BRATTLEBORO SELECTBOARD
TUESDAY, NOVEMBER 12, 2019
SELECTBOARD MEETING ROOM, MUNICIPAL CENTER
EXECUTIVE SESSION – 5:30PM
SPECIAL MEETING – 6:15PM
AGENDA

1. ***CONVENE MEETING***

2. ***CHAIR'S REMARKS***

3. ***MANAGER'S COMMENTS***

4. ***SELECTBOARD COMMENTS AND COMMITTEE REPORTS***

5. ***PUBLIC PARTICIPATION***

6. ***UNFINISHED AND NEW BUSINESS***

   A. Authorization for Town to Join in Multi-Jurisdictional Opioids Litigation and Ratification of Attorneys' Retainer Agreement

   B. FY21 Proposed Budget –
      (i) Town Manager's Overview
      (ii) Revenues
      (iii) Public Works Department
      (iv) Recreation & Parks Department

   C. Resolutions for New Bank Account –
      Community Bank for Health Reimbursement Arrangement (HRA) Payments

   D. Brattleboro Community Marketing Initiative –
      Downtown Brattleboro Alliance and Brattleboro Area Chamber of Commerce

   E. Downtown Brattleboro Alliance (DBA) –
      Annual Work Plan, Budget, and Town Meeting Article

7. ***ADJOURNMENT***

MEMORANDUM

To: Selectboard

From: Peter B. Elwell, Town Manager

Re: Administrative Report

Date: November 7, 2019

The following will summarize the proposed motions for the special Selectboard meeting on Tuesday, November 12, 2019. The Board will meet in executive session at 5:30pm to discuss pending or probable civil litigation or a prosecution to which the public body is or may be a party. The Board will reconvene the business meeting at 6:15pm in the Selectboard Meeting Room.

6. **UNFINISHED AND NEW BUSINESS**

A. Authorization for Town to Join in Multi-Jurisdictional Opioids Litigation and Ratification of Attorneys' Retainer Agreement

At the October 15 Selectboard meeting, the Board discussed a lawsuit filed by the Town of Bennington against a number of defendants who are believed to have been involved in creating and fostering the opioid epidemic, as set forth in the memorandum dated October 10, 2019, from Town Attorney Robert Fisher. The Board is asked whether to approve a joinder in the suit by the Town of Brattleboro and determine who to name as defendants, including pharmacies, distributors, and pharmacy benefit managers. The Board also is asked to ratify the Town Attorney's execution of a Retainer Agreement with the litigation attorneys of Sanford Heisler Sharp, LLP, and The Cicala Law Firm, PLLC. The litigation attorneys had to meet a Court-imposed deadline of October 18 defining whom the litigation attorneys were representing, so the Retainer Agreement had to be executed by that date to preserve the Town's right to proceed with this lawsuit.

POTENTIAL MOTION: TO AUTHORIZE THE TOWN ATTORNEY AND TOWN STAFF TO TAKE ANY ACTIONS NECESSARY FOR THE TOWN OF BRATTLEBORO TO JOIN IN THE OPIOIDS RELATED LITIGATION FILED ON BEHALF OF THE TOWN OF BENNINGTON, STYLED AS "MDL 2804 Case No. 1:17-md-2804-DAP," AND TO INCLUDE _____ AS DEFENDANTS.

POTENTIAL MOTION: TO RATIFY TOWN MANAGER PETER ELWELL'S DECISION FOR TOWN ATTORNEY ROBERT FISHER TO EXECUTE A RETAINER AGREEMENT WITH SANFORD HEISLER SHARP, LLP, AND THE CICALA LAW FIRM, PLLC.

B. FY21 Proposed Budget –

(i) Town Manager's Overview
(ii) Revenues
(iii) Public Works Department
(iv) Recreation & Parks Department

Town Manager Elwell will provide an overview of staff's proposed FY21 budget and will discuss revenues anticipated in the upcoming fiscal year. Public Works Director Steve Barrett and Highway/Utilities Superintendent Dan Tyler will present the proposed FY21 budget for the Department of Public Works. Recreation & Parks Director Carol Lolatte will present the proposed FY21 budget for the Recreation & Parks Department.

NO ACTION IS REQUIRED ON THIS ITEM.

C. Resolutions for New Bank Account –
Community Bank for Health Reimbursement Arrangement (HRA) Payments
The Town is changing the administrator of its Health Reimbursement Arrangement account (HRA) from Choice Strategies to Healthy Dollars. Consequently, the payment process will also change whereby Healthy Dollars will pay any HRA claims directly from a Town bank account. The Board is asked to adopt the resolutions contained in the Corporate Authorization Resolution with Community Bank NA, as set forth in the memorandum dated November 6, 2019, from Finance Director John O'Connor.

POTENTIAL MOTION: TO ADOPT THE COMMUNITY BANK AUTHORIZATION RESOLUTIONS, AS PRESENTED.

D. Brattleboro Community Marketing Initiative –
Downtown Brattleboro Alliance and Brattleboro Area Chamber of Commerce
At Representative Town Meeting (RTM) on March 23, 2019, RTM Members appropriated the sum of $42,119 from the Unassigned General Fund Balance for a joint promotion of Brattleboro by the Brattleboro Area Chamber of Commerce (BACC) and the Downtown Brattleboro Alliance (DBA) "to be disbursed to those two agencies by the Selectboard upon review and acceptance of a satisfactory plan for the use of the funds and the evaluation of the results." Members from BACC and/or DBA will be present to discuss their Brattleboro Community Marking Initiative, as set forth in the memorandum dated October 30, 2019, from the BACC and DBA. The Board is asked to accept the marketing plan, as presented by DBA and BACC.

POTENTIAL MOTION: TO ACCEPT THE BRATTLEBORO COMMUNITY MARKETING INITIATIVE PLAN, AS PRESENTED.

E. Downtown Brattleboro Alliance (DBA) –
Annual Work Plan, Budget, and Town Meeting Article
Members from the Downtown Brattleboro Alliance (DBA) will be present to discuss the DBA's accomplishments and finances for the past year and the DBA's proposed FY21 Budget and Annual Work Plan. By the end of January, the Selectboard will need to take action on the FY21 items and on the related article for Representative Town Meeting. The Town Meeting warning article will be presented at a later meeting.

POTENTIAL MOTION: TBD

PBE:ja