

# MEMORANDUM

To: Selectboard  
From: Peter B. Elwell, Town Manager  
Re: Administrative Report  
Date: January 3, 2020



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The following will summarize the proposed motions for the Selectboard meeting on Tuesday, January 7, 2020. The Board will meet in executive session at 5:15pm to discuss labor relations agreements with employees, the appointment or employment or evaluation of a public officer or employee, and the negotiating of a real estate purchase or lease. The Board will reconvene the business meeting at 6:15pm in the Selectboard Meeting Room.

## 7. LIQUOR COMMISSIONERS

- A. First and Third Class Liquor Licenses – *Duo VT LLC, d/b/a Duo Restaurant*  
The Board is asked to approve a First Class Liquor License and a Third Class Seasonal Liquor License for DUO VT LLC, d/b/a Duo Restaurant, located at 136 Main Street. Jason Lively is in the process of purchasing Duo Restaurant. Mr. Lively will be present at the meeting to answer any questions the Board may have.

**POTENTIAL MOTION: TO APPROVE A FIRST CLASS LIQUOR LICENSE AND A THIRD CLASS SEASONAL LIQUOR LICENSE FOR DUO VT LLC, D/B/A DUO RESTAURANT, LOCATED AT 136 MAIN STREET.**

## 8. WATER AND SEWER COMMISSIONERS – *None*

## 9. UNFINISHED BUSINESS

- A. Review Status of 2019-2020 Selectboard Goals  
Town Manager Peter Elwell will provide a status report on the Board's 2019-2020 Goals. The Board will discuss progress in achieving those goals and their relationship to the FY21 budget that is currently being finalized.

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

- B. Continued Review of FY21 Proposed Budget  
*(i) Representative Town Meeting's Human Services Committee – Discussion*  
*(ii) Fund Balance Guideline*  
*(iii) Police Department's Contract with Axon for Body Worn Camera Services*  
*(iv) Project C.A.R.E.*  
*(v) Port-a-Potties and More Permanent Solutions*  
*(vi) Windham Regional Commission - Update*

Members of Representative Town Meeting's Human Services Review Committee will be present to answer any questions the Board may have in connection with the committee's recommendations for FY21 funding. The Selectboard also will consider

several other unfinished budget matters as set forth in the memorandum (with attachments) dated January 2, 2020, from Town Manager Elwell. Finally, the Board will be asked to confirm its intent to hold a special meeting on January 14 (related to the FY21 Budget and other matters), a regular meeting on January 21 (to finalize the FY21 Budget and address other matters) and a special meeting on January 28 (to approve the warnings for the Town Meeting election on March 3 and Representative Town Meeting on March 21, and [if necessary] to provide final formal approval of the FY21 Budget that the Selectboard will be recommending to Representative Town Meeting).

**POTENTIAL MOTION(S): TBD**

**10. NEW BUSINESS**

- A. Financial Reports –  
(i) *Audit and Financial Statements for FY19*  
(ii) *Single Audit for FY19*

Finance Director John O'Connor will present the FY19 Audited Financial Statements and Single Audit.

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

- B. Small Business Assistance Program Loans  
(i) *Jason Lively/Duo VT*  
(ii) *Northeast Processing*

(i) The Board is asked to approve a Small Business Assistance Program (SBAP) loan to Jason Lively/Duo VT LLC. Mr. Lively is in the process of purchasing Duo Restaurant and has applied for a SBAP loan in the amount of \$27,000 amortized over 5 years at 3% per annum with interest only due during the first six months, and payments thereafter of principal and interest in the amount of \$485.15 for the term of the loan, as set forth in the memorandum dated December 27, 2019, from Grants Manager Kim Ellison. It is recommended that the Board's approval of the SBAP loan be contingent upon the current owners paying off a loan to Brattleboro Savings and Loan Association and the SBAP loan to the Town of Brattleboro, and obtaining discharges of all liens. The SBAP Loan Committee has unanimously approved the loan request.

**POTENTIAL MOTION: TO APPROVE A SMALL BUSINESS ASSISTANCE PROGRAM LOAN TO JASON LIVELY/DUO VT LLC IN THE AMOUNT OF \$27,000 AMORTIZED OVER 5 YEARS AT 3% PER ANNUM WITH INTEREST ONLY FOR SIX MONTHS, AND MONTHLY PAYMENTS THEREAFTER OF PRINCIPAL AND INTEREST IN THE AMOUNT OF \$485.15, CONTINGENT ON THE CURRENT OWNERS PAYING OFF A LOAN TO THE BRATTLEBORO SAVINGS AND LOAN ASSOCIATION AND THEIR S.B.A.P. LOAN TO THE TOWN OF BRATTLEBORO, AND OBTAINING DISCHARGES OF ALL LIENS.**

(ii) The Board is asked to authorize the Town Manager to sign any and all documents necessary to subordinate the Town's SBAP loan to Northeast Processing LLC, and corresponding UCC liens, to a revised mortgage and additional line of credit from the Brattleboro Savings and Loan Association, as set forth in the memorandum dated January 2, 2020, from Grants Manager Kim Ellison. The SBAP Loan Committee has unanimously approved the subordination request.

**POTENTIAL MOTION: TO AUTHORIZE THE TOWN MANAGER TO SIGN ANY AND ALL DOCUMENTS NECESSARY TO SUBORDINATE THE TOWN'S SMALL BUSINESS ASSISTANCE PROGRAM LOAN TO NORTHEAST PROCESSING LLC TO A REVISED MORTGAGE AND LINE OF CREDIT FROM THE BRATTLEBORO SAVINGS AND LOAN ASSOCIATION.**

- C. Neighborhood Designation Area – *Information re: New State Program*  
Planning Director Sue Fillion will be present to discuss the possible creation of a Neighborhood Development Area (NDA) to aid in identifying and reducing barriers to housing creation, as set forth in her memorandum dated December 26, 2019.

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

PBE:ja