LECTURE SERIES AT BROOKS MEMORIAL LIBRARY.

Committee Appointments

- i. *Ad Hoc NEA "Our Town" Grant Screening Committee*
- ii. *Other Committees/Boards*

Gartenstein said that the Board was asked to create the initial Screening Committee for the NEA "Our Town" Grant public arts project. He said that nine people were interviewed earlier in the evening and two of them requested to be considered for the Selection Committee later in the process. He also briefly discussed the process to review the proposals and provide recommendations to the Board. There was a brief discussion about how many members should be included in the Screening Committee.

MOTION BY DAVID GARTENSTEIN TO CREATE A NEA "OUR TOWN" GRANT SCREENING COMMITTEE WITH SEVEN MEMBERS. MOTION CARRIED 5-0.

There was a brief discussion about nomination of members.

DAVID SCHOALES NOMINATED VALERIE STUART, DANNY LICHTENFELD, PETRIA MITCHELL, GAIL NUNZIATA, CASSANDRA HOLLOWAY, KAREN CRIBARI, AND ADAM SALVIANI FOR THE SCREENING COMMITTEE. NOMINATIONS CARRIED 5-0.

There was no further business.

MOTION BY DONNA MACOMBER TO ADJOURN AT 7:55PM. MOTION CARRIED 5-0.

David Schoales, Clerk