

**BRATTLEBORO SELECTBOARD
TUESDAY, SEPTEMBER 15, 2015
EXECUTIVE SESSION – 5:30PM
REGULAR MEETING – 6:15PM
MINUTES**

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

Staff present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Finance Director John O'Connor, Town Assessor Russell Rice, and Executive Secretary Jan Anderson.

Media present: Tim Johnson representing WTSA and Chris Mays representing the Brattleboro Reformer.

Others present: James Banslaben, Darah Kehnemuyi, 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 5:30pm 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 CONTRACTS, LABOR RELATIONS AGREEMENTS WITH EMPLOYEES, PENDING OR PROBABLE CIVIL LITIGATION OR PROSECUTION TO WHICH THE TOWN IS OR MAY BE A PARTY, AND NEGOTIATING OR SECURING OF REAL ESTATE PURCHASE OR LEASE OPTIONS, BASED UPON A FINDING THAT PREMATURE GENERAL PUBLIC KNOWLEDGE WOULD CLEARLY PLACE THE TOWN, SELECTBOARD AND PEOPLE INVOLVED AT A SUBSTANTIAL DISADVANTAGE. PETER ELWELL [TOWN MANAGER] AND RUSSELL RICE [TOWN ASSESSOR] WERE INVITED TO ATTEND. MOTION CARRIED 4-0.

Gartenstein reconvened the meeting at 6:20pm.

APPROVE MINUTES

MOTION BY DONNA MACOMBER TO APPROVE THE MINUTES FROM SEPTEMBER 1, 2015 AS PRESENTED. MOTION CARRIED 4-0.

CHAIR'S REMARKS

Chair Gartenstein reviewed the ongoing sidewalk reconstruction project. He also introduced and welcomed Darah Kehnemuyi, the new Executive Director at the Brattleboro Community Justice Center. Mr. Kehnemuyi said that he had been a volunteer at the BCJC for ten years and was pleased to have been hired as Executive Director. He spoke briefly about the programs provided by the BCJC.

MANAGER'S COMMENTS

Town Manager Elwell spoke about the status of the sidewalk replacement project. He said that the project was moving steadily and that the disruptive part of the work would continue for two or three more weeks. Kate O'Connor reminded the public that businesses were open during the work and she invited people to support the downtown store.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

Macomber reported that the Town Arts Committee would hold a special meeting on Tuesday, September 22 at 4:00pm to hold a roundtable discussion to promote arts and hear new ideas for art in the Town. She read an invitation issued by Hugh Keelan, the facilitator of the roundtable discussion. She said that the meeting was open to the public and invited interested persons to attend.

PUBLIC PARTICIPATION

None.

NEW BUSINESS

Financial Report – June, 2015 Year-End Financial Report (Unaudited Results). Finance Director John O'Connor provided and discussed the unaudited FY2015 year-end financial report. He said that the financial results were positive across the board. There was some discussion by the Board, including the use and maintenance of the unassigned fund balance

NO ACTION TAKEN.

Financial Report – Monthly Report, August. Finance Director O'Connor provided and discussed the August monthly report. There was a brief discussion by the Board, including the early financial results from the solid waste program.

NO ACTION TAKEN.

Ordinance Amendments – Second Reading and Public Hearing
(i) *Appendix C, Article I, Section 16-87 (Loading and Unloading Zones);*
(ii) *Appendix C, Article II, Section 16-100 (No Parking Areas);*
(iii) *Chapter 16, Article I, Section 16-7 (Parking Citation Appeal Process).*

Gartenstein said that the Board was asked to hold a second reading and public hearing on proposed amendments to three parking ordinances. He read the amendments to Appendix C and spoke about the new parking citation appeal process added to Chapter 16. There was no discussion by the Board.

Gartenstein opened the public hearing. There was no public comment.
Gartenstein closed the public hearing.

MOTION BY JOHN ALLEN TO APPROVE THE AMENDMENTS TO CHAPTER 16 AND TO APPENDIX C OF THE BRATTLEBORO CODE OF ORDINANCES AS PRESENTED. MOTION CARRIED 4-0.

Municipal Center Life Safety Improvements – Elwell said that the Board was asked to approve a plan for submission to the Vermont Division of Fire Safety for completion of life safety improvements at the Municipal Center and to commit funds from the FY17 budget to completion of Phase 2 of the project. He said that the State Division of Fire Safety issued an order earlier this year requiring a series of life safety improvements, including a complete fire alarm system, fire sprinkler system, the sealing of all wall and floor penetrations and the construction of separate fire rated egress corridors. He said that an agreement had been negotiated with the Division to complete the necessary work in three phases, and that Phase 1 (installing new fire alarm system) was nearly complete and appeared to be under budget. He said that the Division requested a commitment of funds for Phase 2 and approval of the Plan by September 30, 2015. He said that the cost of Phase 2 was approximately \$140,000, with an additional cost of \$25,000 to extend the water line which would be borne by the Utility Fund. He said that Phase 3 consisted of a variety of building modifications to bring the building up to fire code and the approximate cost was \$280,000. There was substantial discussion by the Board. Allen spoke of his concerns about the affordability of maintaining and keeping the Municipal Center and suggested not spending the funds until more was known about the Police-Fire Facilities Project. Other Board members discussed the responsibility and obligation of maintaining Town assets in a safe manner and meeting the requirements of the Fire Division and the fire codes. Gartenstein said that he anticipated that the Board would publicly discuss the Police-Fire Facilities Project at the special Selectboard meeting on September 29.

MOTION BY KATE O'CONNOR TO APPROVE THE PLAN FOR PHASE TWO AND THREE AS PRESENTED AND TO STATE THE SELECTBOARD'S COMMITMENT TO INCLUDE FUNDING FOR PHASE TWO IN THE FY17 BUDGET. MOTION CARRIED 4-0.

Accept and Appropriate Grant – VDEMHS Law Enforcement Terrorism Prevention Program. Elwell said that the Board was asked to accept and appropriate a grant on behalf of the Brattleboro Police Department for funds to upgrade one police cruiser with the addition of a mobile data terminal. There was no discussion by the Board.

MOTION BY DONNA MACOMBER TO ACCEPT AND APPROPRIATE A LAW ENFORCEMENT TERRORISM PREVENTION GRANT IN THE AMOUNT OF \$4,499.12 FROM THE VERMONT DEPARTMENT OF PUBLIC SAFETY FOR THE PURCHASE OF A MOBILE DATA TERMINAL. MOTION CARRIED 4-0.

Accept and Appropriate Grant – VDEMHS Special Operations Capabilities Enhancement Grant. Elwell said that the Board was asked to accept and appropriate a grant on behalf of the Brattleboro Fire Department for the purchase of public safety equipment, including: gloves; saws; spot lights and other technical rescue equipment. There was no discussion by the Board.

MOTION BY KATE O’CONNOR TO ACCEPT AND APPROPRIATE A SPECIAL OPERATIONS CAPABILITIES ENHANCEMENT GRANT IN THE AMOUNT OF \$6,263 FROM THE VERMONT DEPARTMENT OF PUBLIC SAFETY FOR THE PURCHASE OF PUBLIC SAFETY EQUIPMENT. MOTION CARRIED 4-0.

Accept and Appropriate Grant – VCOMM Grant. Elwell said that the Board was asked to accept and appropriate a grant on behalf of the Brattleboro Fire Department for the purchase of two digital mobile radios. There was no discussion by the Board.

MOTION BY JOHN ALLEN TO ACCEPT AND APPROPRIATE A VCOMM GRANT IN THE AMOUNT OF \$7,572.80 FROM THE VERMONT DEPARTMENT OF PUBLIC SAFETY FOR THE PURCHASE OF TWO MOBILE RADIOS. MOTION CARRIED 4-0.

Committee Appointment. Gartenstein said that the Board was asked to appoint Christine Linn to the Citizen Police Communications Committee (CPCC) for a term ending June, 2017. There was no discussion.

MOTION BY KATE O’CONNOR TO APPOINT CHRISTINE LINN TO THE CITIZEN POLICE COMMUNICATIONS COMMITTEE (CPCC) FOR A TERM ENDING JUNE, 2017. MOTION CARRIED 4-0.

There was no further business.

MOTION BY JOHN ALLEN TO ADJOURN AT 7:14PM. MOTION CARRIED 4-0.

David Schoales, Clerk