

# MEMORANDUM

To: Selectboard  
From: Peter B. Elwell, Town Manager  
Re: Administrative Report  
Date: May 29, 2020



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The following will summarize the proposed motions for the Selectboard meeting that will begin at 6:15pm on Tuesday, June 2, 2020, on GoToMeeting (with no physical location due to the ongoing social distancing requirements of COVID-19). **The public may join the meeting from a computer, tablet, or smartphone, using this link: <https://global.gotomeeting.com/join/804762765>.** People also may dial-in toll free using a telephone in the United States at 1 866 899 4679 (Access Code: 804-762-765), but this alternative is not recommended. The meeting will be carried live on BCTV (Channel 1085 for Comcast subscribers and Channel 10 for Southern Vermont Cable subscribers), whose telecast also can be accessed at <https://www.brattleborotv.org/> or at <https://www.facebook.com/brattleborotv/>.

## 7. LIQUOR COMMISSIONERS

### A. Second Class Liquor License – Retreat Farm Ltd.

The Selectboard is asked to approve a second class liquor license for Retreat Farm, located at 45 Farmhouse Square. Retreat Farm plans to erect a 144 square foot free-standing agricultural structure located near the parking lot. Although it will be necessary for Retreat Farm to acquire Town land development permits to erect the structure, the liquor license application has been reviewed and approved by Town staff. Lindsay Fahey of Retreat Farm is planning to attend the meeting to speak to this matter. If the Selectboard approves the application, the Town Clerk will hold the application until the required permits have been issued by the Planning Services Department.

**POTENTIAL MOTION: TO APPROVE A SECOND CLASS LIQUOR LICENSE FOR RETREAT FARM, LOCATED AT 45 FARMHOUSE SQUARE, SUBJECT TO THE PLANNING SERVICES DEPARTMENT APPROVING THE PROPOSED AGRICULTURAL STRUCTURE.**

## 8. WATER AND SEWER COMMISSIONERS

- ### A. FY21 Utility Rate Ordinance – First Reading, Chapter 18 (Water and Sewer) (i) Article II (Sewers), Division 5 (Rents), Sec. 18-137 (Sewer Rates), (a) through (c) (ii) Article III, (Water), Division 2 (Rates), Sec. 18-163 (Metered Service), (a) and (b)
- ### B. FY21 Utilities Fund Budget - Continued Review and Possible Approval

At the May 26 Selectboard meeting, staff presented the proposed FY21 Utility Fund Budget and Capital Plan, and proposed a 5-year utility rate ordinance with 2% annual increases in sewer rates and a 2% FY21 increase followed by 6% annual increases

in water rates (all of which is proposed to be reviewed and potentially adjusted annually during the five year term of the ordinance). The Board asked questions, heard public comment, and had an initial discussion on these matters. No action was taken. Additional discussion is expected at the June 2 meeting. The Selectboard may approve the proposed rate ordinance and budget at that time or may ask for additional information. Preliminary approval of the rate ordinance (either as presented or in a modified form) would result in that ordinance being scheduled for second reading, public hearing, and possible adoption at the June 16 Selectboard meeting.

**POTENTIAL MOTION: TO APPROVE THE FY21 UTILITY FUND BUDGET, AS PRESENTED [or AS MODIFIED AT THIS MEETING].**

**NO ACTION IS REQUIRED ON FIRST READING OF THE UTILITY RATE ORDINANCE.**

## 9. UNFINISHED BUSINESS

### A. COVID-19 Update

#### (i) *Overall Update*

#### (ii) *Outdoor Business Activities During Economic Recovery in COVID-19 Emergency*

Town Manager Elwell will provide an overall update on Town operations during the continuing COVID-19 emergency and will propose that the Selectboard authorize funding (either from Program Income or from the General Fund) for up to 12 parklets in downtown Brattleboro. Additional details are provided in a memorandum dated May 28, 2020, from Town Manager Elwell.

**POTENTIAL MOTION: TO AUTHORIZE THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED \$30,000 FOR THE CREATION OF UP TO 12 PARKLETS IN DOWNTOWN BRATTLEBORO.**

### B. FY20 General Fund Budget – Review of Updated Year-End Projections

Town Manager Elwell will provide an updated year-end forecast that improves the expected outcome of FY20 by over \$480,000 compared with staff's April 30 forecast.

**NO ACTION IS REQUIRED ON THIS ITEM.**

### C. FY21 General Fund Budget –

#### *Review of Recommended Budget and Process of Adoption*

The Selectboard is asked to revisit the FY21 General Fund that previously was recommended for adoption by Representative Town Meeting and to determine whether any additional review is required before the Selectboard proceeds to adopt the budget. A special act of the Vermont Legislature allows the Selectboard to adopt the budget this year to ensure the continuity of Town government operations when the new fiscal year begins on July 1, since COVID-19 will prevent the Town from having a Representative Town Meeting prior to that date.

**NO ACTION IS REQUIRED ON THIS ITEM.**

### D. FY21 Parking Fund Budget - Continued Review and Possible Approval

At the May 26 Selectboard meeting, staff presented the proposed FY21 Parking Fund Budget. The Selectboard had an initial discussion and no action was taken. Additional

discussion is expected at the June 2 meeting. The Selectboard may approve the budget at that time or may ask for additional information.

**POTENTIAL MOTION: TO APPROVE THE FY21 PARKING FUND BUDGET, AS PRESENTED [or AS MODIFIED AT THIS MEETING].**

## 10. NEW BUSINESS

- A. FY21 Solid Waste Budget – Presentation, Review, and Possible Approval  
Staff will present the proposed FY21 Solid Waste budget. Staff also will request that the Selectboard approve a \$40,000 FY20 transfer from the General Fund to Solid Waste and will recommend that the Selectboard approve having the presentation of the Solid Waste budget occur in future years as a part of the annual General Fund budget. This consolidation is recommended by Town staff and by Representative Town Meeting's Finance Committee.

**POTENTIAL MOTION: TO AUTHORIZE A TRANSFER IN THE AMOUNT OF \$40,000 FROM THE GENERAL FUND TO THE SOLID WASTE FUND.**

**POTENTIAL MOTION: TO APPROVE THE FY21 SOLID WASTE BUDGET, AS PRESENTED.**

**POTENTIAL MOTION: TO APPROVE INCORPORATING ALL SOLID WASTE REVENUES AND EXPENDITURES INTO THE ANNUAL GENERAL FUND BUDGET BEGINNING IN FY22.**

- B. Windham Solid Waste Management District's PILOT (Payment in Lieu of Taxes)  
The Selectboard is asked to approve a 2-year extension of the Town's PILOT Agreement with the Windham Solid Waste Management District (WSWMD) that requires the WSWMD to pay the Town an amount equal to 5.5% of Brattleboro's annual WSWMD assessment.

**POTENTIAL MOTION: TO APPROVE A TWO-YEAR PILOT AGREEMENT WITH THE WINDHAM SOLID WASTE MANAGEMENT DISTRICT, AS PRESENTED.**

- C. Representative Town Meeting –  
*Options for How to Hold the Meeting During the Summer of COVID-19*  
The Selectboard will review a memorandum dated May 29, 2020, from Town Manager Elwell that describes several alternatives for holding a Representative Town Meeting in accordance with COVID-19 requirements related to public gathering and social distancing. The Selectboard is expected to hear public comments and to discuss this matter without taking any specific final action at this time.

**NO ACTION IS REQUIRED ON THIS ITEM.**

- D. Award Bid – Police Department Partial Roof Replacement Project  
The Selectboard is asked to award a bid in the amount of \$98,860 to The Melanson Company of Keene, New Hampshire, for the replacement of the "High Roof Area" at the Brattleboro Police Department. This project was approved by Representative Town Meeting in 2019 with an expected cost of \$100,000. Two bids were received and Melanson's is the low bid.

**POTENTIAL MOTION: TO AWARD A BID IN THE AMOUNT OF \$98,860 TO THE MELANSON COMPANY FOR REPLACEMENT OF THE “HIGH ROOF AREA” AT THE BRATTLEBORO POLICE DEPARTMENT.**

E. Annual Dog Warrant

The Selectboard is asked to approve the annual dog warrant to enforce the requirement that all dogs in the Town of Brattleboro be vaccinated and licensed. The required statutory language is in the warrant, including reference to humane destruction of animals that have not been licensed by their owners. However, as noted in the warrant, the Town has never exercised that authority and has no intention of exercising that authority in the enforcement of the 2020 licenses. The list of currently unlicensed dogs is included in the Selectboard’s notebooks for this meeting. Since payments and documentation are still being received by the Town Clerk’s Office, staff will provide an up-to-the-minute list on the day of the meeting.

**POTENTIAL MOTION: TO APPROVE THE ANNUAL DOG WARRANT, AS PRESENTED.**

F. Town Committees and Boards - Announce Vacancies

The Selectboard is asked to announce vacancies on various Town boards and committees for the fiscal year beginning on July 1, 2020. It is anticipated that the Selectboard will make appointments at its meeting on June 16 and at subsequent meetings in July.

**NO MOTION IS REQUIRED ON THIS ITEM.**

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