

MEMORANDUM



To: Selectboard
From: Peter B. Elwell, Town Manager
Re: Administrative Report
Date: September 29, 2016

The following will summarize the proposed motions for the Selectboard meeting on Tuesday, October 4, 2016. The Board will meet in executive session at 5:15pm to discuss contracts, labor relations agreements with employees, real estate lease negotiations, and the appointment of a public officer or employee. The Board will reconvene the business meeting at 6:15pm in the Selectboard Meeting Room.

7. **LIQUOR COMMISSIONERS** – *None.*

8. **WATER AND SEWER COMMISSIONERS**

- A. Abatement of Interest and Penalties for Late Utility Bills. The Board is asked to consider abatement of interest and penalties for six properties whose utility bills were paid late and where the property owners filed a Request to Appeal. Normally utility bills are due on the same day as tax payments, but this year utility payments were due on August 15 and tax payments were not due until September 15. A memorandum dated September 29, 2016, from Assistant Treasurer Debbie Desrosiers provides additional information and the six appeal forms also are included in the Selectboard's notebooks.

POTENTIAL MOTION: TBD

9. **UNFINISHED BUSINESS**

- A. Police-Fire Facilities Project Update

Town Manager Elwell will provide the Board with a general update on construction at the West Brattleboro Fire Station and the pre-construction activities for the Central Fire Station and Police Station.

NO ACTION IS REQUIRED ON THIS ITEM.

- B. Comprehensive Review of Town Operations (CRTO) – Revised CRTO Proposed for Selectboard Approval. The Board is asked to review (and potentially approve) the revised Comprehensive Review of Town Operations (CRTO). As set forth in the Town Manager's memorandum, dated September 29, 2016, the draft CRTO dated July 29, 2016, has been revised to include comments from the public and requests from the Town's senior management team.

POTENTIAL MOTION: TO APPROVE THE COMPREHENSIVE REVIEW OF TOWN OPERATIONS DATED SEPTEMBER 30, 2016.

10. NEW BUSINESS

- A. Long Term Financial Plan – Presentation and Initial Discussion. The Town Manager will present the Long Term Financial Plan and discuss it with the Board.

NO ACTION IS REQUIRED ON THIS ITEM.

- B. Municipal Planning Grant – Approval to File Application. The Board is asked to approve submission of an application to the 2017 Municipal Planning Grant (MPG) program to conduct a parking study. The study will be part of the larger Downtown Master Plan project to guide future redevelopment downtown, as set forth in the memorandum dated September 26, 2016, from Planning Director Rod Francis.

POTENTIAL MOTION: TO APPROVE SUBMISSION OF AN APPLICATION TO THE 2017 MUNICIPAL PLANNING GRANT PROGRAM TO CONDUCT A PARKING STUDY.

- C. Public/Private Roads – Bittersweet Lane – Motion; Schedule Site Visit & Public Hearing. On August 25, 2016, after public meetings, a site review, and public hearing, the Board rendered its Decision not to reclassify and take over Bittersweet Lane. Property owners on Bittersweet Lane since requested that the Board reconsider its decision, and at the September 20, 2016, Selectboard meeting the Board agreed to reconsider its decision. As set forth in the memorandum dated September 28, 2016, from Town Attorney Robert Fisher, Vermont Statutes do not contain a “reconsideration” provision. Property owners may appeal the Decision through the Vermont Superior Court. Alternatively, the Board could repeat the process to take over and lay out Bittersweet Lane, including scheduling a site visit and public hearing, notifying abutting property owners by certified mail at least 30 days in advance of the site visit/hearing, and publishing the notice in the Reformer at least 10 days prior to the site visit/hearing. Proper notice cannot be completed by the November 1 regular Selectboard meeting. Based on dates when both the Town Attorney and Public Works Director can be available, staff recommends the Board schedule the site visit/public hearing to be held on November 7, 8, 9, 22, or 23.

POTENTIAL MOTION: TO LAY OUT BITTERSWEET LANE FROM THE INTERSECTION OF EAST ORCHARD STREET TO ITS TERMINUS AND TO CONDUCT A SITE VISIT AND PUBLIC HEARING ON THAT MATTER ON _____, 2016 BEGINNING AT _____ PM TO CONVENE AT THE SELECTBOARD MEETING ROOM, WITH A HEARING TO BE CONDUCTED AFTER THE SITE VISIT AT THE SELECTBOARD MEETING ROOM.

- D. Cultural Intrigue Small Business Assistance Program (SBAP) Loan - Approval. The Board is asked to approve a SBAP loan for Cultural Intrigue in the amount of \$70,000 for 7 years with 3% interest to support technology upgrades, hiring staff, and purchasing inventory.

POTENTIAL MOTION: TO APPROVE A SMALL BUSINESS ASSISTANCE PROGRAM LOAN FOR CULTURAL INTRIGUE IN THE AMOUNT OF \$70,000 FOR 7 YEARS WITH 3% INTEREST.

- E. Recreational Facilities Grant for Dog Park – Accept and Appropriate, Recreation & Parks Department. The Board is asked to accept and appropriate a Recreational Facilities Grant in the amount of \$7,200 from the Vermont Department of Buildings and General Services to help establish a dog park at Living Memorial Park.

POTENTIAL MOTION: TO ACCEPT AND APPROPRIATE A RECREATIONAL FACILITIES GRANT IN THE AMOUNT OF \$7,200 FROM THE VERMONT DEPARTMENT OF BUILDINGS AND GENERAL SERVICES TO HELP ESTABLISH A DOG PARK AT LIVING MEMORIAL PARK.

- F. Windham Solid Waste Management District (WSWMD) Assessment. The Board is asked to officially support the 50/50 population/grand list assessment model for the Windham Solid Waste Management District.

POTENTIAL MOTION: TO SUPPORT THE 50/50 POPULATION/GRAND LIST ASSESSMENT MODEL FOR THE WINDHAM SOLID WASTE MANAGEMENT DISTRICT.

- G. Proposal to Proclaim the Second Monday in October as “Indigenous People’s Day”. Rich Holschuh, a Brattleboro resident, submitted a request asking the Board to proclaim the second Monday of October each year as “Indigenous People’s Day” instead of “Columbus Day.” Such a request was approved under Other Business at Representative Town Meeting on March 19, 2016, but any business conducted under Other Business is non-binding so Mr. Holschuh is asking the Board to make the proclamation.

POTENTIAL MOTION: TBD

PBE:ja