

# MEMORANDUM



To: Selectboard  
From: Peter B. Elwell, Town Manager  
Re: Administrative Report  
Date: May 3, 2019

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The following will summarize the proposed motions for the Selectboard meeting on Tuesday, May 7, 2019. The Board will enter into executive session at 5:30pm to discuss collective bargaining agreements with employees and other contracts. The Board will reconvene the regular business meeting at 6:15pm in the Selectboard Meeting Room.

## 7. LIQUOR COMMISSIONERS

### A. First Class Liquor License – *JLIN, Inc. d/b/a/ Shin La Restaurant*

The Board is asked to approve a first class liquor license for JLIN, Inc. d/b/a/ Shin La Restaurant, located at 57 Main Street. The restaurant's ownership recently changed hands and because liquor licenses are issued to individuals and not to establishments, the new owners must obtain their own liquor license if they wish to serve alcoholic beverages. There are no outstanding debts owed to the Town and the application has been reviewed and approved by the Brattleboro Police and Fire Departments. Staff recommends approval.

### **POTENTIAL MOTION: TO APPROVE A FIRST CLASS LIQUOR LICENSE FOR JLIN, INC., D/B/A SHIN LA RESTAURANT, LOCATED AT 57 MAIN STREET.**

### B. First Class Liquor License, Outside Consumption Permit, and Entertainment License – *Eldin LLC, d/b/a Bella Notte*

The Board is asked to approve a first class liquor license, outside consumption permit, and entertainment license for Eldin LLC, d/b/a Bella Notte, located at the Brattleboro Country Club, 52-59 Senator Gannett Drive. The restaurant recently changed hands and because liquor licenses are issued to individuals and not to establishments, the new operators must obtain their own liquor license if they wish to serve alcoholic beverages. This application also includes an outside consumption permit and entertainment license to be operated in the same manner as the Board has previously approved. There are no outstanding debts owed to the Town and the application has been reviewed and approved by the Brattleboro Police and Fire Departments. Staff recommends approval.

### **POTENTIAL MOTION: TO APPROVE A FIRST CLASS LIQUOR LICENSE, OUTSIDE CONSUMPTION PERMIT, AND ENTERTAINMENT LICENSE FOR ELDIR LLC, D/B/A BELLA NOTTE, LOCATED AT THE BRATTLEBORO COUNTRY CLUB, 52-59 SENATOR GANNETT DRIVE.**

### C. First Class Liquor License & Entertainment License - *Basement Pub LLC, d/b/a/ Latchis Pub*

The Board is asked to approve a first class liquor license for Basement Pub LLC, d/b/a/ Latchis Pub, located at 6 Flat Street. This pub is a new venture for David Ingerman, owner of Ramunto's Brick Oven Pizza, located 1111 Putney Road. There are no outstanding debts

owed to the Town and the application has been reviewed by the Brattleboro Police and Fire Departments. Staff recommends approval with conditions because there is work that remains to be done to satisfy the Vermont Division of Fire Safety before an occupancy permit will be issued.

**POTENTIAL MOTION: TO APPROVE A FIRST CLASS LIQUOR LICENSE AND ENTERTAINMENT PERMIT FOR BASEMENT PUB LLC, D/B/A LATCHIS PUB, LOCATED AT 6 FLAT STREET, WITH THE FOLLOWING CONDITION: THAT THE BRATTLEBORO FIRE DEPARTMENT REVIEW THE OCCUPANCY PERMIT ISSUED BY THE VERMONT DIVISION OF FIRE SAFETY BEFORE THE TOWN CLERK IS AUTHORIZED TO RELEASE THE LICENSE TO THE VERMONT DEPARTMENT OF LIQUOR CONTROL.**

8. **WATER AND SEWER COMMISSIONERS** - *None*

9. **UNFINISHED BUSINESS** – *None*

10. **NEW BUSINESS**

A. FY20 Farm Tax Stabilization Program

(i) *Waiver for Robb Family Farm*

(ii) *Waiver for and Agreement with LMH/Brook Meadow Farm*

The Board is asked to consider two separate requests for relief from a provision of the Farm Tax Stabilization program that requires participants to earn no less than 67% of their household income from farming activity on land within Brattleboro. The program requires a review of such waivers by a committee composed of the Selectboard Chair, the Town Manager, and the Finance Director. After reviewing the individual circumstances of the Robb Family Farm and of Lisa Holderness' Brook Meadow Farm, the committee recommends a waiver for the Robb Family Farm and a waiver with conditions for Brook Meadow Farm.

**POTENTIAL MOTION: TO APPROVE THE CONTINUED PARTICIPATION OF THE ROBB FAMILY FARM IN THE FY20 FARM TAX STABILIZATION PROGRAM.**

**POTENTIAL MOTION: TO APPROVE PARTICIPATION OF LISA HOLDERNESS' BROOK MEADOW FARM IN THE FY20 FARM TAX STABILIZATION PROGRAM, WITH THE FOLLOWING CONDITIONS: (1) THAT MS. HOLDERNESS PROVIDE THE TOWN WITH 2018 TAX FORMS DOCUMENTING INCOME FROM FARMING AMOUNTING TO NO LESS THAN 60% OF HER TOTAL INCOME, AND (2) THAT AN AGREEMENT BETWEEN THE TOWN AND MS. HOLDERNESS BE DRAFTED BY THE TOWN ATTORNEY WHICH ALLOWS FOR 60% INCOME FROM FARMING IN 2018 AND REQUIRES 67% INCOME FROM FARMING IN 2019 AND BEYOND.**

B. Certification of Compliance with Town Road & Bridge Standards for the Vermont Agency of Transportation (VTrans) – Department of Public Works

The Board is asked to approve the annual certification that the Town must submit to VTrans to maintain our eligibility for the State's transportation related funding assistance programs.

**POTENTIAL MOTION: TO APPROVE THE ANNUAL "CERTIFICATION OF COMPLIANCE FOR TOWN ROAD AND BRIDGE STANDARDS" FORM FOR SUBMITTAL TO THE VERMONT AGENCY OF TRANSPORTATION.**

C. Roadway Paving Project – Award Bid

The Board is asked to award a bid in the amount of \$43,621 to Bazin Brothers of Westminster, Vermont, for 2019 Spring Paving. A total of three bids were received and staff recommends accepting the low bid from Bazin Brothers.

**POTENTIAL MOTION: TO AWARD A BID IN THE AMOUNT OF \$43,621 TO BAZIN BROTHERS OF WESTMINSTER, VERMONT FOR 2019 SPRING PAVING.**

D. Dump Truck for DPW/Highway Department – Award Bid

The Board is asked to award a bid in the amount of \$174,136 to Delurey Sales & Service of North Hoosick, New York, for the purchase of a new dump truck with warranty. A total of two bids were received and staff recommends the low bid from Delurey Sales & Service.

**POTENTIAL MOTION: TO AWARD A BID IN THE AMOUNT OF \$174,136 TO DELUREY SALES & SERVICE OF NORTH HOOSICK, NEW YORK, FOR THE PURCHASE OF A NEW DUMP TRUCK WITH WARRANTY.**

E. Hinesburg Road Culvert Replacement Project – Award Bid

The Board is asked to award a bid in the amount of \$58,800 to A.S. Clark and Sons of Dummerston, Vermont, for the Hinesburg Road Culvert replacement project. A total of six bids were received and staff recommends the low bid from A.S. Clark and Sons.

**POTENTIAL MOTION: TO AWARD A BID IN THE AMOUNT OF \$58,800 TO A.S. CLARK AND SONS OF DUMMERSTON, VERMONT, FOR THE HINESBURG ROAD CULVERT REPLACEMENT PROJECT.**

F. Ordinance Amendments – First Reading, Appendix C

- (i) Designate a Handicapped Parking Space on Main Street  
(Art. VII, Sec. 16-107 - Spaces for Handicapped Parking)
- (ii) Designate “No Parking” Zone on Locust Street  
(Art. II, Sec. 16-100 – No Parking Areas)

The Board is asked to conduct a first reading of two separate changes to Appendix C of the Brattleboro Code of Ordinances related to parking. The first change will establish a handicapped parking space on the east side of Main Street (outside of 145 Main Street near the River Garden). The second change will extend no parking on the east side of Locust Street from Vine Street to Chestnut Street (where parking already is prohibited between Maple Street and Vine Street). Both proposed changes have been reviewed and approved by the Traffic Safety Committee.

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

G. Accept and Appropriate Grant – Dry Hydrant Grant, Bonnyvale Road

The Board is asked to accept and appropriate a grant in the amount of \$5,000 from the Vermont Association of Conservation Districts for a dry hydrant to be installed at a private pond at 641-643 Bonnyvale Road. The Town has an executed access and maintenance agreement with the property owner. Dry hydrants allow the Fire Department to refill a fire engine from a hydrant connected to a water source outside the Town’s potable water system.

**POTENTIAL MOTION: TO ACCEPT AND APPROPRIATE A GRANT IN THE AMOUNT OF \$5,000 FROM THE VERMONT ASSOCIATION OF CONSERVATION DISTRICTS FOR A DRY HYDRANT TO BE INSTALLED AT 641-643 BONNYVALE ROAD.**

- H. Grant Application – U.S. Department of Justice, Bullet Proof Vests for Police Department  
The Board is asked to authorize the Brattleboro Police Department to submit a grant application in the amount of \$2,900 to the U.S. Department of Justice for bullet proof vests.

**POTENTIAL MOTION: TO AUTHORIZE THE BRATTLEBORO POLICE DEPARTMENT TO SUBMIT A GRANT APPLICATION IN THE AMOUNT OF \$2,900 TO THE U.S. DEPARTMENT OF JUSTICE FOR NEW BULLET PROOF VESTS.**

- I. Brattleboro Transportation Center Improvements – Bid Awards  
(i) *Install Additional Lights*  
(ii) *Replace Stairs*

The Board is asked to award bids for two separate capital improvement projects at the Brattleboro Transportation Center. The two projects were approved last year as part of the FY19 Parking Capital Improvement Program. The first project involves the installation of new additional LED lighting. A total of four sealed bids met the bid requirements, and staff is recommending the low bid offered by Cleveland Electric of Brattleboro. The second project involves the replacement of the third and fourth flights of the west stairs. A total of two sealed bids met the bid requirements, and staff recommends that we accept the low bid from Bellco of Brattleboro.

**POTENTIAL MOTION: TO AWARD A BID IN THE AMOUNT OF \$19,300 TO CLEVELAND ELECTRIC FOR ADDITIONAL LED LIGHTING AT THE BRATTLEBORO TRANSPORTATION CENTER.**

**POTENTIAL MOTION: TO AWARD A BID IN THE AMOUNT OF \$68,000 TO BELLCO FOR REPLACEMENT OF THE THIRD AND FOURTH FLOOR STAIRS AT THE BRATTLEBORO TRANSPORTATION CENTER.**

- J. Update Regarding Broadband Legislation/Grants – H.513

The Board asked staff to provide a report on the status of pending legislation that may make funds available for local broadband projects. A memo from Assistant Town Manager Patrick Moreland describes the status of H.513 and its potential impact on Brattleboro.

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

- K. Annual Goal Setting

- (i) *Review of Comprehensive Review of Town Operations (CRTO) Update*  
(ii) *Discussion and Possible Adoption of Selectboard Goals for 2019 - 2020*

The Board is asked to review the annual update to the Comprehensive Review of Town Operations (CRTO) and to review and potentially approve the proposed Selectboard Goals for 2019-2020.

**POTENTIAL MOTION: TO APPROVE THE ANNUAL SELECTBOARD GOALS AS PRESENTED [or AS MODIFIED].**

- L. July Selectboard Meetings – Cancel July 2+16 and Hold a Single July Meeting on July 9?  
The Board is asked to consider the July meeting schedule.

**POTENTIAL MOTION: TO CANCEL THE JULY 2 AND JULY 16, 2019, SELECTBOARD MEETINGS AND TO WARN A SELECTBOARD MEETING FOR JULY 9, 2019.**

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