

**BRATTLEBORO SELECTBOARD
TUESDAY, SEPTEMBER 16, 2014
EXECUTIVE SESSION – 5:30PM
REGULAR MEETING – 6:15PM
MINUTES**

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

Staff present: Interim Town Manager Patrick Moreland, Finance Director John O'Connor, and Executive Secretary Jan Anderson.

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

Others present: Corwin Elwell, Bob Spencer, Peter Gaskill, Norman Mallory, Carl Hirth, John Wilmerding, Jane Southworth, 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. He confirmed that the meeting was officially warned.

MOTION BY DAVID GARTENSTEIN TO ENTER EXECUTIVE SESSION TO DISCUSS APPOINTMENT OR EMPLOYMENT OF A PUBLIC OFFICER OR EMPLOYEE, AND ACCOMPANY THAT WITH A REQUEST FOR FINDING THAT PREMATURE PUBLIC KNOWLEDGE WOULD CLEARLY PLACE THE TOWN AND THE PERSON INVOLVED IN THE PROCESS AT A SUBSTANTIAL DISADVANTAGE. MOTION CARRIED 5-0.

Chair Gartenstein reconvened the meeting at 6:15pm.

APPROVE MINUTES

MOTION BY DAVID SCHOALES TO APPROVE THE MINUTES FROM SEPTEMBER 2, SEPTEMBER 5, AND SEPTEMBER 8, 2014, AS PRESENTED. MOTION CARRIED 5-0.

CHAIR'S REMARKS

Chair Gartenstein said that the Board met on September 8 to begin discussions about the FY16 budget. He said that the Administration was asked to provide the Board with formulations of proposed budgets, including a level-service budget, level-funded budget as to tax levy, and level-funded budget as to the amount of money to be spent. He said that the Board would review the proposed budgets and continue budget discussions within six to eight weeks. He also mentioned that the retaining wall off of Green Street was failing and consequently Green Street Extension was closed and tests were being performed in order to stabilize the wall. Gartenstein said that traffic calming devices that were recently installed on Western Avenue seemed to have a calming effect on traffic. He mentioned three recent vehicular incidents in town and encouraged drivers to drive safely.

MANAGER'S COMMENTS

None.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

John Allen said that spirited discussions took place recently at a Windham Solid Waste Management District (WSWMD) meeting, including pay-as-you-throw, solar panels, recycling, fee-for-service, and financial discussions with other towns in the District. Moreland, who was also at the meeting, added that discussions around equal program and financial distributions among other towns were conducted in order to comply with the provisions of Act 148.

PUBLIC PARTICIPATION

John Wilmerding, Town representative to the Connecticut River Transit (CRT) Board, said that Connecticut River Transit may merge with Deerfield Valley Transit Authority. He discussed his concerns about the possible elimination of municipal representatives on the Board if the merger went through. The Board asked the Interim Town Manager to contact CRT.

The Board agreed to adjust the agenda and move the Nelson E. Withington Fund Advisory Committee matter to the first matter under New Business.

NEW BUSINESS

Nelson E. Withington Fund Advisory Committee Appointment – Gartenstein said that the Board was asked to make an appointment to the Nelson E. Withington Fund Advisory Committee. Corwin Elwell, representative on the Advisory Committee, discussed Nelson Withington's legacy and the purpose of the Fund. He requested that he and Chuck Cummings be reappointed to the Advisory Committee. There was a brief discussion by the Board.

DAVID GARTENSTEIN NOMINATED CORWIN ELWELL AND CHARLES CUMMINGS AS AGENTS FOR THE NELSON E. WITHINGTON FUND ADVISORY COMMITTEE. NOMINATIONS CARRIED 5-0.

Financial Report – Monthly Report, August, Finance Department. Finance Director John O'Connor discussed the finance report for the month of August. There was no discussion by the Board.

NO ACTION TAKEN.

Pay as You Throw (PAYT) – Discussion, Town Manager. Gartenstein said that the State legislature passed Act 148 requiring towns to have a fee-based trash program, also referred to as pay-as-you-throw, by July 1, 2015. Moreland said that the PAYT Committee meets about every two weeks and has been discussing and investigating issues and concerns around defining and implementing a PAYT system. He provided and reviewed a memo given to the Board and discussed some of the accomplishments and concerns of the Committee, including pricing, program costs and expenses, types of proxies, tipping fees, program management, surrounding communities, commercial properties, and revising the ordinances to allow for the new program. Members of the PAYT Committee, Bob Spencer, Jane Southworth, Carl Hirth, and Peter Gaskill, were present and reviewed many of the aspects and concerns discussed by the Committee toward the development and implementation of a pay-as-you-throw program, as well as changes in the industry, changing technology, and equipment requirements. Norman Mallory, owner of Triple T Trucking, discussed some of the anticipated changes and said that he expected a smooth transition. There was substantial discussion by the Board, including costs, extensive education and outreach, and implementing a program sooner than July 1. It was agreed that the Committee would report back to the Board when it had substantial information to present.

NO ACTION TAKEN.

Human Services Funding – Discussion. Gartenstein said that as part of the budget discussions last year, members of the Board questioned Human Services funding. He asked that the matter be added to this agenda in order to initiate dialog about the funding. He said that historically the Human Services Review Committee accepted and reviewed applications and information from local agencies requesting such funding. There was discussion about the historical procedure, the rolls of the Town and the Committee in the process, and whether the Selectboard or Representative Town Meeting had authority over the Committee, the application process, and funding. The Board asked that Administration provide a clarification of authority over the funding process and Human Services Committee, and present it for further discussion at the October 7 Selectboard meeting.

NO ACTION TAKEN.

Accept and Appropriate Grant – VLCT 2014 PACIF Equipment Grant, Brattleboro Fire Department. Gartenstein said that the Board was asked to accept and appropriate a grant in the amount of \$150 from the Vermont League of Cities and Towns PACIF Equipment Grant Program. There was no discussion by the Board.

MOTION BY DONNA MACOMBER TO ACCEPT AND APPROPRIATE A GRANT IN THE AMOUNT OF \$150 FROM THE VLCT 2014 PACIF EQUIPMENT GRANT FOR THE PURCHASE OF 15 REFLECTIVE VESTS. MOTION CARRIED 5-0.

Accept and Appropriate Grant – *RERP FY15, Brattleboro Fire Department*. Gartenstein said that the Board was asked to accept and appropriate a grant in the amount of \$35,391 from Vermont Department of Public Safety. Moreland said that the funds would be used to reimburse expenses in connection with staff time for training and testing and for the purchase of supplies and equipment associated with radiological emergency response activities. There was no discussion by the Board.

MOTION BY DAVID SCHOALES TO ACCEPT AND APPROPRIATE A RERP GRANT IN THE AMOUNT OF \$35,391 FROM THE VERMONT DEPARTMENT OF PUBLIC SAFETY FOR REIMBURSEMENT OF STAFFING AND EQUIPMENT EXPENSES ASSOCIATED WITH BRATTLEBORO'S PARTICIPATION WITH THE VERMONT RADIOLOGICAL EMERGENCY RESPONSE PLAN. MOTION CARRIED 5-0.

Accept and Appropriate Grant – *DUI Enforcement Grant, Brattleboro Police Department*. Gartenstein said that the Board was asked to accept and appropriate a DUI Enforcement Grant in the amount of \$7,000 from the Vermont Department of Public Safety. There was no discussion by the Board.

MOTION BY JOHN ALLEN TO ACCEPT AND APPROPRIATE A GRANT IN THE AMOUNT OF \$7,000 FROM THE VERMONT DEPARTMENT OF PUBLIC SAFETY FOR DUI ENFORCEMENT. MOTION CARRIED 5-0.

Accept and Appropriate Grant – *Bureau of Justice Assistance (JAG), Brattleboro Police Department*. Gartenstein said the Board was asked to accept and appropriate a grant in the amount of \$21,073 from the Bureau of Justice Assistance for equipment and software upgrades for a CellBrite system. There was a brief discussion by the Board.

MOTION BY DAVID SCHOALES TO ACCEPT AND APPROPRIATE A GRANT IN THE AMOUNT OF \$21,073 FROM THE BUREAU OF JUSTICE ASSISTANCE FOR THE PURCHASE OF HARDWARE AND SOFTWARE UPGRADES OF A CELLBRITE SYSTEM. MOTION CARRIED 5-0.

Accept and Appropriate Grant – *2015 Occupant Protection (OP) Enforcement, Brattleboro Police Department*. Gartenstein said that the Board was asked to accept and appropriate an OP Enforcement Grant in the amount of \$5,000 from the Vermont Department of Public Safety. There was a brief discussion by the Board.

MOTION BY KATE O'CONNOR TO ACCEPT AND APPROPRIATE AN OP ENFORCEMENT GRANT IN THE AMOUNT OF \$5,000 FROM THE VERMONT DEPARTMENT OF PUBLIC SAFETY TO SUPPORT OVERTIME ASSOCIATED WITH OCCUPANT PROTECTION ENFORCEMENT ACTIVITIES. MOTION CARRIED 5-0.

Committee Appointments – Gartenstein said that the Board was asked to make appointments to various committees.

Arts Committee - **KATE O'CONNOR NOMINATED DAVID POTTER TO THE ARTS COMMITTEE. NOMINATION CARRIED 5-0.**

Planning Commission - **DAVID SCHOALES NOMINATED PAIGE MARTIN FOR THE PLANNING COMMISSION. NOMINATION CARRIED 5-0.**

Regional Economic Hub Study Group – Gartenstein said that the Board previously established the Regional Economic Hub Study Group but did not set the number of seats or the terms. He suggested that the committee initially consist of seven members, including five citizen representatives and two staff members - Patrick Moreland and Rod Francis. He said that the make-up of the committee could change as it moves forward. Moreland asked that the Board articulate a charge of the Committee and offered to

write the charge and present it to the Board. The Board agreed to discuss the matter and articulate a charge at the October 7 Selectboard meeting. There was a brief discussion by the Board.

DAVID GARTENSTEIN NOMINATED JANE SOUTHWORTH, SPOON AGAVE, PAIGE MARTIN, PAULA SCHWARTZ, AND MICHAEL BOSWORTH AS CITIZEN REPRESENTATIVES, AND PATRICK MORELAND AND ROD FRANCIS AS STAFF REPRESENTATIVES TO THE REGIONAL ECONOMIC HUB STUDY GROUP. NOMINATIONS CARRIED 5-0.

Tree Advisory Committee – **JOHN ALLEN NOMINATED ANN WRIGHT-PARSONS TO THE TREE ADVISORY COMMITTEE. NOMINATION CARRIED 5-0.**

VLCT Annual Business Meeting Delegate – *Appoint Voting Delegate*. Gartenstein said that the Board was asked to consider an appointment for a delegate to the annual business meeting of VLCT. Moreland said that the annual meeting of Vermont League of Cities and Towns (VLCT) was scheduled in October and that traditionally the Board appointed the Town Manager as the Town's delegate. There was no discussion by the Board.

MOTION BY KATE O'CONNOR TO APPOINT THE TOWN MANAGER AS THE VLCT ANNUAL MEETING DELEGATE. MOTION CARRIED 5-0.

CORRESPONDENCE AND MEETINGS

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

There was no further business.

MOTION BY DONNA MACOMBER TO ADJOURN AT 7:50PM. MOTION CARRIED 5-0.

David Schoales, Clerk