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**BRATTLEBORO SELECTBOARD  
TUESDAY, JUNE 2, 2020  
REGULAR MEETING – 6:15PM  
HELD REMOTELY VIA GoToMeeting  
MINUTES**

***NOTE: Per the "Stay Home – Stay Safe" order issued by Governor Scott on March 13, 2020, this meeting was held remotely with no physical location using GoToMeeting.***

Selectboard members in attendance: Tim Wessel, Elizabeth McLoughlin, Ian Goodnow, Brandie Starr, and Daniel Quipp.

Staff participating: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Police Chief Mike Fitzgerald, Public Works Director Steve Barrett, Town Clerk Hilary Francis, and Executive Secretary Jan Anderson.

Others participating: Andrea Watkins, Wendy Levy, Felicity Ratte, Oscar Heller, Franz Reichsman, ASL interpreters Elizabeth Fox and Janet Dickinson and BCTV staff and volunteers.

Chair Tim Wessel called the meeting to order at 6:15pm. He confirmed that the meeting was officially warned.

***APPROVE MINUTES***

Wessel asked the Board to approve the minutes from the May 19, 2020 meeting. There was no discussion.

**MOTION BY IAN GOODNOW TO APPROVE THE MINUTES OF MAY 19, 2020. MOTION CARRIED 5-0.**

***CHAIR'S REMARKS***

Chair Wessel spoke about the amount of unrest and protests that were taking place at the national level and eliciting strong emotions. He said that he was impressed with the Brattleboro community and Town staff during the recent two protests, and that he was appreciative of the community, Police Department, and Fire Department in supporting free speech and justice during the unrest in the country.

***MANAGER'S COMMENTS***

Town Manager Elwell noted that the organizers of the recent protests communicated and coordinated with the Police Department in order to preserve the safety of the event and the community. He said he was appreciative of such collaborative efforts.

***SELECTBOARD COMMENTS AND COMMITTEE REPORTS***

Quipp expressed his gratitude to Police Chief Fitzgerald for his op ed recently published in the Reformer, and that he appreciated the honesty, even when matters were complicated and difficult to navigate. He stated that public trust and leadership were important, as was an open and honest dialog within the community.

Starr thanked Brattleboro Solidarity for its efforts as organizer for the rally over weekend. She said that she was proud of the students who organized today's protest of the murder of George Floyd in Minneapolis.

Goodnow expressed his gratitude toward the organizers and the Town around the protest on Sunday. He said that he encouraged such discourse and respect in order to continue and move forward in solidarity for people across the country during this trying time.

1 McLoughlin agreed that Sunday's event was well-organized and said she appreciated the sidewalk chalk  
2 with names.

3  
4 **PUBLIC PARTICIPATION**

5 Andrea Watkins said she appreciated Chief Fitzgerald's comments in the Reformer, and noted there were  
6 still unanswered questions that citizens should ask of the police force. She suggested setting up a  
7 community dialog with the Chief to discuss what was being done to hire the right people on the police  
8 force, with the correct characteristics and morals. Wessel reminded the public of the existence of the  
9 Citizen Police Communications Committee, who may be able to assist with dialog with the Police  
10 Department. Elwell noted that the Police Department's hiring process was quite rigorous, that the  
11 Department did not hire officers just to fill vacancies, and much emphasis was placed on the  
12 Department's mission statement and values. Police Chief Fitzgerald said that the hiring process was  
13 lengthy and in-depth and the Police Board would ask applicants in the interview process what they did for  
14 the community. He offered to meet with Watkins and other community members.

15  
16 **LIQUOR COMMISSIONERS**

17  
18 Second Class Liquor License – Retreat Farm Ltd. Wessel announced that the applicant had withdrawn  
19 this application, so the matter was not discussed.

20  
21 **WATER AND SEWER COMMISSIONERS**

22  
23 **MOTION BY DANIEL QUIPP TO CONVENE AS WATER AND SEWER COMMISSIONERS. MOTION**  
24 **CARRIED 5-0.**

25  
26 FY21 Utility Rate Ordinance – First Reading, Chapter 18 (Water and Sewer)

27 (i) Article II (Sewers), Division 5 (Rents), Sec. 18-137 (Sewer Rates), (a) through (c)

28 (ii) Article III, (Water), Division 2 (Rates), Sec. 18-163 (Metered Service), (a) and (b)

29  
30 Elwell said that the Board was asked to hold a first reading on amendments to Chapter 18 of the  
31 Brattleboro Code of Ordinances to amend the water and sewer rates. He spoke about the proposed  
32 increases in the rates, which were contained in his memo dated May 29. He also spoke about additional  
33 information requested by the Board at the last meeting, which was included in the memoranda, dated  
34 May 28, from Public Works Director Barrett and Highway/Utilities Superintendent Tyler. He also spoke of  
35 the two tests applied in calculating the rate formula, including (1) maintaining \$1 million in the Utilities  
36 Fund for use in the event of an unexpected and costly emergency, and (2) not allowing the balance in the  
37 water fund to drop into the negative where it would need to rely on the sewer fund. There was much  
38 discussion by the Board about the rates in each of the five years, including whether to adopt a one-year  
39 rate structure now and re-visit the matter next year when more accurate numbers were available  
40 regarding the cost of the Water Treatment Plant Replacement Project. Public Works Director Barrett  
41 spoke about the rate tool that had been developed for advanced planning in funding the project, and he  
42 supported the long-range planning so as to be beneficial in obtaining funding for the project. He  
43 suggested that if the project came in substantially under budget that rates could be reduced at a later  
44 point. Daniel Quipp suggested keeping the water rate increase to 2% for the first year and 6% in the  
45 subsequent four years, as proposed, but amending the sewer rate increase to 1% for each of the five  
46 years, which would leave the fund slightly below the \$1 million threshold, but would not be reckless.  
47 There was further discussion about Quipp's suggestion. Elwell said that if the Board was interested in  
48 less of an increase to the sewer rates, as in the "Daniel amendment," they could leave the first year  
49 increase at 2% and change subsequent increases to 1% for the following 4 years, then the proposed  
50 Utilities Fund Budget could be adopted at this meeting with the ordinance amendment to be finalized at  
51 the next meeting. The discussion then moved onto the next agenda item – Utilities Fund Budget.

52  
53 **NO ACTION TAKEN.**

1 FY21 Utilities Fund Budget - *Continued Review and Possible Approval*. Elwell said that after the  
2 substantial discussion and general consensus on the "Daniel amendment" on the above item (proposed  
3 water and sewer rate increases), and with general approval of the Budget at the last meeting, that the  
4 Board could move forward with the approval of the Utilities Fund Budget at this time. There was a brief  
5 discussion by the Board.  
6

7 **MOTION BY ELIZABETH McLOUGHLIN TO APPROVE THE FY21 UTILITY FUND BUDGET, AS**  
8 **PRESENTED. MOTION CARRIED 5-0.**  
9

10 **MOTION BY DANIEL QUIPP TO ADJOURN AS WATER AND SEWER COMMISSIONERS. MOTION**  
11 **CARRIED 5-0.**  
12

### 13 ***UNFINISHED BUSINESS***

#### 14 COVID-19 Update

15 (i) *Overall Update*

16 (ii) *Outdoor Business Activities During Economic Recovery in COVID-19 Emergency*  
17

18 Town Manager Elwell provided an update on Town operations during the ongoing COVID-19 emergency.  
19 He reported that the Police Department was now responding to calls in-person unless asked otherwise,  
20 and that the officers were abiding by standard safety protocols, such as wearing masks and gloves and  
21 maintaining proper social distances. He announced that the swimming pool at Living Memorial Park  
22 would open this summer and staff would implement strict restrictions. He said that reservations would be  
23 required and visits would be for a limited time period. He asked interested persons to visit the Recreation  
24 & Parks page on the Town's website for more information. He also announced that the Work Today  
25 Program, which was created last year by Emilie Kornheiser at Youth Services, was expected to launch in  
26 July. He said that the Program would provide employment opportunities on a day-to-day basis for  
27 individuals with life challenges who wanted occasional work. He noted that those individuals would work  
28 with seasonal Town employees in various activities, such as sanitizing and cleaning public equipment that  
29 was used frequently, including parking meters and porta potties. There was a brief discussion.  
30

31 Elwell then spoke about a parklet plan for downtown businesses that wanted to bring their business  
32 outdoors due to the COVID-19 restrictions imposed by the Governor's order limiting the amount of people  
33 in confined spaces. He said that he had been working with Stephanie Bonin, from Downtown Brattleboro  
34 Alliance, to develop a partnership where the Town would install Jersey barriers around certain parking  
35 spaces on Main Street and in parking lots that would provide protection for the shopping public and  
36 become a dedicated space for establishments to transact business outside. He said there was capacity  
37 for up to 12 businesses and that 7 businesses had so far confirmed their desire to participate in the  
38 program, as set forth in his memorandum dated May 28, 2020. He said that the Board was asked to  
39 authorize staff to proceed with the implementation of this plan and authorize the expenditure of up to  
40 \$30,000 from the Program Income Fund as an economic development investment to assist businesses to  
41 continue to operate through the COVID-19 pandemic. He said that the Town would purchase and install  
42 the Jersey barriers for up to 12 parklets, and would also likely incur incidental expenses. He also said  
43 that in order to move quickly and not come back to Selectboard meetings for permission to serve alcohol  
44 in the parklets for the rest of the season, the Board was asked to authorize Town Clerk Hilary Francis to  
45 administratively permit outside consumption liquor permits in accordance with special licensing provided  
46 by the State Department of Liquor and Commissioners. He added that each business would be required  
47 to execute an agreement. Wendy Levy inquired about the definition of parklets and the requirement of  
48 businesses to add proper decking so it would be at level with sidewalks. She also inquired about the  
49 hours of operation. Felicity Ratte, from the Planning Commission, inquired about establishments adding  
50 safety messages to their barriers. There was much discussion by the Board, including liability of the  
51 establishments, the obligation and responsibility for maintenance, smoking prohibition in the parklet  
52 spaces, loss of public parking spaces, support by the Planning Commission, and decorating the barriers.  
53

1 **MOTION BY IAN GOODNOW TO AUTHORIZE THE TOWN CLERK TO APPROVE OUTDOOR**  
2 **CONSUMPTION PERMITS IN CONJUNCTION WITH OUTDOOR RESTAURANT USES DURING**  
3 **COVID-19. MOTION CARRIED 5-0.**

4  
5 **MOTION BY DANIEL QUIPP TO AUTHORIZE THE TOWN MANAGER TO ASSIGN PARTICULAR**  
6 **PARKLETS TO PARTICULAR BUSINESSES AND TO TAKE ANY OTHER ACTIONS NECESSARY TO**  
7 **IMPLEMENT THE PARKLET PROGRAM. MOTION CARRIED 5-0.**

8  
9 **MOTION BY ELIZABETH McLOUGHLIN TO AUTHORIZE THE EXPENDITURE OF AN AMOUNT NOT**  
10 **TO EXCEED \$30,000 FOR THE CREATION OF UP TO 12 PARKLETS IN DOWNTOWN**  
11 **BRATTLEBORO. MOTION CARRIED 5-0.**

12  
13 Chair Wessel called for a recess at 7:53pm.  
14 Chair Wessel reconvened the meeting at 8:02pm.

15  
16 FY20 General Fund Budget – Review of Updated Year-End Projections. Town Manager Elwell provided  
17 an updated year-end forecast on the FY20 budget, as set forth in his memo dated May 28. He said that  
18 that the budget was expected to be over \$480,000 higher than staff's April 30 forecast and he was  
19 confident that the Town would end the year in a strong financial position in spite of the COVID-19 era. He  
20 said that some General Fund balance could be used to assist with capital projects. Quipp asked whether  
21 some of those funds could be transferred to the struggling Parking Fund to assist with capital projects in  
22 the parking infrastructure. Elwell agreed that could happen but would have to happen by June 30 when  
23 this fiscal year ends, and could be discussed later in this meeting when discussing the Parking Fund. He  
24 offered to bring more information to the Board for action at the June 16 meeting on the Parking Fund.  
25 There was some discussion by the Board about the FY20 General Fund Budget, including collection of  
26 property taxes and possible tax abatements.

27  
28 **NO ACTION TAKEN.**

29  
30 FY21 General Fund Budget – Review of Recommended Budget and Process of Adoption. Elwell noted  
31 that the Selectboard previously recommended a FY21 General Fund Budget for adoption by  
32 Representative Town Meeting (RTM) but RTM was cancelled due to the COVID-19 state of emergency.  
33 He said that a special act of the Vermont Legislature allowed the Selectboard to adopt the budget this  
34 year to ensure the continuity of Town government operations when the new fiscal year began on July 1.  
35 He said that the previously recommended FY21 budget materials were contained in the Board's back-up  
36 materials and he asked the Board to determine whether any additional review was required before the  
37 Selectboard proceeded to adopt the budget at its June 16 meeting. Goodnow stated that he would likely  
38 abstain from the vote because he had not a part of the budget preparation process. Wendy Levy, a Town  
39 Meeting Member, stated that she understood the purpose for adopting the budget in this manner but  
40 cautioned against making it a precedence. Oscar Heller voiced his opinion that the Board should adopt  
41 the budget as previously recommended without any changes, including the Human Services funding. He  
42 suggested that RTM be given an opportunity to review, and possibly amend, the budget when RTM was  
43 rescheduled. McLoughlin thanked Heller for the "mask tree" at Pliny Park and stated this was time for  
44 more democracy and not less. There was much discussion by the Board, including the unusual method  
45 of adopting the budget without RTM's input, whether RTM would have an opportunity to modify or ratify  
46 the budget, and whether to seek the Human Services Review Committee's additional opinion in light of  
47 the COVID-19 era. The Board asked staff to add this matter to the June 16 agenda.

48  
49 **NO ACTION TAKEN.**

50  
51 FY21 Parking Fund Budget - Continued Review and Possible Approval. Elwell said that Board heard this  
52 matter at the last meeting and discussed the lack of operating revenue due to the closure of parking  
53 enforcement because of COVID-19. He said the fund was set-up as a break-even budget and the decline  
54 in revenue had negatively affected the fund. He said that the FY21 budget assume revenue and

1 expenditures in a twelve month period, so parking enforcement was expected to start up on July 1. He  
2 noted that the Board had authority to transfer funds from the General Fund by June 30, the end of this  
3 fiscal year, to assist with capital improvements in the parking infrastructure, such as repair the leaky roof  
4 over one of the retail establishments located in the parking garage. He said that if the Board was  
5 considering the transfer, then this item could be added to the June 16 agenda so staff had an opportunity  
6 to review the amount of transfer to consider. There was some discussion by the Board, including the  
7 amount of anticipated lost revenue due to the installation of the parklets in downtown parking spaces,  
8 possible use of Program Income Fund, and other capital improvements previously scheduled for FY21.  
9

10 **NO ACTION TAKEN.**

11  
12 **NEW BUSINESS**

13 FY21 Solid Waste Budget – Presentation, Review, and Possible Approval. Elwell said that the Board was  
14 asked to approve the FY21 Solid Waste Budget. He said that the fund continued to be strained by the  
15 success of the operation. He said that the recycling and compost programs were so successful that the  
16 sales of the trash bags were negatively affected. In addition he said that the cost of recycling materials  
17 had increased substantially over the years. He said that the fund had operated in the red over the past  
18 few years and consequently funds were transferred from the General Fund annually. He said that the  
19 Board was asked to authorize transfer of \$40,000 this year to the Solid Waste Fund from the General  
20 Fund. He said that the Board was also asked to incorporate the Solid Waste revenues and expenditures  
21 into the General Fund so that Solid Waste would no longer operate as a separate operation. He said that  
22 the consolidation was recommended by Town staff and by Representative Town Meeting's Finance  
23 Committee. Quipp asked for information on the handling and placement of recyclable materials. There  
24 was a brief discussion by the Board.  
25

26 **MOTION BY BRANDIE STARR TO AUTHORIZE A TRANSFER IN THE AMOUNT OF \$40,000 FROM**  
27 **THE GENERAL FUND TO THE SOLID WASTE FUND, AND TO APPROVE THE FY21 SOLID WASTE**  
28 **BUDGET, AS PRESENTED, AND TO APPROVE INCORPORATING ALL SOLID WASTE REVENUES**  
29 **AND EXPENDITURES INTO THE ANNUAL GENERAL FUND BUDGET BEGINNING IN FY22.**

30 **MOTION CARRIED 5-0.**

31  
32 Windham Solid Waste Management District's PILOT (Payment in Lieu of Taxes). Elwell said that the  
33 Board was asked to approve a 2-year extension of the Town's PILOT Agreement with the Windham Solid  
34 Waste Management District (WSWMD) that required WSWMD to pay the Town an amount equal to 5.5%  
35 of Brattleboro's annual WSWMD assessment. He said that the WSWMD Board supported this  
36 agreement. There was a brief discussion by the Board.  
37

38 **MOTION BY DANIEL QUIPP TO APPROVE A TWO-YEAR PILOT AGREEMENT WITH THE**  
39 **WINDHAM SOLID WASTE MANAGEMENT DISTRICT, AS PRESENTED. MOTION CARRIED 5-0.**

40  
41 Representative Town Meeting – Options for How to Hold the Meeting During the Summer of COVID-19.  
42 Elwell said that the Selectboard was asked to consider options for holding Representative Town Meeting  
43 (RTM) with the Governor's COVID-19 restrictions regarding the number of people who may congregate at  
44 a public gathering and to maintain the required social distancing. He spoke about the several alternatives  
45 that were offered in his memo, dated May 29, 2020. He said that his preferred format was the third  
46 option, which would be having 5 to 8 venues, with each district being in a one or two separate locations  
47 and the district chair as that room's moderator, and connected on a GoToMeeting platform that would be  
48 broadcast by BCTV. He added that outdoor locations had been considered but were no longer being  
49 considered because of concerns about accessibility, restrooms, and inclement weather. He also spoke  
50 about holding an Informational Meeting/Discussion where decisions would later be made by Australian  
51 Ballot. Elizabeth Fox asked the Board to consider ASL interpreters in the set-up. Franz Reichsman  
52 suggested that air circulation in any indoor venue would be undesirable and that circumstances around  
53 the virus would likely change so plans may have to be changed as the meeting time approached. There  
54 was much discussion by the Board, including the complexity of planning such a meeting, the Governor's

1 order limiting gatherings to a maximum of 25 people, social distancing requirements, ways of preserving  
2 democracy, outside venue options, sharing microphones, and safety and risk reduction. The Board  
3 asked staff to continue to explore options.

4  
5 **NO ACTION TAKEN.**

6  
7 Award Bid – Police Department Partial Roof Replacement Project. Elwell said that the Board was asked  
8 to award a bid in the amount of \$98,860 to The Melanson Company of Keene, New Hampshire, for the  
9 replacement of the "high roof area" at the Brattleboro Police Department. He said that the project was  
10 approved by Representative Town Meeting in 2019 with an expected cost of \$100,000. Two bids were  
11 received and Melanson's bid of \$98,860 was the lowest. There was a brief discussion.

12  
13 **MOTION BY BRANDIE STARR TO AWARD A BID IN THE AMOUNT OF \$98,860 TO THE MELANSON**  
14 **COMPANY FOR REPLACEMENT OF THE "HIGH ROOF AREA" AT THE BRATTLEBORO POLICE**  
15 **DEPARTMENT. MOTION CARRIED 5-0.**

16  
17 Annual Dog Warrant. Elwell said that the Board was asked to approve the annual dog warrant to  
18 enforce the requirement that all dogs in the Town of Brattleboro be vaccinated and licensed. He said  
19 that the required statutory language was a part of the warrant, including reference to humane destruction  
20 of animals that had not been licensed by their owners. He noted that the Town had never exercised that  
21 authority and had no intention of exercising that authority in the enforcement of the 2020 licenses.  
22 There was a brief discussion.

23  
24 **MOTION BY ELIZABETH McLOUGHLIN TO APPROVE THE ANNUAL DOG WARRANT, AS**  
25 **PRESENTED. MOTION CARRIED 5-0.**

26  
27 Town Committees and Boards - Announce Vacancies. Elwell said that the Selectboard was asked to  
28 announce vacancies on various Town boards and committees for the fiscal year beginning on July 1. He  
29 read the names of the committees and boards with vacancies and said that the Board was expected to  
30 make appointments at its meeting on June 16 and subsequent meetings. There was a brief discussion.

31  
32 **NO ACTION TAKEN.**

33  
34 There was no further business.

35  
36 **MOTION BY ELIZABETH McLOUGHLIN TO ADJOURN AT 10:03PM. MOTION CARRIED 5-0.**

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Ian Goodnow, Clerk

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**BRATTLEBORO SELECTBOARD  
TUESDAY, JUNE 9, 2020  
SPECIAL MEETING – 6:15PM  
HELD REMOTELY VIA GoToMeeting  
MINUTES**

***NOTE: Per the "Stay Home – Stay Safe" order issued by Governor Scott on March 13, 2020, this meeting was held remotely with no physical location using GoToMeeting.***

Selectboard members in attendance: Tim Wessel, Elizabeth McLoughlin, Ian Goodnow, and Daniel Quipp.

Staff participating: Town Manager Peter Elwell and Assistant Town Manager Patrick Moreland.

Others participating: None.

Chair Tim Wessel called the meeting to order at 6:15pm. He confirmed that the meeting was properly warned. McLoughlin inquired about the meaning of a properly warned meeting. Elwell responded that warnings of public meetings were sent to the media, staff, and members of the public who requested to be added to the list, and that hard copies were posted in five conspicuous places in Town facilities.

***CHAIR'S REMARKS***

None.

***MANAGER'S COMMENTS***

None.

***SELECTBOARD COMMENTS AND COMMITTEE REPORTS***

None.

***PUBLIC PARTICIPATION***

None.

***ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING CONTRACTS AND LABOR RELATIONS AGREEMENTS WITH EMPLOYEES***

**MOTION BY TIM WESSEL TO ENTER INTO EXECUTIVE SESSION TO DISCUSS CONTRACTS AND LABOR RELATIONS AGREEMENTS WITH EMPLOYEES, WHERE THE BOARD HAS DETERMINED THAT PREMATURE GENERAL PUBLIC KNOWLEDGE WOULD CLEARLY PLACE THE SELECTBOARD OR PEOPLE INVOLVED AT A SUBSTANTIAL DISADVANTAGE. THE TOWN MANAGER AND ASSISTANT TOWN MANAGER WERE INVITED TO ATTEND. MOTION CARRIED 4-0.**

***RETURN TO THE PUBLIC SESSION AND CONFIRM THAT NO ACTIONS WERE TAKEN DURING THE EXECUTIVE SESSION.***

Chair Wessel reconvened the meeting at 7:48pm and announced that no actions were taken in the executive session.

There was no further business.

**MOTION BY ELIZABETH McLOUGHLIN TO ADJOURN AT 7:48 PM. MOTION CARRIED 4-0.**

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Ian Goodnow, Clerk

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**BRATTLEBORO SELECTBOARD  
TUESDAY, JUNE 16, 2020  
COMMITTEE INTERVIEWS – 5:45PM  
REGULAR MEETING – 6:15PM  
HELD REMOTELY VIA GoToMeeting  
MINUTES**

***NOTE: Per the “Stay Home – Stay Safe” order issued by Governor Scott, this meeting was held remotely with no physical location using GoToMeeting.***

Selectboard members in attendance: Tim Wessel, Elizabeth McLoughlin, Ian Goodnow, Daniel Quipp, and Brandie Starr.

Staff participating: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Highway/Utilities Superintendent Dan Tyler, Finance Director Andre Jaeger, and Executive Secretary Jan Anderson.

Others participating: Allegra Carignan, Ricky Davidson, Rebecca Day, Gary Stroud, Frank Osten, Sascha Bratton, Zoe Cunningham-Cook, Lucy [no last name offered], Jackson Stein, Saskia Bailey-de Bruijn, Joshua Wyman, Maeve Campman, Tabitha [no last name offered], Lou Racine, Grace Roundtree, Harley Walker, Ben Somin, Eli Holmes, Alexys Sweeney, Jenna [no last name offered], Liz [no last name offered], Dick DeGray, Andrew [no last name offered], Echo Marshall, Sophia [no last name offered], Franz Reichsman, Maya Hasegawa, HB Lozito, Robin Morgan, Cory Sorensen, Oscar Heller, Maya [no last name offered], Misha [no last name offered], Fhar Miess, Mac Gander, Tara O'Brien, ASL interpreters Janet Dickinson and Karen Todd, and BCTV staff and volunteers.

Chair Tim Wessel convened the meeting at 5:45pm. He announced that several people were scheduled for interviews on the Recreation & Parks Board and the Tree Advisory Committee. Applicants for the Recreation & Parks Board - Allegra Carignan, Ricky Davidson, Rebecca Day, and Gary Stroud – were interviewed. At the end of those interviews, Chair Wessel noted that the business meeting was about to start and there was not enough time to conduct interviews for the Tree Advisory Committee. The Board agreed to reschedule interviews to the July 7 meeting.

Chair Wessel reconvened the meeting and called it to order at 6:15pm. He confirmed that the meeting had been properly warned. He briefly discussed some operational procedures for use of the GoToMeeting format.

**APPROVE MINUTES**

Wessel asked the Board to approve the minutes from the May 26, 2020 meeting. There was no discussion.

**MOTION BY IAN GOODNOW TO APPROVE THE MINUTES OF MAY 26, 2020. MOTION CARRIED 5-0.**

**CHAIR'S REMARKS**

Chair Wessel announced that the official groundbreaking for the skatepark at Living Memorial Park took place earlier this week.

**MANAGER'S COMMENTS**

Town Manager Elwell invited the public to a public forum "Conversation with Police Chief Mike Fitzgerald" that was scheduled on Wednesday on the Brattleboro Common starting at 5:30pm.

**SELECTBOARD COMMENTS AND COMMITTEE REPORTS**

Quipp noted that the Traffic Safety Committee would meet on Thursday, June 18, at 8:00am.

1  
2 Goodnow noted that the Board of Civil Authority ad hoc committee met last Friday to discuss preparations  
3 for the primary election in August. He encouraged the public to vote by mail. He added that the BCA  
4 would meet again on Friday and he encouraged other Selectboard members to attend.  
5

6 **PUBLIC PARTICIPATION**

7 None.  
8

9 **WATER AND SEWER COMMISSIONERS**

10  
11 **MOTION BY DANIEL QUIPP TO CONVENE AS WATER AND SEWER COMMISSIONERS. MOTION**  
12 **CARRIED 5-0.**

13  
14 Utility Rates Ordinance - Second Reading, Public Hearing, and Adoption, Chapter 18 (Water and Sewer):

15 (i) *Article II (Sewers), Division 5 (Rents), Sec. 18-137 (Sewer Rates), (a) through (c);*

16 (ii) *Article III, (Water), Division 2 (Rates), Sec. 18-163 (Metered Service), (a) and (b)*  
17

18 Elwell said that the Board was asked to hold a second reading and public hearing on the proposed  
19 amendments to Chapter 18 of the Brattleboro Code of Ordinances. He summarized the process to  
20 amend the ordinances and spoke about the need to increase the water and sewer rates, as set forth in  
21 his memo dated June 9, 2020.  
22

23 Chair Wessel opened the public hearing. Selectboard member McLoughlin commented that she  
24 appreciated Quipp's comments at the last meeting to finesse the increases to minimal amounts, and  
25 noted this was essential business of Town that needed to be implemented. Starr agreed with  
26 McLoughlin. Elwell read a summary of the increases from the Administrative Report. There was no  
27 public comment. Chair Wessel closed the public hearing.  
28

29 **MOTION BY DANIEL QUIPP TO APPROVE THE AMENDMENT TO CHAPTER 18 OF THE**  
30 **BRATTLEBORO CODE OF ORDINANCES, AS PRESENTED. MOTION CARRIED 5-0.**

31  
32 Purchase of Culvert for the Water Treatment Plant Waste Line Project. Elwell said that the Board was  
33 asked to authorize purchase of an aluminum box culvert from Everett J. Prescott, Inc., in the amount of  
34 \$25,207.89 in support of the Pleasant Valley Water Treatment Plant Waste Line Project. He said that a  
35 contractor would be hired in the future to install the infrastructure after the culvert had been purchased.  
36 Highway/Utilities Superintendent Dan Tyler spoke specifically about the culvert, as set forth in his memo  
37 dated June 5. There was a brief discussion by the Board.  
38

39 **MOTION BY BRANDIE STARR TO AUTHORIZE EXPENDITURE OF \$25,208.89 TO EVERETT J.**  
40 **PRESCOTT, INC., FOR PURCHASE OF AN ALUMINUM BOX CULVERT FOR THE PLEASANT**  
41 **VALLEY WATER TREATMENT PLANT WASTE LINE PROJECT. MOTION CARRIED 5-0.**

42  
43 **MOTION BY BRANDIE STARR TO ADJOURN AS WATER AND SEWER COMMISSIONERS.**  
44 **MOTION CARRIED 5-0.**

45  
46 **UNFINISHED BUSINESS**

47  
48 COVID-19 Update

49 (i) *Overall Update*

50 (ii) *Review of COVID-19 Amended Emergency Order: "Wearing Face Coverings Required"*  
51

52 (i) Town Manager Elwell provided a brief update about the Town's operations during the ongoing  
53 COVID-19 pandemic, including the installation of parklets in parking spaces downtown for participating

1 businesses to conduct business outside in order to comply with the Governor's order limiting the number  
2 of people allowed in enclosed spaces. There was a brief discussion by the Board.

3 (ii) Wessel noted that he had asked the Board to review its order requiring the wearing of face  
4 coverings in Brattleboro businesses. There was a brief discussion by the Board. It was agreed to add  
5 this matter to the July 21 agenda to discuss again after the Governor's emergency order was due to  
6 expire on July 15.

7  
8 **NO ACTION TAKEN.**

9  
10 Parking Fund Matters

11 (i) *Adoption of the FY21 Parking Fund Budget*

12 (ii) *Transfer from the General Fund to the Parking Fund*

13 Elwell stated that the Board discussed the FY21 Parking Fund Budget at its meetings on May 19 and  
14 June 2 and was now asked to adopt it. He also discussed the request to transfer funds from the surplus  
15 in the General Fund to the Parking Fund Budget prior to the end of the fiscal year to allow some capital  
16 improvements in the parking infrastructure, as set forth in the memo from Assistant Town Manager  
17 Patrick Moreland, dated June 10, 2020. He noted that without the transfer of funds certain capital  
18 projects would be postponed due to the deficit in the Parking Fund because of the closure of parking  
19 enforcement operations during the COVID-19 era, including resurfacing the Preston Parking Lot (at a cost  
20 of \$30,000) and waterproofing a portion of the Brattleboro Transportation Center to eliminate leakage into  
21 the retail and office spaces on the lower level. He said that according to a recent estimate, the cost of  
22 waterproofing would be approximately \$30,000 per floor and staff suggested waterproofing the bottom  
23 two floors. There was much discussion by the Board, including about the amount of surplus in the  
24 General Fund, monthly revenue from parking enforcement, water leakage into retail stores/offices, cost of  
25 lost parking revenue due to the installation of downtown parklets, and the condition of the Preston Lot.  
26 The Board agreed to transfer \$90,000 to resurface the Preston Parking Lot and waterproof the two lower  
27 floors at the Brattleboro Transportation Center.

28  
29 **MOTION BY ELIZABETH McLOUGHLIN TO APPROVE THE FY21 PARKING FUND BUDGET, AS**  
30 **PRESENTED. MOTION CARRIED 5-0.**

31  
32 **MOTION BY ELIZABETH McLOUGHLIN TO APPROVE A TRANSFER OF \$90,000 FROM THE**  
33 **GENERAL FUND TO THE PARKING FUND. MOTION CARRIED 5-0.**

34  
35 FY21 General Fund Budget – Adoption. Elwell said that the Board was asked to approve the FY21  
36 General Fund that previously was recommended by the Selectboard for adoption by Representative  
37 Town Meeting (RTM). He noted that RTM was cancelled in March due to the COVID-19 pandemic. He  
38 said that Selectboards in towns that had not held their Town Meetings were now empowered to adopt the  
39 FY21 budget due to a special act of the Vermont Legislature. He noted that staff had presented a  
40 proposed budget to the Board in August 2019, and the Board then met every week from November 2019  
41 through January 2020 to finalize the FY21 budget, and it was approved by the Board on January 28,  
42 2020. He said that after the cancellation of RTM, the Board discussed the budget at its last meeting on  
43 June 2 and scheduled it for adoption at this meeting. Quipp noted that a national movement was forming  
44 to defund or abolish police departments after multiple incidents of alleged police brutality in several states  
45 and he suggested that many members of the public were attending this meeting for that purpose. Wessel  
46 asked the public for comment and asked them to keep their comments to two minutes. Several people  
47 provided their opinions and comments, many of which supported holding police accountable for their  
48 actions, recognizing and dismantling racism, shifting funds to human services, possible funding of the  
49 CPCC, rejecting the proposed budget, abolish police and the justice systems, and defunding or removing  
50 the police budget from the proposed FY21 General Fund Budget: Frank Osten, Sascha Bratton, Zoe  
51 Cunningham-Cook, Lucy [no last name offered], Jackson Stein, Saskia Bailey-de Bruijn, Joshua Wyman,  
52 Maeve Campman, Tabitha [no last name offered], Lou Racine, Grace Roundtree, Harley Walker, Ben

1 Somin, Eli Holmes, Alexys Sweeney, Jenna [no last name offered], Liz [no last name offered], Andrew [no  
2 last name offered], Echo Marshall, and Sophia [no last name offered]. Other people also joined the  
3 discussion and provided their comments and opinions, including some who voiced support for the Police  
4 Department, and others noting that a national movement had moved into a local setting, inviting people to  
5 get involved in the FY22 budget process and other Town committees and activities, supporting mental  
6 health services and funding human services more heavily, making the budgetary process more  
7 accessible, delaying the budget approval, and creating a citizen committee to discuss policing resources  
8 and community safety: Dick DeGray, Franz Reichsman, Maya Hasegawa, HB Lozito, Robin Morgan,  
9 Cory Sorensen, Maya [no last name offered], Misha [no last name offered], Fhar Miess, Mac Gander, and  
10 Tara O'Brien. Oscar Heller spoke against making a radical shift in the budget at the last minute with no  
11 process in place to revise it, suggested looking at the FY22 budget process to be a more inclusive  
12 process, asking the Board to make a strong commitment to reimagine police practices and community  
13 safety, and requesting the Board to form a citizen group to begin immediately with broad representation.  
14

15 Chair Wessel called for a recess at 9:00pm. He reconvened the meeting at 9:15pm.  
16

17 The Board held a very lengthy discussion and each member provided their comments and opinions.  
18 Quipp commented that he recognized that different people had different experiences around policing. He  
19 said he had several questions that he could not answer at this time, including how policing in the  
20 community could be improved and what help the police would like. He said that he wanted to continue to  
21 learn more and could not have answers or do effective work around improving the police department in  
22 the two weeks before the fiscal year ended and when a new budget would be required. He said that he  
23 was in favor of passing the budget and making a clear commitment to move forward and taking a long-  
24 term, thorough, inclusive, welcoming look at whether or not policing as practiced in Brattleboro met the  
25 community's needs. He encouraged residents to get involved in the budget process and town operations  
26 by running for seats on Representative Town Meeting, or the Selectboard, or other committees and  
27 boards.  
28

29 McLoughlin noted that the Board had been working on the budget for most of the year and it was very late  
30 to request changes. She noted that the Legislature passed a bill authorizing Selectboards to pass the  
31 budget this year so the town could function as of July 1. She agreed that the Board should look deeper  
32 into the Police Department's practices and restrictions on force, examine existing role and composition of  
33 police force and alternatives, review how the department works with mental health agencies and  
34 homeless agencies, and discuss restorative justice. She suggested that RTM may form a new committee  
35 to address community needs and public service through policing and human services and then become  
36 more involved in future budget processes.  
37

38 Wessel announced that Cassandra Holloway had submitted a written statement that she requested be  
39 read at the meeting. He read her statement in full.  
40

41 Goodnow said that he was listening to Brattleboro citizens' requests that police functions be reviewed.  
42 He agreed that a community movement was taking place and reform would take time and be more than a  
43 simple budget cut. He said that the Board also appeared to be in agreement with review police practices.  
44 He said that he could not support a budget that had not been reviewed since January without making an  
45 adjustment to re-evaluate rural policing. He offered to hold a special meeting before July 1 to review the  
46 budget.  
47

48 Wessel questioned what material changes had taken place in Brattleboro in the last two weeks (since the  
49 Board last reviewed the FY21 budget) that would question the budget. He noted that a national trauma  
50 was transferring into a local issue. He spoke in support of the Police Department and mentioned a recent  
51 incident on Putney Road where two Brattleboro Police Officers properly de-escalated an incident that  
52 could have gone a different way. Zoe Cunningham-Cook interrupted him to interject that Black Lives  
53 Matter and that police, in particular, affect Black lives. When Wessel continued, he said that the murder  
54 of George Floyd (in Minneapolis) was painful to the nation, but no remedy to that pain was included in

1 passing the budget. He spoke about the efforts of Police Chief Fitzgerald to build the department to be  
2 reflective of community values. He said that he respected the movement to make policing better, but  
3 could "not toss out a well-vetted budget" to make a symbolic gesture toward evils happening outside of  
4 town.

5  
6 Starr admitted that she was grappling between being a Board member and an activist. She  
7 acknowledged programs that the Police Department had instituted, including Project CARE, Coffee with a  
8 Cop, and programs with children, Turning Point, Groundworks, and COSU. She said that she would  
9 support shifting money to human services and wanted to compare the amount of money in the budget  
10 going to policing with the amount going to human services. She spoke about a past personal incident  
11 with police misconduct when she was 14 years old, and suggested that a licensed social worker could  
12 have assisted the police in that instance. She said that the Board should have thought more about  
13 human services during the budget process so she would not support this budget.

14  
15 **MOTION BY DANIEL QUIPP TO APPROVE THE FISCAL YEAR 21 BUDGET, AS PRESENTED.**  
16 **MOTION CARRIED 3-2 (STARR AND GOODNOW OPPOSED).**

17  
18 ***NEW BUSINESS***

19 Financial Report – Monthly Report for May. Elwell introduced the new Finance Director Andre Jaeger.  
20 Jaeger spoke about the financial report for May 2020, as set forth in his memo dated June 4. He invited  
21 anyone with questions to contact him. There was no discussion by the Board.

22  
23 **NO ACTION TAKEN.**

24  
25 Financial Management Questionnaire and Internal Controls Checklist – Annual Review. Finance Director  
26 Jaeger said that the Board was asked to acknowledge receipt of the (1) Financial Management  
27 Questionnaire–Towns and Cities; (2) Municipal Checklist for Internal Control – Part 1, Cash Controls, and  
28 (3) Municipal Checklist for Internal Control – Part 2, Other Controls relating to Cash or Risk, as set forth in  
29 his memo dated May 27, 2020. He said that the Board was also asked to authorize the Chair to sign the  
30 documents acknowledging receipt by the Board. There was a brief discussion.

31  
32 **MOTION BY IAN GOODNOW TO AUTHORIZE THE CHAIR TO SIGN (1) THE FINANCIAL**  
33 **MANAGEMENT QUESTIONNAIRE–TOWNS AND CITIES; (2) THE MUNICIPAL CHECKLIST FOR**  
34 **INTERNAL CONTROL–PART 1, CASH CONTROLS; AND (3) THE MUNICIPAL CHECKLIST FOR**  
35 **INTERNAL CONTROL–PART 2, OTHER CONTROLS RELATING TO CASH OR RISK. MOTION**  
36 **CARRIED 5-0.**

37  
38 FY21 Salary Increase for Non-Union Employees. Elwell said that the Board was asked to approve a 2%  
39 pay increase for all non-union employees for FY21 for reasons set forth in his memo dated June 10,  
40 2020. He explained that most employees were covered by collective bargaining agreements and three of  
41 the four agreements provided for a 2% salary increase. This increase would affect management, two  
42 confidential employees, and some part-time employees. There was a brief discussion by the Board.

43 **MOTION BY ELIZABETH McLOUGHLIN TO APPROVE A 2% PAY INCREASE FOR ALL NON-UNION**  
44 **EMPLOYEES FOR FY21. MOTION CARRIED 5-0.**

45  
46 Deerfield Valley Communications Union District – Recommendation to Join. Elwell said that the Board  
47 was asked to approve the Town becoming a member of the Deerfield Valley Communications Union  
48 District and to appoint a representative and two alternate representatives. He provided a condensed  
49 summary of previous direction from the Board for staff to investigate the creation of a CUD. He said that  
50 the Deerfield Valley Communications Union District had recently been formed, as set forth in the memo  
51 from Assistant Town Manager Patrick Moreland, dated June 8, 2020. He suggested that Patrick  
52 Moreland be appointed as the Town's representative, and that he and Sue Fillion be appointed as  
53 alternates. There was some discussion by the Board. Goodnow offered to be one of the alternates and

1 Elwell agreed to step aside so Goodnow could have that position.

2  
3 **MOTION BY TIM WESSEL TO APPROVE THE TOWN OF BRATTLEBORO BECOMING A MEMBER**  
4 **OF THE DEERFIELD VALLEY COMMUNICATIONS UNION DISTRICT, AND TO APPOINT**  
5 **ASSISTANT TOWN MANAGER PATRICK MORELAND AS THE TOWN'S REPRESENTATIVE ON**  
6 **THE BOARD OF THE DEERFIELD VALLEY COMMUNICATIONS UNION DISTRICT, AND**  
7 **TO APPOINT IAN GOODNOW AND PLANNING SERVICES DIRECTOR SUE FILLION AS THE**  
8 **TOWN'S ALTERNATE REPRESENTATIVES ON THE BOARD OF THE DEERFIELD VALLEY**  
9 **COMMUNICATIONS UNION DISTRICT. MOTION CARRIED 5-0.**

10  
11 Municipal Center Restoration/Renovation Project

12 (i) *Memorandum of Understanding with Windham and Windsor Housing Trust*

13 (ii) *Authorization of Funding for Feasibility Study*

14  
15 Elwell said that a tentative partnership had been formed with the Windham and Windsor Housing Trust to  
16 renovate the Municipal Center with housing on the upper two floors and municipal offices and tenants on  
17 the lower floors. He said that the Board was asked to authorize him to enter into a memorandum of  
18 understanding with the Windham and Windsor Housing Trust for a feasibility study regarding the potential  
19 joint project to renovate the Brattleboro Municipal Center. He added that the Board was also asked to  
20 authorize the expenditure of an amount not to exceed \$50,000 as a forgivable loan from the Town's  
21 Program Income to pay for out-of-pocket expenses associated with the feasibility study, all as set forth in  
22 the memo from Assistant Town Manager Moreland dated May 29. There was a brief discussion by the  
23 Board.

24  
25 **MOTION BY BRANDIE STARR TO AUTHORIZE THE TOWN MANAGER TO ENTER INTO A**  
26 **MEMORANDUM OF UNDERSTANDING WITH THE WINDHAM AND WINDSOR HOUSING TRUST**  
27 **FOR THE CONDUCT OF A FEASIBILITY STUDY FOR THE MUNICIPAL CENTER RENOVATION**  
28 **PROJECT, AND TO AUTHORIZE THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED \$50,000**  
29 **FROM PROGRAM INCOME AS A FORGIVABLE LOAN TO THE WINDHAM AND WINDSOR**  
30 **HOUSING TRUST FOR OUT-OF-POCKET EXPENSES ASSOCIATED WITH THE FEASIBILITY**  
31 **STUDY FOR THE MUNICIPAL CENTER RENOVATION PROJECT. MOTION CARRIED 5-0.**

32  
33 Restart Vermont Grant and Loan Program – Authorization of Town Participation and Use of Program  
34 Income Funds. Elwell said that the Board was asked to approve the Town's participation in a small  
35 business COVID-19 recovery program being organized by the State of Vermont, including use of the  
36 Town's Program Income funds, as set forth in the memo from Assistant Town Manager Moreland, dated  
37 June 9, 2020. There was a brief discussion by the Board.

38  
39 **MOTION BY DANIEL QUIPP TO AUTHORIZE THE TOWN MANAGER TO EXECUTE A**  
40 **MEMORANDUM OF INTENT WITH THE VERMONT AGENCY OF COMMERCE AND COMMUNITY**  
41 **DEVELOPMENT FOR PARTICIPATION IN THE RESTART VERMONT GRANT AND LOAN**  
42 **PROGRAM. MOTION CARRIED 5-0.**

43  
44 Department of Justice COVID-19 Grant – Ratification of Town Manager's Decision to Accept and  
45 Appropriate. Elwell said that the Board was asked to ratify his decision to accept and appropriate a grant  
46 from the U.S. Department of Justice's Coronavirus ESF Program to the Brattleboro Police Department in  
47 the amount of \$39,730 for COVID-19 related expenses for overtime, supplies, and personal protective  
48 equipment. There was a brief discussion by the Board.

49  
50 **MOTION BY ELIZABETH McLOUGHLIN TO RATIFY TOWN MANAGER ELWELL'S DECISION TO**  
51 **ACCEPT AND APPROPRIATE A \$39,730 GRANT FROM THE OFFICE OF JUSTICE PROGRAMS**  
52 **FOR COVID-19 RELATED EXPENSES AT THE BRATTLEBORO POLICE DEPARTMENT. MOTION**  
53 **CARRIED 5-0.**

1 Appointments for FY21

2 (i) *Appointments to Fill Vacancies on Town Committees and Boards*

3 (ii) *Appointments to In-House Staff Positions*

4  
5 Elwell said that the Board was asked to (1) appoint several applicants to various Town committees and  
6 boards, as set forth on the list contained in the Board's back-up materials; and (2) re-appoint the following  
7 In-House Staff Positions: Town Manager Peter Elwell as Collector of Taxes for a one-year term, Public  
8 Works Director Steve Barrett as Road Commissioner for a one-year term, and Zoning Administrator Brian  
9 Bannon as Zoning Administrative Officer for a three-year term. There was a brief discussion by the  
10 Board, and it was agreed that appointments for the Recreation & Parks Board, Tree Advisory  
11 Commission, and Weigher of Coal would be postponed until the next meeting when the Board could  
12 conclude interviews.

13  
14 **MOTION BY IAN GOODNOW TO APPOINT THE FOLLOWING PERSONS TO THE FOLLOWING**  
15 **COMMITTEES AND BOARDS:**

- 16  
17 **ADA Advisory Committee** - Mary McLoughlin  
18 **Brattleboro Housing Partnerships Board of Commissioners** - Elizabeth Harrison  
19 **Cemetery Committee** - Jane Fletcher  
20 **Citizen Police Communications Committee** - Leesette Bengar and Jason Schmotzer  
21 **Conservation Commission** - Marilyn Chiarello  
22 **Design Review Committee** - Robin Sweetapple  
23 **Design Review Committee Alternate** - Nora Dissinger  
24 **Development Review Board** - Kathryn Turnas II  
25 **Energy Committee** - Oscar Heller (3-year term), Millicent Cooley (1-year term), and  
26 Tony Duncan (2-year term)  
27 **Honor Roll** - Sherwood Lake, Sr., E. David Wright, and Richard Campbell  
28 **Nelson E. Withington Fund Advisory Committee** - Richard Carroll and Peter T. Richards  
29 **Planning Commission** - Thomas Mosakowski  
30 **Rescue, Inc., Trustee** - Debra Miller Chapman  
31 **Traffic Safety Committee** - Deb Bunker (as the Chamber of Commerce representative).

32 **MOTION CARRIED 5-0.**

33  
34 **MOTION BY DANIEL QUIPP TO RE-APPOINT TOWN MANAGER PETER ELWELL AS COLLECTOR**  
35 **OF TAXES FOR A ONE-YEAR TERM, AND RE-APPOINT PUBLIC WORKS DIRECTOR STEVE**  
36 **BARRETT AS ROAD COMMISSIONER FOR A ONE-YEAR TERM, AND RE-APPOINT ZONING**  
37 **ADMINISTRATOR BRIAN BANNON AS ZONING ADMINISTRATIVE OFFICER FOR A THREE-YEAR**  
38 **TERM. MOTION CARRIED 5-0.**

39 There was no further business.

40  
41  
42 **MOTION BY ELIZABETH McLOUGHLIN TO ADJOURN AT 10:55PM. MOTION CARRIED 5-0.**

43  
44  
45  
46  
47 \_\_\_\_\_  
Ian Goodnow, Clerk

Town of Brattleboro  
DEPARTMENT OF PUBLIC WORKS

211 Fairground Road, Brattleboro, Vermont 05301  
Tel: 802-254-4255 • Fax: 802-257-2316 • E-mail: sbarrett@brattleboro.org

To: Brattleboro Selectboard  
Via: Peter Elwell, Town Manager  
From: Daniel Tyler, Highway/Utilities Supt.  
Subject: Ratify Reservoir Trail Culvert Bid  
Date: June 29, 2020



On June 25, 2020, bids were opened for the Reservoir Trail Culvert. The following bids were received:

Neil Daniels, Inc. Ascutney, VT	\$98,760.00
Zaluzny Excavating Corp. Vernon, VT	\$99,560.00
Adams Trucking & Excavation Manchester Ctr., VT	\$111,597.80

The bids were analyzed by the project design team from Dufresne Group. Neil Daniels, Inc. was confirmed as the low bidder. Dufresne Group checked references and insurance provided by Neil Daniels, Inc., and provided a recommendation to accept their bid. DPW supports this recommendation. Upon the board's approval, the notice of award is to be signed by Town Manager, Peter Elwell.

RESERVOIR TRAIL CULVERT REPLACEMENT  
BRATTLEBORO, VERMONT

BID OPENING: June 25, 2020, 2:00 PM

ENGINEER'S OPINION OF CONSTRUCTION COST: \$90,000.00

I CERTIFY THIS IS A TRUE COPY OF THE BIDS RECEIVED

*Chasko*

ITEM NUMBER	DESCRIPTION	ESTIMATED QUANTITY	UNITS	ENGINEER'S ESTIMATE		Neil H. Daniels, Inc		Zaluzny Excavating Corp.		Adams Trucking & Excavation	
				UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	Aluminum Box Culvert	1	LS	\$ 43,400.00	\$ 43,400.00	\$ 34,000.00	\$ 34,000.00	\$ 30,000.00	\$ 30,000.00	\$ 46,000.00	\$ 46,000.00
2A	16" DI Water Main	50	LF	\$ 120.00	\$ 6,000.00	\$ 450.00	\$ 22,500.00	\$ 800.00	\$ 40,000.00	\$ 290.00	\$ 14,500.00
2B	Concrete Encasement	7	CY	\$ 250.00	\$ 1,750.00	\$ 800.00	\$ 5,600.00	\$ 200.00	\$ 1,400.00	\$ 300.00	\$ 2,100.00
2C	DI MJ Fittings	2300	LBS	\$ 6.00	\$ 13,800.00	\$ 4.00	\$ 9,200.00	\$ 1.00	\$ 2,300.00	\$ 19.13	\$ 43,999.00
2D	4" Thick Rigid Board Insulation	420	SF	\$ 4.00	\$ 1,680.00	\$ 3.00	\$ 1,260.00	\$ 3.00	\$ 1,260.00	\$ 2.14	\$ 898.80
2E	Manual Air Release	2	EA	\$ 1,500.00	\$ 3,000.00	\$ 500.00	\$ 1,000.00	\$ 500.00	\$ 1,000.00	\$ 900.00	\$ 1,800.00
3	Ledge Rock Excavation	20	CY	\$ 185.00	\$ 3,700.00	\$ 100.00	\$ 2,000.00	\$ 20.00	\$ 400.00	\$ 20.00	\$ 400.00
4	Boulder Excavation	20	CY	\$ 110.00	\$ 2,200.00	\$ 10.00	\$ 200.00	\$ 10.00	\$ 200.00	\$ 20.00	\$ 400.00
5	Miscellaneous Work & Cleanup	1	LS	\$ 14,470.00	\$ 14,470.00	\$ 23,000.00	\$ 23,000.00	\$ 23,000.00	\$ 23,000.00	\$ 1,500.00	\$ 1,500.00
TOTAL					\$ 99,000.00		\$ 98,760.00		\$ 99,560.00		\$ 111,597.80

June 29, 2020

Steve Barrett, Public Works Director  
Town of Brattleboro  
211 Fairground Road  
Brattleboro, VT 05301

Re: Reservoir Trail Culvert Replacement, Contract 2020-1  
Recommendation to Award  
DG 61202007

Dear Steve:

We have reviewed the bids received by the Town of Brattleboro on June 25, 2020 for the above referenced project. A bid tabulation was previously sent to you. We reviewed the bid results and checked unit prices and item extensions for the confirmed bid amount. The low bidder was Neil H. Daniels, Inc. of Ascutney, VT with a bid of \$98,760.00.

We have received a list of references from Neil H. Daniels, Inc. (NHD) and have contacted the following individuals:

- Vermont Agency of Transportation, Sven Scribner, PE: Sven has worked with NHD on several bridge projects throughout the State. Sven noted that NHD provides a great quality of work, adding that NHD is "one of our favorite contractors". The superintendent on these projects, Matt Belden is very knowledgeable and experienced. NHD has been efficient and has met all deadlines, with no issues on following up with punch list items. NHD has been fair on change orders. Sven noted "your project would be in great hands" with NHD.
- Enman-Kesselring Consulting Engineers, Nicole Kesselring, PE: Nicole has worked with NHD on several bridge and culvert projects in the Killington/Chittenden area. She has been "very satisfied" with the quality of their work, as well as "their willingness to correct anything that might need addressing".

We also contacted Betty Morrissette representing Cross Insurance, which is the agent for Berkley Insurance Company. Berkley Insurance Company is the surety company for Neil H. Daniels, Inc. and is listed on the current US Treasury Circular #570 (#32603). Ms. Morrissette indicated that she has worked with NHD since 1983 and has not had any past issues. Berkley Insurance Company will be providing both the performance and payment bonds for this project.

Based on these investigations, we find no reason not to recommend award of the bid to Neil H. Daniels, Inc. If you concur with this recommendation, please sign the attached Notice of Award and return it to our office.

If you have any questions, please do not hesitate to contact us.

Sincerely,

DUFRESNE GROUP

A handwritten signature in black ink that reads "CHaskins". The "C" is large and loops around the "H", and the "askins" is written in a cursive style.

Christina M. Haskins, PE  
Vice President

Enclosure

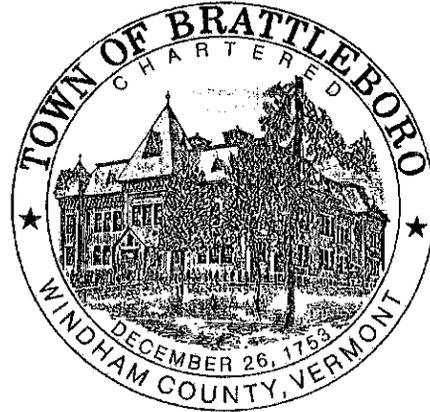
# MEMORANDUM

To: Selectboard

From: Jan Anderson, Executive Secretary  
Lawrin Crispe, Town Moderator  
Peter Elwell, Town Manager  
Robert Fisher, Town Attorney  
Hilary Francis, Town Clerk  
Patrick Moreland, Assistant Town Manager

Re: Representative Town Meeting (RTM) –  
Recommendations for Holding an  
Inclusive RTM During COVID-19

Date: July 1, 2020



---

This is in furtherance of a memorandum dated May 29, 2020, from Town Manager Elwell in which he outlined several alternatives we had identified for maximizing both risk reduction and inclusive participation for a Representative Town Meeting (RTM) during this unprecedented year of COVID-19. The Selectboard discussed this matter and received public input at the June 2 Selectboard meeting. Thereafter, the six of us collaborated on developing the recommendations set forth in this memorandum. We are prepared to participate in the further discussion of this matter at the July 7 Selectboard meeting.

As you know, the Representative Town Meeting (RTM) that was scheduled for March 21, 2020, had to be cancelled due to COVID-19 and the related restrictions on public gatherings. At the June 2 Selectboard meeting and in other communications about this matter, concerns have been raised (1) that an RTM that requires members to gather (even if outdoors or in groups as small as 20 or fewer people) may exclude some elected RTM members due to concerns about the continued spread of the COVID-19 virus, and (2) that an all online RTM may exclude some elected RTM members due to lack of access to technology and/or limited ability to use it. Even if we could overcome with certainty those barriers to participation, experience with online meeting tools during the past few months suggests that some or all participants in an online meeting might be negatively affected by service interruptions and/or poor quality of the meeting's audio and visual transmissions. We considered a variety of hybrid alternatives that would involve a combined use of an online meeting platform and in-person gatherings in the hope of finding a way to replicate a "normal" RTM in the BUHS Gym or the BAMS Multi-Purpose Room, but all included the risk of disenfranchising some RTM members from casting the votes they have been elected to cast. Reluctantly, therefore, we recommend the procedure set forth below which sacrifices the ability of RTM to amend articles on the warning in favor of ensuring that every RTM member will be able to vote on every article.

We propose a two-part RTM that follows the procedure used by some other Vermont towns for their annual Town Meetings. The first part is an informational/discussion meeting at which the members discuss the articles and the second part is an Australian ballot process by which the members vote on the articles. The Australian ballot part of this guarantees that every RTM member will be able to cast their votes, but it requires the use of pre-printed ballots that will preclude the opportunity for RTM to amend any of the articles during the discussion phase.

Here is a chronology of how we propose for this to occur:

**Tuesday, July 21**

Selectboard approves the RTM warning. This must occur not less than 30 days nor more than 40 days from the date(s) on which RTM is to be held.

**Friday, August 14 (or earlier)**

Town Clerk mails a pre-printed ballot and reminder copy of the RTM warning to every RTM member.

### **Saturday, August 22**

RTM's discussions occur on GoToMeeting. This is 32 days (not less than 30) after the approval of the warning. The Town Moderator will facilitate the discussions using procedures similar to those used by the Selectboard for Selectboard meetings on GoToMeeting. We anticipate this message (or something similar) being transmitted to all the RTM members prior to the August 22 meeting (along with instructions about how to connect into the meeting using alternative forms of technology):

*Rules pertaining to debate and discussion:*

- *Since the meeting is an informational/discussion meeting, no quorum will be necessary.*
- *Since voting will be by Australian ballot, no motions or amendments shall be permitted.*
- *To seek recognition by the moderator, members connected by computer will send a "chat" message through the GoToMeeting software requesting an opportunity to speak on the article under consideration. The moderator will recognize each speaker in the order received. Telephone callers will be recognized after members who are connected by computer and using the chat function. When recognized, you should state your name and district.*
- *Please mute your computer, except when you are recognized by the moderator.*
- *Remarks and debate will be limited to no more than 2 minutes per speaker.*
- *As always, we will respect our tradition of civility. Speakers are not allowed to engage in personal attacks on other people or their motives.*
- *Each article will be considered separately and discussion shall be confined to the merits of that article only.*
- *Individuals who have once spoken on a topic shall not again be entitled to speak on that topic to the exclusion of another who has not yet spoken.*
- *Each RTM member is responsible for their own connection via the Internet or telephone. The meeting shall not be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented participation in the meeting. To help guard against an RTM member missing out on any of the discussions, technical assistance will be available in advance. Also, a recording of the meeting will be available on BCTV's website for viewing prior to the deadline for casting Australian ballots.*

### **Friday, August 28**

Deadline for RTM members to cast their ballots (either by dropping them in a box at the Municipal Center or by having them postmarked by that date for delivery by U.S. Mail). This is 38 days (not more than 40 days) after the approval of the warning.

### **Friday, September 4**

The Town clerk will tabulate the ballots and announce the results. This is one week after the deadline for RTM members to cast their ballots. That will allow sufficient time for locally mailed ballots to arrive at the Town Clerk's Office.

Finally, District 2 has no RTM vacancies but there are vacancies in both District 1 and District 3. Town Clerk Hilary Francis will work with the chairs in each of those districts to warn and hold a caucus prior to the August 22 information/discussion meeting so that a full complement of RTM members from every district can participate.

A draft RTM warning is attached to this memorandum. We look forward to receiving the Selectboard's direction on July 7 so that we may proceed toward Selectboard approval of the finalized warning at your July 21 Selectboard meeting (or toward some other way forward that the Selectboard may prefer).

JA:LC:PE:BF:HF:PM  
Attachment

**ANNUAL REPRESENTATIVE TOWN MEETING  
AUGUST 2020  
(RESCHEDULED FROM MARCH 21, 2020, DUE TO THE COVID-19 PANDEMIC)**

The legal voters qualified to vote in Representative Town Meeting are hereby notified and warned to meet on GoToMeeting at 8:30am on Saturday, the 22nd day of August, 2020, for an informational meeting to discuss the Articles listed below; and to cast their votes by Australian ballot no later than Friday, the 28<sup>th</sup> day of August, 2020 (by dropping their ballot in the metal "mailbox" adjacent to a wooden light pole in the parking lot behind the Municipal Center at 230 Main Street in Brattleboro by 5pm on August 28 or by submitting their ballot by U.S. Mail with a postmark no later than August 28) to act on the Articles listed below. In order to allow mailed ballots enough time to arrive at the Town Clerk's Office, the ballots will be counted on Friday, the 4<sup>th</sup> day of September, 2020.

To join the discussion on GoToMeeting on August 22:

**INSERT  
THE  
STANDARD BLOCK OF GoToMeeting INSTRUCTIONS  
HERE**

**ARTICLE 1:** To accept the Town's Auditors' report as printed in the 2019-2020 Town Report.

**ARTICLE 2:** To authorize the Selectboard to employ a certified public accountant or public accountants.

**ARTICLE 3:** To ratify, approve, and confirm the Selectboard's appointment of Hilary Francis as Town Clerk for a term of one year (until the 2021 Representative Town Meeting).

**ARTICLE 4:** To ratify, approve, and confirm the Selectboard's appointment of Andre Jaeger as Town Treasurer for a term of one year (until the 2021 Representative Town Meeting).

**ARTICLE 5:** To ratify, approve, and confirm the Selectboard's appointment of the firm of Fisher and Fisher Law Offices, PC, as Town Attorney for a term of one year (until the 2021 Representative Town Meeting).

**ARTICLE 6:** To authorize Town Moderator Lawrin Crispe to appoint two representatives to the Capital Grant Review Board for a term of one year (until the 2021 Representative Town Meeting).

**ARTICLE 7:** To authorize Town Moderator Lawrin Crispe to appoint members to the Town Finance Committee for a term of one year (until the 2021 Representative Town Meeting).

**ARTICLE 8:** To authorize Town Moderator Lawrin Crispe to appoint members to the Human Services Review Committee for a term of one year (until the 2021 Representative Town Meeting).

**ARTICLE 9:** To elect four Trustees of the Brooks Memorial Library, as follows: Jennifer Rowe, Karen Tyler, and John Woodward, each for a term to expire in 2023; and Gabriel Sistare for a term to expire in 2021.

**ARTICLE 10:** To authorize the Selectboard to borrow money in anticipation of taxes, grants, and other revenue.

**ARTICLE 11:** To authorize that the annual salary for the Selectboard Chairperson be set at \$5,000 and that the annual salary for each of the other members of the Selectboard be set at \$3,000.

**ARTICLE 12:** To authorize the Selectboard to transfer from the Unassigned General Fund Balance to the Capital Fund the sum of \$223,000 to fund a portion of the cost of a new fire engine to replace a 1994 fire engine.

**ARTICLE 13:** To authorize the Selectboard to appropriate and expend the sum of \$43,748 for the Community Marketing Initiative promotion of Brattleboro to be performed jointly by the Brattleboro Area Chamber of Commerce and the Downtown Brattleboro Alliance.

**ARTICLE 14:** To raise and appropriate the sum of \$80,000 through special assessments on properties within the Downtown Improvement District (as approved by Town Meeting on March 19, 2005, and as delineated in the Town Ordinance entitled "Municipal Act to Establish and Regulate the Downtown Improvement District") to be used for capital and operating costs of projects of the Town's duly designated downtown organization (the Downtown Brattleboro Alliance) as reflected in its work plan and budget.

**ARTICLE 15:** To authorize the Selectboard to appropriate and expend the sum of \$190,105 to support human service programs and facilities for the residents of Brattleboro to be allocated among service providers in the following manner: Aids Project of Southern Vermont - \$2,000; Big Brothers Big Sisters - \$6,375; Boys & Girls Club of Brattleboro - \$17,000; Brattleboro Area Hospice - \$2,550; Brattleboro Area Prevention Coalition (a/k/a Building a Positive Community) - \$11,250; Brattleboro Centre for Children - \$4,500; Brattleboro Community Justice Center - \$5,950; Brattleboro Senior Meals - \$5,250; Family Garden - \$2,500; Gathering Place - \$3,750; Green Mountain RSVP - \$700; Groundworks Collaborative - \$19,000; Health Care & Rehabilitation Services of Southeastern Vermont - \$7,500; KidsPLAYce - \$4,000; Meeting Waters YMCA - \$7,125; Out in the Open (f/k/a Green Mountain Crossroads) - \$8,500; The Root Social Justice Center - \$5,250; Senior Solutions - \$2,700; Southeastern Vermont Community Action, Inc. (SEVCA) - \$11,400; Turning Point - \$15,000; Vermont Association for the Blind and Visually Impaired - \$700; Vermont Center for Independent Living - \$1,600; Visiting Nurse and Hospice for VT and NH - \$10,980; Windham County Humane Society - \$1,000; Windham County Safe Place Child Advocacy Center and Southeastern Unit for Special Investigations - \$2,700; Women's Freedom Center - \$14,250; Windham Southeast Supervisory Union Summer Food Program - \$6,375; Youth Services - \$10,200.

**ARTICLE 16:** To approve that the Town and School District taxes assessed on the Grand List as of April 1, 2020, shall be due and payable in four (4) equal installments payable to the Town Treasurer until overdue, then to the Collector of Taxes; that such payment of the installments shall be received by the Town Treasurer's Office on or before 5:00pm on September 15, 2020, November 16, 2020, February 16, 2021, and May 17, 2021; and that interest at a rate of one percent (1%) per month be charged from the due date of payment on any overdue payment of the Town tax, installment, or portion thereof; and that a penalty of eight percent (8%) be charged on any overdue payment that remains due and owing on May 18, 2021.

**ARTICLE 17:** To authorize the Selectboard to expend \$36,147 from Program Income (a revolving loan fund that disperses proceeds which originated as Community Development Block Grants) as a contribution to the operation of Southeastern Vermont Economic Development Strategies (SeVEDS).

**ARTICLE 18:** To raise and appropriate the sum of \$223,276.47 through special assessments on property within the "Mountain Home Park Special Benefit Assessment Tax District" (as approved by Town Meeting on March 24, 2007, and as delineated in the Town Ordinance entitled "Municipal Act to Establish and Regulate the Mountain Home Park Special Benefit Assessment Tax District") for the purpose of paying debt service on the capital improvements to the water and sewer lines serving the Mountain Home and Deepwood Mobile Home Parks.

**ARTICLE 19:** To adopt the following resolution and submit it to the Federal Energy Regulatory Commission (FERC) as comments to communicate the Towns' ongoing concerns and interests:

"Whereas, the peaking operations of Wilder, Bellows Falls and Vernon dams have been causing daily surface water elevation fluctuations of, on average 2-3 feet every day in the impoundments behind the dams for at least 70 years, resulting in loss of land for landowners in VT and NH and degradation of water quality and habitat of the river for decades;

"Whereas, in the late 1970s, during the last relicensing process, the Army Corps of Engineers (ACOE) conducted an erosion study on the project area; and FERC issued the last licenses in early 1979 just months before the ACOE completed their study in November of that year; and the ACOE study clearly states that pool level fluctuations are the *second most important causative factor* for erosion in the project areas.

"Whereas, the erosion study completed for the current relicensing by Great River Hydro, the current owner of these three projects did not look at the effect of pool level changes on erosion, instead, focusing only on potential erosion due to velocity along the bank edge that would be typical for a natural river system; and the Connecticut River in the project area does not function as a natural river, instead functioning as a series of lakes, with water flow controlled by the dams.

"Whereas, many towns and landowners up and down the river have used millions of dollars in public and private money to attempt to stabilize and restore their streambanks to protect property and infrastructure over the past 70 years;

"Therefore, be it resolved that the Town of Brattleboro, formally requests that the Federal Energy Regulatory Commission require, via license article, the current and any subsequent owners of the Wilder, Bellows Falls and Vernon Dams to modify current dam operations to minimize peaking; provide for ongoing streambank monitoring; develop a shoreline adaptive management plan; and create a mitigation and enhancement fund to support riverbank restoration and/or property owner compensation to reimburse towns and landowners for any and all damages resulting from the deterioration of the riverbank."

**ARTICLE 20:** To transact any other business that may lawfully come before the meeting.

(Note that this article applies only to the informational discussion meeting on August 22 and shall not appear on the ballot.)

**Dated at Brattleboro, Vermont, this 21<sup>st</sup> day of July, 2020.**

**BRATTLEBORO SELECTBOARD**

\_\_\_\_\_  
Tim Wessel, Chair

\_\_\_\_\_  
Elizabeth McLoughlin, Vice Chair

\_\_\_\_\_  
Ian Goodnow, Clerk

\_\_\_\_\_  
Brandie Starr

\_\_\_\_\_  
Daniel Quipp

Brattleboro, Vermont  
July \_\_\_\_, 2020

Town Clerk's Office, Brattleboro, Vermont, July \_\_\_\_, 2020, at \_\_\_\_ a/pm, received and recorded the foregoing Warning in Volume \_\_\_\_, of Town Records, at Page \_\_\_\_.

Attest: \_\_\_\_\_  
Hilary Francis, Town Clerk

To: Tim Wessel, Brandie Starr, Daniel Quipp, Ian Goodnow and Peter Elwell  
From: Elizabeth McLoughlin  
RE: BPD Examination Process  
Date: July 2, 2020

## INTRODUCTION:

Consistent with statements made by Selectboard members when voting for the town budget on June 16, 2020, the following program and process is offered to my fellow Selectboard members for consideration to begin a focused examination of the Brattleboro Police Department (BPD).

The key elements of this process are to ask for volunteers to serve as moderators/facilitators and to ask for volunteers to form a public committee. Both the facilitators and the public committee members will be selected as part of a public call for volunteers at public meetings by the Selectboard. This facilitated public committee will meet with small groups of the public to hear ideas/comments regarding the BPD. The facilitators and committee will also engage in discussions with the BPD. This public process will be focused on reviewing existing policies and suggesting new policies and new training for the BPD based upon Campaign Zero, or other established criteria and in full compliance with newly adopted State and Federal laws. The target date for completion of this process is November of this year, prior to the Selectboard review of the FY21 Annual Budget. All meetings will be governed by the Vermont Open Meeting law.

Attached to this memo is a page from the Campaign Zero Solutions website: I encourage reading of this plan, it is a very thorough set of criteria to work from.

<https://www.joincampaignzero.org/solutions>.

## GOALS:

Goal #1: Citizen review of policies, training, procedures and budget of the current Brattleboro Police Department through a public examination process.

Goal #2: As stated in the Brattleboro marketing campaign, we welcome all. This welcome must include persons of color, in particular, both as visitors and as residents. Through this process, we will establish that this welcome is shared by the BPD. Upon completion, our town government can be a reflection of our town values.

## THE PROPOSAL

1. The Selectboard will ask for volunteers to serve as moderators/facilitators to engage the public in discussions and examination of the Brattleboro Police Department. Facilitators will be selected at a public Selectboard meeting.
2. This facilitator team will provide outreach to persons currently engaged in equity and justice matters to raise interest in participating in an examination of town police based upon national review criteria of progressive police measures as outlined in Campaign Zero Solutions (or other criteria). The result will be an open call for the public to volunteer to join this public committee. Committee members will be engaged by the Selectboard at a public meeting.

The committee will be led by identified moderators/facilitators to assure that the engagement and discussion is non-confrontational.

3. This facilitator team will meet with police chief to discuss police engagement in this process, to review and understand current policies, and to provide a background of understanding to the Campaign Zero Solutions (or similar criteria).
4. The committee will meet as necessary. An initial meeting will establish a common vocabulary focusing on Campaign Zero (or similar criteria), and initial discussions held to make sure all parties and the public understand the focus of this process is to discuss issues related to police policies, practices, training and budget.
5. Small listening sessions will be held by the committee for additional public input, including people who may have had bad experiences with or do not wish to engage with the police. Meetings can be held without the police present. All meetings are subject to Open Meeting Law.
6. The facilitated committee or a designated sub-committee will conduct an independent citizen review of current policing practices, policies, training and budget as benchmarked against Campaign Zero Solutions or other criteria. A policy team may want to draft policy statements. A training team may want to develop a training course for the BPD based upon this work.
7. Non-profit conversation: facilitators and committee will hold sessions with the non-profits who currently work with BPD on Project Care to discuss potential expansion of this collaboration into other areas of policing beside opioid use and to hear their perspective on police practices. What might these agencies do with more money? What tasks currently performed by the BPD might be undertaken either in partnership with social services or only by social services? Can restorative justice programs be expanded? This effort will focus on measures to reduce the number of people who are introduced to the criminal justice system through the BPD. These groups from Project Care are:

- Groundworks Collaborative
- HCRS
- Turning Point

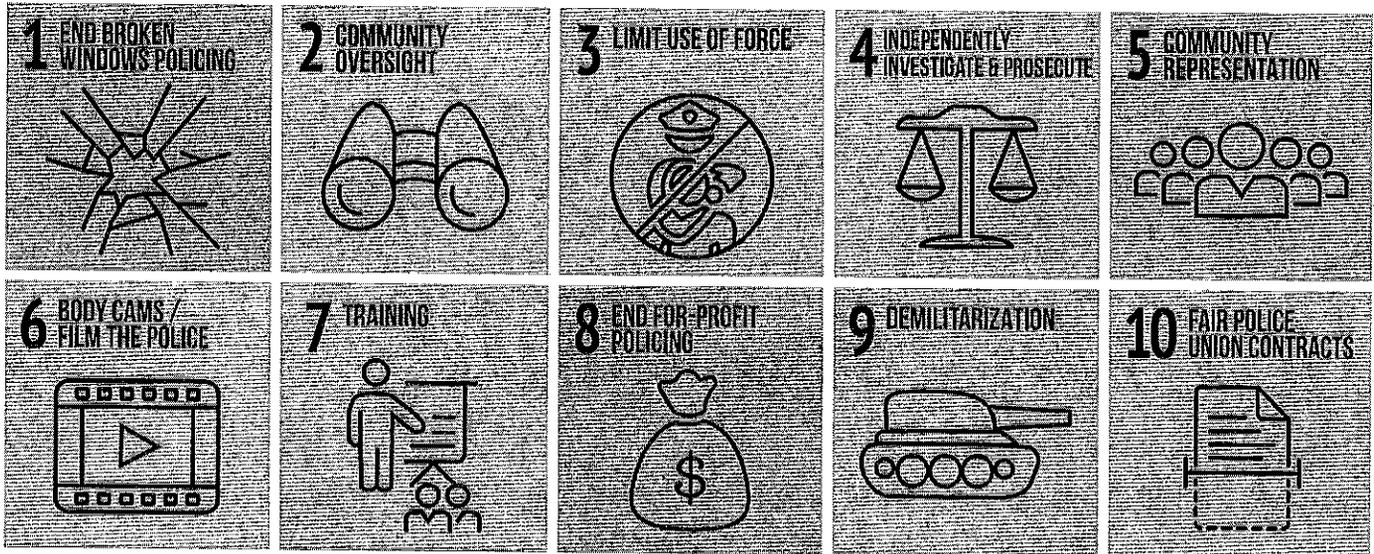
But would add:

- Youth Services
- Women's Freedom Center
- Brattleboro Community Justice Center
- DCF

8. Report to Selectboard and public: The committee will report its findings to the Selectboard and the public. All new initiatives will be reviewed for compliance with newly adopted State and Federal laws. Discussions of police policies, training, procedures and budget will be examined, suggested timing will be established as either short term or long term measures. The town will act upon the recommendations received in a public forum. Implementation of new policies, operations and/or budget decisions will be determined by the Selectboard, Town Manager and/or BPD. Changes to BPD budget, increased funding to restorative justice, and/or non-profit social service agencies will be determined by the Selectboard and RTM.

# CAMPAIGN ZERO

WE CAN LIVE IN A WORLD WHERE THE POLICE DON'T KILL PEOPLE  
BY LIMITING POLICE INTERVENTIONS, IMPROVING COMMUNITY INTERACTIONS  
AND ENSURING ACCOUNTABILITY.



WE CAN LIVE IN A WORLD WHERE SYSTEMS AND STRUCTURES DO GOOD, NOT HARM.

[JOINCAMPAIGNZERO.ORG](http://JOINCAMPAIGNZERO.ORG)

## Jan Anderson

---

**From:** HB Lozito <hb@weareoutintheopen.org>  
**Sent:** Tuesday, June 30, 2020 11:56 AM  
**To:** Peter Elwell; Jan Anderson; wessel@brattleboro.org; Elizabeth McLoughlin  
**Cc:** Daniel Quipp  
**Subject:** Proposal for July 7th Selectboard Meeting  
**Attachments:** Selectboard Process Recommendation .pdf

Hello,

I am submitting this proposal on behalf of those who have signed on, for inclusion in the packet for Selectboard for the upcoming July 7th meeting. Pursuant to the agenda item regarding upcoming Selectboard-initiated process for looking at policing and budgeting.

Warmly,  
HB

---

### HB Lozito

*Executive Director*

**Out in the Open**

*My pronouns are they/them/theirs*

PO Box 1685  
Brattleboro VT 05302

Find us on [Instagram](#) and [Facebook](#)

JUN 30 2020

TOWN OF BRATTLEBORO  
TOWN MANAGER'S OFFICE

Selectboard,

As a group of Brattleboro Town and area residents involved in diverse and collective movements for liberation and social justice, we have come together to ask that the process by which the Selectboard looks at police and policing in Brattleboro this year is transparent, inclusive, equitable, accountable, and just.

We believe in an open process that invites in the wealth of knowledge and life experiences that our community holds about police, social services, racism, oppression, and alternatives to punishment and violence. We are working toward a community that is free of white supremacy in all of its manifestations.

Together, you have a real opportunity to use the power you hold to move this conversation, which the Selectboard has been a part of for many years, forward in tangible ways that benefit us all. We ask that you make these commitments to your community about this process.

**We ask that you commit to an open, accessible and affirmative process that truly investigates the role of police and policing in Brattleboro. An open, accessible and affirmative process would include:**

- Meetings that are open, accessible and that affirmatively engage public participation whenever possible
- Virtual options for participation, during the pandemic and beyond
- Childcare for participants
- Interpretation and translation
- Opportunities for public feedback without police present
- A forum and process to collect community members' experiences with police and policing anonymously, without fear of retribution by police or the State
- Prioritizing holding any in-person meetings in spaces where POC have built trust, comfort, and power
- Meetings happening at times that are accessible to the majority of people
- In-person meetings held without the presence of weapons

**While all people have a stake in ending white supremacy and oppressive carceral systems, this process must uplift the voices of those in our community most impacted by those systems.**

- We ask that you commit to inviting in the wisdom of marginalized communities who are already doing organizing work focused on social justice, healing, and liberation, such as The Root Social Justice Center, Susu Healing Collective, Out in the Open, The Hive Mutual Support Network, Families United, Green Mountain Self Advocates, Brattleboro Solidarity, Lost River Racial Justice, as well as others organizing around liberation.

- Uplifting these voices means giving people from these organizations, communities, and experiences leadership and power in this process, and ensuring that their invaluable perspectives and lived experiences will be respected and honored, not tokenized or disregarded.

**We ask that you commit to a process that is equitable, accountable, and collaborative, not extractive.**

- We ask that you engage a paid facilitator or facilitation team that is not part of the Citizen Police Communication Committee (CPCC), the police, or the Selectboard to ensure accountability and ensure that it is someone's primary role to keep this process moving forward.
- In order to honor the time and labor of the marginalized people who must be included in any authentic process regarding this issue in our community, we ask that you pay participants from impacted communities a stipend for their time, labor, and wisdom.

We hope that you all choose to use the opportunity of this process to take a real, deep, equitable, accountable look into policing in our community. If you do, many community members, social justice organizations, and impacted people are ready to meet this moment and enter that work with you.

Signed,

**Brattleboro for All  
Brattleboro Solidarity  
Out in the Open  
The Root Social Justice Center  
Lost River Racial Justice  
Abby Mnookin, Co-Director of 350VT and 350Brattleboro  
Shea Witzberger  
Anna Mullany  
Malaika Puffer  
HB Lozito, Executive Director, Out in the Open  
Robin Morgan  
Anne Louise Wagner  
Calvin Moen  
Eva Westheimer  
Fhar Miess  
Ain Thompson  
Tara O'Brien  
Mel Motel**

**Sonia Silbert, Co-Director, 350VT**

# TOWN OF BRATTLEBORO

Town Manager's Office · 230 Main Street · Brattleboro, VT 05301  
(802) 251-8151 Fax (802) 257-2322

June 29, 2020

Memo To: Brattleboro Selectboard  
Via: Peter B. Elwell, Town Manager  
Memo From: Patrick Moreland, Assistant Town Manager  
Re: Brattleboro Housing Partnerships  
Staff Recommendation for Loan

**Recommendation:** The board is asked to approve a loan in the amount of \$150,000 to Brattleboro Housing Partnerships from the Town's Revolving Loan Fund in support of the Red Clover Commons 2. The term of the loan is 15 years with 0% interest and with a final balloon payment to be scheduled based on the date the project achieves substantial completion.

## ***Grant Status***

In 2019 the Vermont Community Development Program notified the Town of Brattleboro of a \$300,000 grant award in support of Red Clover Commons 2. The initial request in the application had been for \$350,000. As a result, the Selectboard made up the difference of \$50,000 with a grant from the Town's Revolving Loan Fund.

The grant is pending, and Brattleboro Housing Partnerships (BHP) is working aggressively to achieve the award conditions. The only outstanding award condition involves securing all other funding sources. As you can see from the attached memo submitted by Chris Hart, the outcome of the construction bid process, even after value engineering, left the project with a need of additional financial resources. The deadline to achieve the award conditions is July 30, 2020.

Each of the main funding sources is being asked to increase their level of contribution to allow this project to get off the ground in a timely manner. BHP Officials inquired about the Town's Revolving Loan Fund and after a lengthy discussion with Town Staff, we agreed that a 15 year loan of \$150,000 at 0% with a single balloon payment would support BHP's cash flow needs and maintain BHP's long term financial well-being. The tax credit program that the developers are using requires all financing to be at least a 15-year term. The interest rate was chosen because the project, which is already heavily leveraged, cannot afford any additional interest-bearing debt and maintain positive cash flow.

## ***Revolving Loan Fund***

As of the end of May, the Town's Revolving Loan Fund had a balance of Program Income and Unrestricted Revenue of \$684,932. The fund has outstanding obligations of \$279,862 for Apartments in Homes (\$16,330), State Mitigation Admin (\$13,532), and Groundworks (\$250,000) and a pending potential future obligation of \$36,147 for SeVEDS. Since that date, the Selectboard has authorized up to \$30,000 to support downtown business (parklets) and up to \$50,000 to support Windham & Windsor Housing Trust to examine the feasibility of renovating

and partially repurposing of the Brattleboro Municipal Center. But even after these obligations are deducted from the balance, there is still \$368,923 available for local grants and loans. In addition, Staff expects that another borrower will likely repay their loan of \$150,000 within the first half of July.

Staff is recommending this supplemental award for several reasons. This project is worthy of the additional investment because it represents the final relocation of housing units away from Melrose Terrace. The development of Red Clover Commons, phases 1 and 2, will significantly mitigate future flood hazards along the Whetstone Brook. The project is a perfect fit for both the state goals for the use of VCDP program funds, and for Brattleboro's use of local Program Income and Unrestricted Revenue. For these reasons, staff recommends approval.

***Project Background:***

Housing Vermont (HVT) and Brattleboro Housing Partnerships (BHP) are co-developers in Red Clover Commons Phase Two – the new construction of 18 units of senior & non-elderly disabled housing in Brattleboro, Vermont to replace existing dwelling units scheduled for demolition at Melrose Terrace in Brattleboro, VT.

Melrose Terrace, constructed by BHP (which was originally the Brattleboro Housing Authority) in 1965, contained 80 units located at 224 Melrose Street and adjacent to the Whetstone Brook. Much of the property is in the floodway and flood plain. The entire site was flooded by Tropical Storm Irene in August 2011; approximately 60 of the 80 units were damaged. The units were repaired and reoccupied, but it is clear the senior and disabled residents need to be relocated to the safer site, because of the continued threat of flooding at this location. As recently as January 2019, residents had to be evacuated from Melrose Terrace due to a threat posed by the Whetstone Brook. A volatile upstream ice jam required a coordinated emergency response from Town staff in the Department of Public Works, Brattleboro Police and the Brattleboro Fire Department.

The first phase of the relocation involved the new construction of 55 units of housing at 30 Fairground Road in Brattleboro. The development, known as Red Clover Commons, offers common area programming including a warming kitchen, dining area, on-site property management office, SASH (Support & Services at Home) office, exercise room and a lobby and patio area for resident gatherings.

The second phase of the relocation (Red Clover Commons Phase 2) will involve the new construction of a second building containing 18 units at the same site. There will be 17 one-bedroom units and 1 two bedroom unit. Services offered at Red Clover Commons will be available to the residents of Red Clover Commons (RCC) Phase 2. A total of 25 bedrooms are being relocated from Melrose Terrace. Red Clover Commons Phase 2 will provide for 18 of those units, while the remaining 7 units are being incorporated into the Snow Block on Flat Street.

***Attachment***

Memo from Chris Hart & Kathy Beyer Dated 6/18/20

To: Patrick Moreland/Town of Brattleboro

From: Chris Hart/Brattleboro Housing Authority  
Kathy Beyer/Housing Vermont

RE: Red Clover 2 RLF request

Date: June 18, 2020

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Housing Vermont and Brattleboro Housing would like to request a loan for Red Clover 2 in the amount of \$150,000 from the Town's revolving loan fund.

Based on the preliminary construction price from our bid opening, it has become evident that the project is in need of additional funding in order to reach a successful construction start.

Construction costs: Prior to going out to bid, our most recent cost estimate from our construction manager, and based on 50% construction drawings was \$200/square foot. The current draft bid number, before value engineering (a process in which all aspects of the project are examined for cost cutting) , is \$244/sf. This leaves us with a gap of over \$700,000 which cannot be entirely erased through value engineering.

Our construction manager, HP Cummings (HPC), has provided the bid detail, by subtrade, and noted that increased costs may be related to the added requirements for the construction site safety related to Covid-19. We also went out to bid just as construction sites started back up, and subcontractors work ramped up.

Sources: We have requested increased funding from VHCB (\$144,000), and VHFA (\$165,000) through the 9% credit boost. These requests are under consideration.

We have pursued many avenues to fill our funding gap at Red Clover 2, including a robust value engineering process. We hope that you will support us in our efforts to complete Phase 2 of Red Clover Commons.

Loan terms: We are requesting a 0% loan with a 15 year term from the date of substantial completion of the project.

## Jan Anderson

---

**From:** Erin Maile O'Keefe <maile@humanconnectionproject.com>  
**Sent:** Sunday, June 28, 2020 11:37 PM  
**To:** Jan Anderson  
**Cc:** Felicity Ratté; Christine Hart  
**Subject:** Re: Selectboard  
**Attachments:** Handy Station Proposal to Selectboard.pdf; Peter Siegel - 53020, 9.57 PM.m4a; Cara Trezise - Keep Them Clean Jingle - 6\_7\_20, 7.18 PM.m4a

Hi Jan,

Attached is our Handy Station Proposal to the Selectboard. I've also included some photos of our first station/prototype and the first two original tunes.

Thanks!  
Erin

Peter Siegel - "Courtesy"

Cara Trezise - "Keep Them Clean"

# Brattleboro Selectboard Proposal

June 26, 2020



**Open Artful Streets**  
presents  
**HANDY STATIONS**

**AS** is an initiative of:  
The Human Connection Project  
& Brattleboro Housing Opportunities

in collaboration with:  
Downtown Brattleboro Alliance

seed funding from:  
Arts Council of Windham County

pilot program in:  
Brattleboro, Vermont

[openartfulstreets.org](http://openartfulstreets.org)

**Prototype team:**  
Erin Maile O'Keefe, design  
Felicity Ratté, development  
Chris Hart, development  
Stephanie Bonin, development  
Peter Siegel, music  
Neil Patel, sound system  
Curtis Mead, build  
Maddie Pixley, art  
The Void, adoptive business

**Elements:**  
CBA public safety signage  
Art by a local visual artist  
20-second jingle by a local musician  
Sound system  
Push button  
Hand sanitizer  
Base unit with two casters

PROTOTYPE  
6/12/2020

**Open Artful Streets** centers artists in the designing of safe, vibrant and creative solutions to enhance and encourage social and commercial activity in our downtowns and public spaces. **Handy Stations** are attractive, durable, mobile hand sanitizing units. They are economically designed to be CNC-cut out of birch ply, ready for an artist's imagination. This OAS project intends to contribute to the safe reopening of commercial activity throughout Brattleboro. [openartfulstreets.org](http://openartfulstreets.org)

**OAS is an initiative of:** The Human Connection Project & Brattleboro Housing Opportunities

**In collaboration with:** Downtown Brattleboro Alliance

**With seed funding from:** Arts Council of Windham County

## The prototype team:

Erin Maile O'Keefe (design), Felicity Ratté (development), Chris Hart (development), Stephanie Bonin (development), Peter Siegel (music), Maddie Pixley (art), Neil Patel (sound tech), Curtis Mead (build), The Void (adoptive business)

## Project Description:

As Brattleboro emerges from months of Stay Home/Stay Safe advisories, we face many pressing needs, including new health policies and getting our local businesses and economies up and running as quickly

as possible. Town government, businesses, and community organizations are doing all they can to assist in innovative and people-centric measures but one question remains: **Where will I wash my hands?**

A coalition of Brattleboro individuals and organizations has developed a useful and innovative piece of functional street art as an answer called the "Handy Station". Each Station will express a unique collaboration between a local musician, artist and business, making hand sanitizing fun. The base units are designed to play 20 seconds of original music while a patron properly sanitizes their hands and takes in the six points of downtown conduct written up by our Downtown Brattleboro Alliance.

Handy Stations will encourage people to come downtown, shop and maintain safety standards, and center the work of our local musicians and visual artists to animate our streets for locals and tourists alike. Brick and mortar business owners along with venue artists have seen their income halt during stay-at-home orders during the pandemic. A variety of grants funds will pay for these units adopted by a business and will pay artist commissions for the music and artwork. With ample funding we intend to expand this project around Brattleboro.

Handy Stations will:

- Dynamically broadcast new public safety measures and messaging;
- Support our downtown businesses and help show that they are "open for business";
- Animate and enliven our downtown streets with art; and,
- Employ local musicians and artists who have taken a big financial hit during COVID and don't

expect their work or venues to return soon.

When choosing local musicians and artists consideration will be given to those with financial hardship due to COVID-19 cancellations, and priority will be given to black, brown and indigenous artists of color.

The plan for maintenance of these units is through our "adoption agreement" with a business. Store owners are responsible for placement of the station on the sidewalk during store hours and storing it during off-hours. They will also be responsible for keeping the Handy Station clean, charging the battery, and refilling the sanitizer. Stores that adopt Handy Stations can expect more foot traffic and safer shoppers.

**Cost per unit (see attached budget): \$1200**

**Request for funding:**

We are requesting funding from the Town for (5) Handy Stations at a total cost of \$6000. If desired, the Town can prioritize their placement, keeping in mind that each unit would need to be adopted by a business or responsible party.

**Additional funding:**

OAS continues to seek funding for this project. We await grant decisions from AARP and Thompson Trust and are in the process of applying for other grants. We will also be seeking sponsorship of individual units by local businesses that have been more resilient during this economic downturn.

**Schedule for implementation:**

*June 18:* The first unit and prototype was adopted by The Void at 109 Main Street

*Week of June 22:* Prototype feedback and modifications

*Week of June 29:* Identify the first (15) downtown Brattleboro businesses to adopt a Handy Station, (15) local musician/composers, and (15) local visual artists

*Week of July 6:* Begin production on a run of (15) base units

*Week of July 20:* Roll out the first (15) completed units, while beginning the process with the next (15) units, and continuing to partner and fundraise

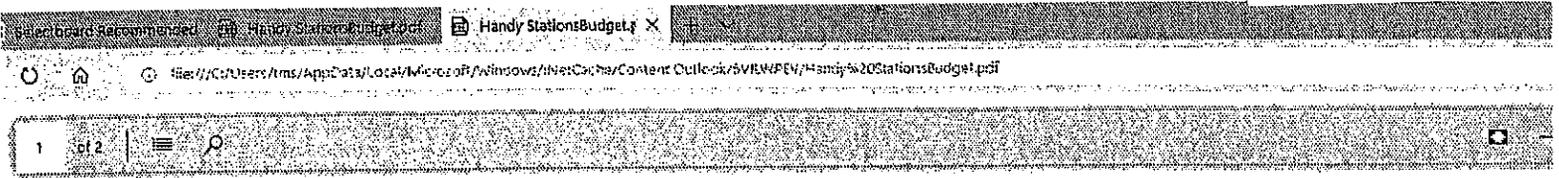
**Contact:**

Erin Maile O'Keefe, The Human Connection Project

maile@humanconnectionproject.com

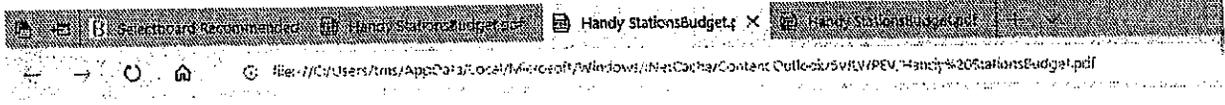
808-469-1303

***Thank you for your consideration!***



Materials	Unit Price	Quantity	Total	Source
Base Unit (Baltic birch ply + hardware)	165.00	1	\$165.00	Dunning Displays
Motion Activated Sanitizer Dispenser	38.00	1	\$38.00	currently sourced online (looking to engage local tech youth
Sound system (computer, battery pack, speaker, cords, button)	101.00	1	\$101.00	see "Sound system parts" budget
Extra hardware (hose clamp, screws, hinges, latch)	7.00	1	\$7.00	Brown & Roberts
3D printed Raspberry Pi case and button washer	10.00	1	\$10.00	Local youth
Vinyl sticker masthead	9.00	1	\$9.00	The Void
Saxtons River Distillery Hand Sanitizer, 64oz	20.00	1	\$20.00	Saxtons River Distillery
<b>TOTAL Materials</b>			<b>\$350.00</b>	
<b>Labor</b>				
Musician/Composer Commission	150.00	1	\$150.00	
Visual Artist Commission	350.00	1	\$350.00	
Project Management	150.00	1	\$150.00	
Art Direction	50.00	1	\$50.00	
Music Direction	50.00	1	\$50.00	
Sound Tech	25.00	1	\$25.00	
Assembly/Delivery	75.00	1	\$75.00	
<b>TOTAL Labor</b>			<b>\$850.00</b>	
<b>TOTAL per unique Handy Station</b>			<b>\$1,200.00</b>	



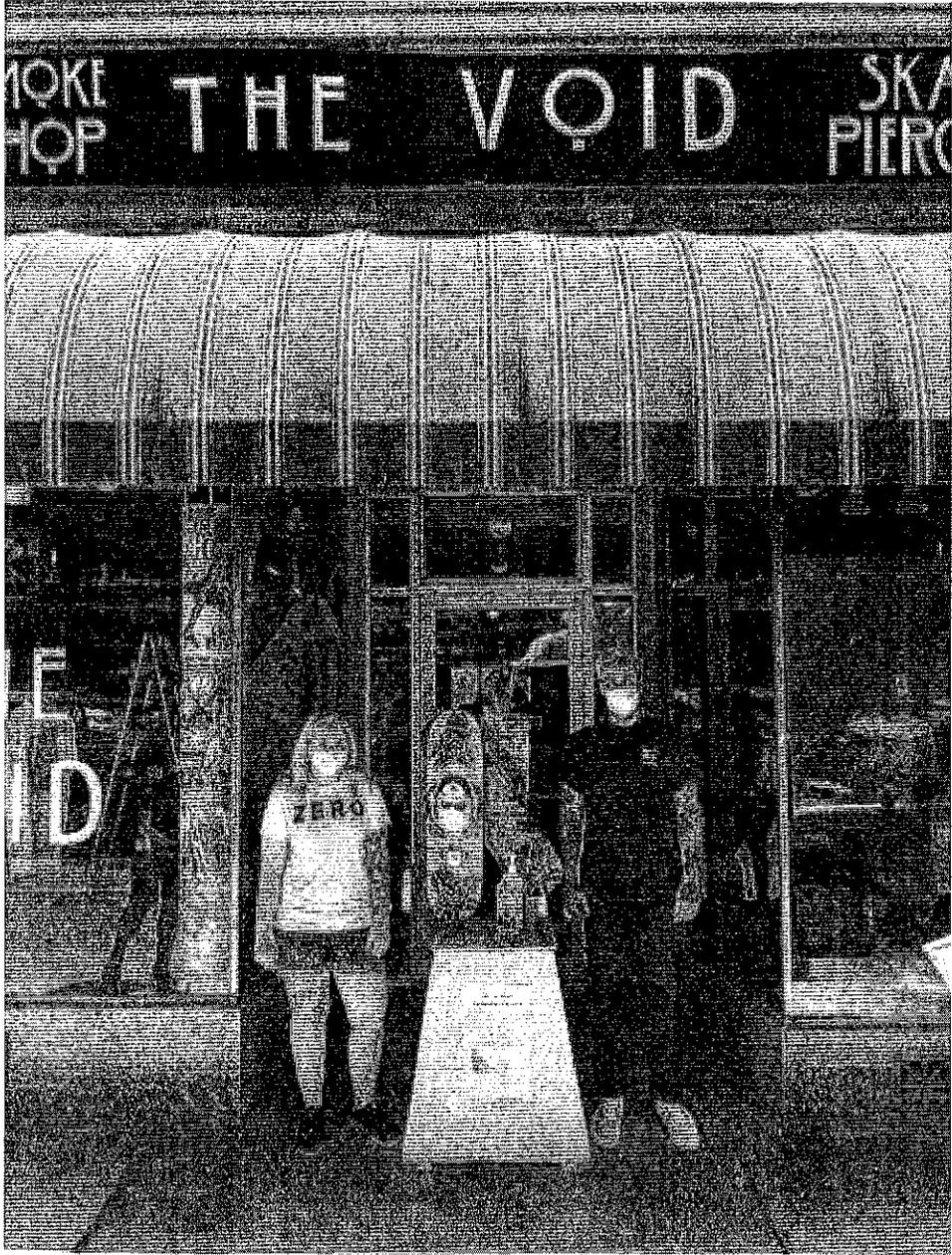


Item	Unit Price	Quantity	Total	Source
Raspberry Pi 4 Model B 2GB RAM	35.00	1.00	\$35.00	
MPOW 20000 mAh Power Bank	32.00	1.00	\$32.00	
Ooniz Angle Solo Bluetooth speaker	17.00	1.00	\$17.00	
USB C Power cord 6 ft (2 pack)	9.00	0.50	\$4.50	
Dupont jumper cables (40 ct)	5.95	0.05	\$0.30	
16 GB Micro SDHC card (2 pack)	9.00	0.50	\$4.50	
Audio Auxillary Cord	4.00	1.00	\$4.00	
30mm Sanwa Arcade Push Button	2.50	1.00	\$2.50	
Push button Cables (16 ct)	7.25	0.15	\$1.09	
			\$0.00	
			\$0.00	
			\$0.00	
<b>TOTAL</b>			<b>\$100.89</b>	











**The Human Connection Project & {the Human Art of Play}**

*artfully inspiring experiences of belonging in your community*

community engagement : arts residencies : creative placemaking : teacher trainings

Erin Maile O'Keefe, founder (she/her)

Brattleboro, Vermont

cell: 808-469-1303

[maile@humanconnectionproject.com](mailto:maile@humanconnectionproject.com)

Human Connection Project

initiatives of HCP include:

Open Artful Streets

Water Way(s)

The Human Art of Play

Tiny House Fest Vermont

Brattleboro Area Mutual Aid

Rock Salt Sisters

Town of Brattleboro  
**DEPARTMENT OF PUBLIC WORKS**

211 Fairground Road, Brattleboro, Vermont 05301  
Tel: 802-254-4255 • Fax: 802-257-2316 • E-mail:  
sbarrett@brattleboro.org

To: Brattleboro Selectboard  
VIA: Peter Elwell, Town Manager  
From: Stephen Barrett, Director of Public Works  
Daniel Tyler, Highway/Utilities Superintendent  
Date: June 19, 2020  
Subject: VTRANS Annual Financial Plan

A handwritten signature in black ink, appearing to be 'Peter Elwell', written over a horizontal line.

Enclosed is the State of Vermont Agency of Transportation Annual Financial Plan document for town highways.

The annual form is required to be submitted within 60 days after the adoption of the municipal budget.

The Financial Plan is used to determine the amount of funding the town receives from the State, which is disbursed quarterly. The annual appropriation is used for construction and repair of the town roadways.

The Annual Financial Plan requires the Selectboard signature on page 2-2 of the document.

**ANNUAL FINANCIAL PLAN - TOWN HIGHWAYS**  
19 V.S.A. § 306(j)

TA-60

Town of Brattleboro Fiscal Year 2021 Begin 7/1/20 End 6/30/21

**INCOME**

DESCRIPTION	ESTIMATED
State Funds - 19 V.S.A. Section 306(a):	
Class 1    6.420	\$ 74,174.61
Class 2   13.89	\$ 58,877.71
Class 3   64.64	\$ 101,772.48
Town Tax Funds – 19 V.S.A. Section 307	\$ 2,086,330.20
Special Funds (e.g., bonds or earmarks):	
a.	\$
b.	\$
c.	\$
<b>TOTAL</b>	<b>\$ 2,321,155.0</b>

**EXPENSES**

DESCRIPTION	ESTIMATED
Winter Maintenance	\$ 1,015,562
Non-Winter Maintenance	\$ 900,593
Major Construction Projects	
a. Paving	\$ 330,000
b. Sidewalk	\$ 75,000
c.	\$
<b>TOTAL</b>	<b>\$ 2,321,155.0</b>

Comments:

**ANNUAL FINANCIAL PLAN - TOWN HIGHWAYS**

TA-60

19 V.S.A. § 306(j)  
(page 2)

We, the Legislative Body of the Municipality of Brattleboro certify that funds raised by municipal taxes are equivalent to or greater than a sum of at least **\$300.00** per mile for each mile of Class 1, 2, and 3 Town Highway in the municipality. (19 V.S.A. 307)

\_\_\_\_\_ Date: \_\_\_\_\_  
*Tim Wessel, Chair*

\_\_\_\_\_  
*Elizabeth McLoughlin, Vice-Chair*

\_\_\_\_\_  
*Ian Goodnow, Clerk*

\_\_\_\_\_  
*Brandie Starr*

\_\_\_\_\_  
*Daniel Quipp* (Duly Authorized Representatives)

The submitted Town Plan meets the requirements of Title 19, Section 306(j).

\_\_\_\_\_ Date: \_\_\_\_\_  
District Transportation Administrator

# MEMORANDUM

To: Selectboard  
From: Peter B. Elwell, Town Manager  
Re: VTrans' Project to Install Bike/Ped  
Safety Improvements on Putney Road  
Date: June 30, 2020



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## **RECOMMENDATION**

Staff recommends that the Selectboard authorize the Town Manager to execute a maintenance agreement between the Town and the Vermont Agency of Transportation, obligating the Town to maintain a rectangular rapid flashing beacon at Town Crier Drive and small sidewalk sections both at that location and at the Hannaford Plaza intersection.

## **BACKGROUND INFORMATION**

The Vermont Agency of Transportation (VTrans) is in the final stages of planning for a complete rebuild of Putney Road between the West River and the Route 9 Roundabout. Construction of that project currently is expected to occur in the 2025-2027 timeframe. Recognizing that the substantial safety improvements provided by that project are still at least 5 years away and that there has been a significant increase of pedestrian and bicyclist use of this section of Putney Road in recent years, the Town asked VTrans to consider making interim improvements focused explicitly on increasing bike/ped safety. VTrans agreed to the following:

1. Add a crosswalk and signal phase for pedestrians to cross Putney Road at Hannaford Plaza.
2. Add a crosswalk (with an RRFB) for pedestrians to cross Putney Road at Town Crier Drive.
3. Add green paint to highlight the location of bike lanes in and near all intersections.
4. Conduct a speed study (which might justify lowering the speed limit).

At the Town's Traffic Safety Committee meeting on June 18, VTrans' Traffic Design Project Manager Erin Parizo provided an update and advised that the first three items are expected to be bid during August and installed before the onset of winter (although there is a possibility that the green paint for the bike lanes might not be installed until the Spring of 2021). The speed study will be conducted later this year.

Before proceeding with the bid phase of this project, VTrans' requires that the Town accept responsibility for maintaining the RRFB (rectangular rapid flashing beacon) that VTrans will install at Town Crier Drive and the small segments of sidewalk that VTrans will install as "landings" for the crosswalks at Town Crier Drive and at Hannaford Plaza. VTrans will continue to be responsible for operation and maintenance of the traffic signal system at Hannaford Plaza and for all street markings, including the green paint in the bike lanes.

As we approach the installation of these important safety improvements on a busy and complicated segment of State Highway in Brattleboro, staff acknowledges the leadership and advocacy of the Selectboard, the Town's Traffic Safety Committee, Brattleboro's Legislative Delegation, and engaged citizens, as well as the responsiveness of VTrans officials and staff. This has truly been a team effort and it has progressed much more quickly than projects like this usually do.

PBE:

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MEMORANDUM

TO: Selectboard  
VIA: Peter Elwell, Town Manager  
FROM: Sue Fillion, Planning Director  
DATE: June 29, 2020  
RE: Award of Brattleboro Route 9 Bike Lane Scoping Project - Brattleboro STP BP19(10)

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**Recommended Action: To award the bid for consultant services to undertake Brattleboro Route 9 Bike Lane Scoping Project to Dufresne Group for a lump sum cost of \$40,000.**

In December 2019, the Town was awarded a \$32,000 Vermont Agency of Transportation Bicycle and Pedestrian Grant for a scoping study of a bicycle lane connecting the I-91 Exit 2 area to Main Street. This is being matched with an additional \$8,000 in local funds that has been allocated from the Department of Public Works budget.

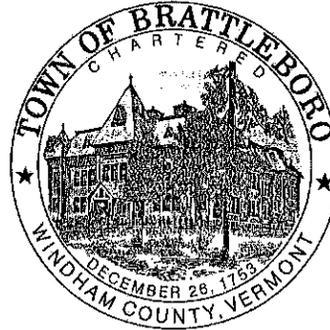
On May 14, 2020, the Town released an RFP for consultant services for the study. The RFP sought a consultant/team to undertake a planning process that identifies the needs of bicyclists and pedestrians in the area along Route 9 between I-91 Exit 2 east to Main Street, while considering existing conditions. The outcome of the process will include identification and prioritization of improvements; a public involvement process; an assessment of historic, archaeological and environmental constraints; documentation of project issues and overall feasibility, and complete preliminary cost estimate for further engineering, project administration, and construction. The RFP was advertised on the Vermont Bid System and was sent directly to firms on the VT Department of Housing and Community Development Directory of Consultants known to undertake this work. Responses were due June 15, 2020.

The following four firms submitted complete proposals: Dufresne Group, Pare Corporation, Toole Design, and Fuss & O'Neill. The Selection Committee consisted of Dan Tyler (Water and Highway Superintendent), Josh Carnes (Engineering Tech), Andrew Graminski (Planning Tech), Peter Pochop, (VTrans Project Supervisor), and me. The technical proposals were ranked according to weighted criteria as contained in the RFP documents. Following the ranking, we reviewed cost proposals.

Based on the review of both proposals, we recommend awarding the contract to Dufresne Group. Dufresne Group ranked the highest when the scores were tallied and came in on budget at \$40,000. Strengths of the Dufresne Group proposal included good observations of the project area, an experienced team, and a high number of hours dedicated to each task.

# MEMORANDUM

To: Selectboard  
From: Peter B. Elwell, Town Manager  
Re: Proposed Town Comments on VTrans'  
Preliminary Plans to Rebuild Route 9  
From Wilmington to Brattleboro  
Date: June 30, 2020



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## RECOMMENDATION

Staff recommends that the Selectboard authorize the Town Manager to express the following to VTrans as the Town's official comments on VTrans' preliminary plans to rebuild Route 9 from Wilmington to Brattleboro:

- We note that the speed limit is not proposed to be reduced from 40mph to 30mph between Edward Heights and Paradise Farms. We know that this matter will be addressed in the months ahead by the State Traffic Committee and we ask that the plans for NH2971(1) not be finalized until that speed limit decision has been made.
- We note that bike lanes have been included both eastbound and westbound and we thank you for that additional measure of safety. We ask that in development of the final plans for NH2971(1) the State consider using green pavement markings to delineate these bike lanes either for their entire length or at least in the vicinity of intersections and driveways.
- We note that no crosswalks have been included and we believe that is a significant deficiency in these preliminary plans. Please see the attached letter dated December 6, 2019, from me to Wayne Symonds expressing the reasons why crosswalks are needed in this roadway segment. During subsequent communications between Town employees and VTrans representatives, we identified specific locations that we thought we be the best places for such crosswalks to ensure the greatest increase in pedestrian safety. We ask VTrans to please revisit this matter and to include crosswalks in the final plans for NH2971(1).
- At station 220+64 there is an 18" CMP drainpipe. The Town's DPW staff recently investigated a sinkhole at that location, determined that the pipe is rotted and failing, and emailed VTrans District 1. Since the limits of NH2971(1) extend beyond this failing pipe, we believe it should be replaced as part of the project (if not sooner).

## BACKGROUND INFORMATION

The Vermont Agency of Transportation (VTrans) is preparing to rebuild Route 9 between Wilmington and Brattleboro. VTrans provided the Town with preliminary plans for review and comment. The comments recommended in this memorandum are the result of a careful interdisciplinary review of the preliminary plans by Town staff.

Attached is a letter dated December 6, 2019, from me to Wayne Symonds, Highway Division Director and Chief Engineer at VTrans. Through that letter and other communications between the Town and VTrans, we have asked that increasing bike/ped safety on Marlboro Road be a priority objective of this major roadway improvement project.

PBE:  
Attachment



## TOWN OF BRATTLEBORO

Town Manager's Office  
230 Main Street, Suite 208  
Brattleboro, VT 05301  
Phone (802) 251-8151  
FAX (802) 257-2322  
[www.brattleboro.org](http://www.brattleboro.org)

December 6, 2019

Mr. Wayne Symonds, PE  
Highway Division Director / Chief Engineer  
Vermont Agency of Transportation  
219 North Main Street  
Barre, VT 05641

Re: Safety Improvements on Marlboro Road (State Route 9) in Brattleboro

Dear Mr. Symonds:

The Brattleboro Selectboard voted unanimously on November 26, 2019, to direct me to send this letter.

Brattleboro's Selectboard, Traffic Safety Committee, staff, and citizens respectfully request the following:

- Reduction of the speed limit from 40mph to 30mph on Route 9 in Brattleboro between the intersection with Edward Heights (which is the eastern limit of State Highway jurisdiction for this section of Route 9) and the Paradise Farm property that is west of Sunset Lake Road intersection.
- Addition of bike lanes both eastbound and westbound through this same section of Route 9.
- Addition of crosswalks at appropriate locations in this same section of Route 9.

We are making these requests because we believe they are essential to increasing public safety in this roadway section and to furthering VTrans' and the Town's commitment to implementing complete streets wherever possible. More specifically, our justification includes the following:

- This section of Route 9 bisects one of the highest concentrations of low income housing in Vermont. Many of the people living in this area rely on walking, cycling, and public transportation. Dozens of people daily cross this road without benefit of crosswalks. This section also is heavily used by cyclists for recreation, commuting, and errands, and includes numerous commercial driveway access points.
- The Town of Brattleboro's 2008 West Brattleboro Master Plan and 2011 Commercial Districts Study identified this stretch of road as important to the health of the community and recommended this speed reduction, along with the addition of sidewalks and bike lanes.
- A 2017 study of pedestrian and bicycle safety on Route 9 does not directly address this roadway section, but recommends traffic calming measures throughout the area, including narrower travel lanes and more consistent bicycle and pedestrian facilities.

To: VTrans Highway Division Director / Chief Engineer Wayne Symonds  
Re: Safety Improvements on Marlboro Road (State Route 9) in Brattleboro  
December 6, 2019  
Page 2

We recognize that the speed limit reduction will be subject to review and action by the State of Vermont's Traffic Committee and we stand ready to provide additional information and assistance to the Traffic Committee and to VTrans staff regarding this matter. We are hopeful that the bike lanes and crosswalks can be incorporated into the final design for the major roadway improvement project VTrans is planning to construct in 2021 on Route 9 between Wilmington and Brattleboro.

Thank you for your consideration of the Town's concerns. We look forward to working with the VTrans team to implement these needed safety improvements.

Sincerely,

Peter B. Elwell  
Town Manager

PBE:

c: Brattleboro Selectboard  
Brattleboro Traffic Safety Committee  
State Representative Mollie Burke