

**BRATTLEBORO SELECTBOARD
TUESDAY, OCTOBER 21, 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, Town Attorney Robert Fisher, Finance Director John O'Connor, Police Chief Mike Fitzgerald, Police Captain Mark Carignan, Police Sergeant Adam Belville, several Police Officers and members of the staff, Town Clerk Annette Cappy, Fire Chief Mike Bucossi, Assistant Fire Chief Peter Lynch, Public Works Director Steve Barrett, Highway/Utilities Superintendent Hannah O'Connell, Planning Director Rod Francis, and Executive Secretary Jan Anderson.

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

Others present: James Banslaben, Terry Ann Carter, Rebecca Hooten, Debra Souble, Christy L. Belville, Julia Belville, Carla Kamel, John W. Vorder Bruegge, Wayne R. Stires, Noah K. Stires, Scott Hamm, Steve Horton, Kathy Dowd, Tom Robertson, Michael Bosworth, Robin Sweetapple, Philip Chapman, Kristen Neuf, Randy Schoonmaker, Ann Wright, Robyn Flatley, Spoon Agave family members of many Police officers, 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 LABOR RELATIONS AGREEMENTS WITH EMPLOYEES, AND PROBABLE CIVIL LITIGATION TO WHICH THE TOWN MAY BE A PARTY, AND TO ACCOMPANY THAT WITH A FINDING THAT PREMATURE GENERAL PUBLIC KNOWLEDGE WOULD CLEARLY PLACE THE MUNICIPALITY, THE TOWN AND OTHER PEOPLE INVOLVED AT A SUBSTANTIAL DISADVANTAGE. THE INTERIM TOWN MANAGER AND TOWN ATTORNEY WERE INVITED INTO THE EXECUTIVE SESSION. MOTION CARRIED 5-0.

Chair Gartenstein reconvened the meeting at 6:20pm.

APPROVE MINUTES

MOTION BY JOHN ALLEN TO APPROVE THE MINUTES FROM OCTOBER 7, OCTOBER 8, AND OCTOBER 9, 2014. MOTION CARRIED 5-0.

CHAIR'S REMARKS

Chair Gartenstein said that the Board was continuing with its diligent work on the Town Manager search, and that in the last week it met with candidates and members of the Town Manager Search Staff and Citizens Committees, and that the Board expected to make an announcement soon. He also said that petitions had recently been received seeking to amend the Town Charter in order to allow 16 year-olds to vote, and that the Board was investigating the legality of lowering the voting age and how to submit it for vote. He said that the voting age in the State Constitution was 18 years old and ultimately any Charter changes required approval of the State legislature. Gartenstein mentioned that downtown was bustling over the Columbus Day weekend and he invited people to visit the downtown area. Finally he noted that the Town Police Department was part of the Mutual Aid system and police officers were dispatched this past weekend to Keene to assist and maintain control with events in that city. He thanked the Police Officers in their efforts to keep the community safe.

MANAGER'S COMMENTS

Interim Town Manager Moreland announced that a full 3-minute test of the Vermont Yankee warning sirens was scheduled on Saturday, November 1, at noon.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

Schoales said that the Windham Solid Waste Management District Finance Committee received and was reviewing bids for new hauling proposals, and that more much information would be available soon.

PUBLIC PARTICIPATION

James Banslaben congratulated Chief Fitzgerald and Captain Carignan on their promotions. He also thanked the Police Department for their hard work and he read two compliments that had been filed with the Citizen Police Communication Committee (CPCC).

WATER AND SEWER COMMISSIONERS

MOTION BY JOHN ALLEN TO CONVENE AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 5-0.

Award Bid – Utility Vehicle #100, Department of Public Works. Moreland said that the Board was asked to approve the replacement of a Public Works utility vehicle. He said that the vehicle currently being used by DPW would then be transferred to the Parking Enforcement division. Public Works Director Barrett said that he was asking to replace a 2005 Chevy with a 2015 Ford Inceptor, to utilize the State bid system, and to include the extended warranty, for a total bid of \$30,832. He said that the bid was slightly over the budgeted amount because the bid did not include a trade-in value since the vehicle would be transferred to the Parking Enforcement division to replace its unreliable vehicle that had broken down at least ten times during the past summer. There was no discussion by the Board.

MOTION BY JOHN ALLEN TO AWARD A BID IN THE AMOUNT OF \$30,832 TO SHEARER CHEVROLET OF SOUTH BURLINGTON, VERMONT, FOR A 2015 FORD INTERCEPTOR WITH EXTENDED WARRANTY. MOTION CARRIED 5-0.

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

NEW BUSINESS

Police Department Swearing In Ceremony – Brattleboro Police Department. Gartenstein congratulated the newly appointed Police Chief Mike Fitzgerald, Captain Mark Carignan, and Sergeant Adam Bellville. He said that those officers, and many officers on the Police force, were present to take and/or repeat their oaths. Town Clerk Cappy administered to oath to the group of officers.

NO ACTION TAKEN.

Financial Report – Monthly Report, September, Finance Department. Finance Director John O'Connor reviewed and discussed the September financial report. There was no discussion by the Board.

NO ACTION TAKEN.

Police-Fire Facilities Project – Discussion. Kathy Dowd and Philip Chapman, members of the Police-Fire Facilities Building Committee, and Project Manager Steve Horton, were present. They reviewed matters that were discussed by the Police-Fire Facilities Building Committee at its recent meeting, including how to proceed with the project, the importance of proceeding as one project with equal importance to all three stations, and a revised "Plan F" that had been previously proposed to the Selectboard but was since revised. Horton said that Plan F included finding a new site for the Police Department and eliminated renovations to the Municipal Center. He reviewed the details and cost estimates of the Plan, and cautioned that the proposed costs for the Police station were uncertain because a new site had not yet been identified and consequently the costs could not be accurately estimated. Dowd said that a subcommittee had been formed to review and propose potential sites for the Police station. Moreland

noted that the Committee recommended not to proceed to a Special Representative Town Meeting until a new site for the police station could be located so the provisions of the bond could be accurately identified. Robin Sweetapple clarified that the project as identified on Plan F would require borrowing new funds in the amount of \$7.9 million, for a total of \$12.9 million, not an additional \$12.9 million. Spoon Agave distributed his report entitled "Police/Fire Project Reconceived" and he discussed his opinions regarding redesigning the project. It was generally agreed by the Board that the Committee continue to gather information along the lines identified in "Plan F."

NO ACTION TAKEN.

Revise Committee Mission Statement – Citizen Police Communication Committee (CPCC), Brattleboro Police Department. Gartenstein said that the Board was asked to approve the amended mission statement for the Citizen Police Communications Committee (CPCC). Members of CPCC, Ann Wright, Robyn Flatley, and James Banslaben, were present. Wright said that the Committee asked to revise the mission statement to more adequately represent the actions of the committee. She said that the Committee recommended revising the mission statement to read as follows: "The mission of the Citizen Police Communications Committee (CPCC) is to facilitate mutually respectful communication between citizens and the Brattleboro Police Department regarding complaints, compliments or information concerning police procedures." Flatley, Banslaben, and Police Chief Fitzgerald spoke in favor of the amended mission statement. Terry Carter thanked the CPCC and encouraged citizens to participate. There was a brief discussion by the Board.

MOTION BY JOHN ALLEN TO APPROVE THE MISSION STATEMENT OF THE CITIZEN POLICE COMMUNICATION COMMITTEE, AS PRESENTED. MOTION CARRIED 5-0.

Staffing Level Review – Discussion. Gartenstein said that the Board voted in March to conduct staffing level reviews for positions vacated between March 15 and September 15, 2014, and he asked the Board to determine whether to extend the staffing level reviews for a longer period of time. Moreland clarified that the staffing level reviews pertained only to full-time positions. There was some discussion by the Board.

MOTION BY DAVID GARTENSTEIN TO CONTINUE THE STAFFING LEVEL REVIEWS FOR THE NEXT SIX MONTHS. MOTION CARRIED 4-0 (SCHOALES ABSTAINED).

Connecticut River Transit (CRT) – Randy Schoonmaker, General Manager of Deerfield Valley Transit Association (DVTA), was present and spoke about the proposed consolidation of DVTA and Connecticut River Transit (CRT). He said that DVTA was currently the management contractor for CRT, and that it was anticipated that the two bus services would consolidate in stages where CRT would become a subsidiary of DVTA in January, 2015, and the operation would become Southeast Vermont Transit (SEVT) as of July 1, 2015. He discussed the restructuring of the Boards, bylaws, and operations during and after the consolidation process. He said that ultimately SEVT would service 37 towns in the region, have one Board, one financial system, and be under one management team. He said that it was anticipated that the SEVT Board would no longer have individual municipal representatives, but instead would look toward a more regional approach. He noted that the company would continue to serve the ridership in Brattleboro and to seek financial support from the Town. There was an active discussion by the Board. Gartenstein said that the current Memorandum of Understanding with CRT would no longer exist after the final consolidation, and he requested that some type of formal mechanism be drawn up to outline bus service for and financial contributions by the Town.

NO ACTION TAKEN.

Meeting Schedule – November 4 Meeting. Gartenstein said that the next Selectboard meeting was scheduled on Tuesday, November 4, which also was election day. He said that the Selectboard meeting room would be set up for the election polls. Moreland said that BCTV offered use of its studio on the third floor of the Municipal Building at no cost and the space would support a live broadcast of the meeting. There was general agreement by the Board to utilize the BCTV studio, and Gartenstein announced that

the November 4 Selectboard meeting would be held in the BCTV studio on the third floor of the Municipal Center.

NO ACTION TAKEN.

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 7:55PM. MOTION CARRIED 5-0.

David Schoales, Clerk