

**BRATTLEBORO SELECTBOARD
TUESDAY, JANUARY 19, 2016
EXECUTIVE SESSION – 5:30PM
REGULAR MEETING – 6:15PM
MINUTES**

Selectboard members present: David Gartenstein, Kate O'Connor, David Schoales, Donna Macomber, and John Allen.

Staff present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Town Attorney Robert Fisher, Finance Director John O'Connor, Fire Chief Mike Bucossi, Assistant Fire Chief Peter Lynch, Police Chief Mike Fitzgerald, Public Works Director Steve Barrett, Planning Director Rod Francis, Town Clerk Annette Cappy, Library Director Starr LaTronica, and Executive Secretary Jan Anderson.

Media present: Tim Johnson representing WTSA, Chris Mays representing the Brattleboro Reformer, Olga Peters representing The Commons, and BCTV staff and volunteers,.

Others present: James Banslaben, Bob Stevens, Stephanie Bonin, Cindy Jerome, Thomas Costello, Thayer Tomlinson, Peter Gaskill, Craig Miskovich, Adam Grinold, Orion Barber, David Manning, Franz Reichsman, Sharon Couturier, ASL Interpreters Janet Dickinson and Elizabeth Bjerke, and others who did not sign the attendance sheet.

Chair Gartenstein called the meeting to order at 5:30pm in the Selectboard meeting room in the Municipal Center. He confirmed that the meeting was officially warned.

MOTION BY DAVID GARTENSTEIN TO ENTER INTO EXECUTIVE SESSION TO DISCUSS CONTRACTS, LABOR RELATIONS AGREEMENTS, EVALUATIONS [OF A PUBLIC OFFICER OR EMPLOYEE], AND PROBABLE LITIGATION [TO WHICH THE PUBLIC BODY IS OR MAY BE A PARTY], WHERE PREMATURE GENERAL PUBLIC KNOWLEDGE WOULD PLACE THE MUNICIPALITY, PEOPLE INVOLVED, AND GOVERNMENT BODIES AT A SUBSTANTIAL DISADVANTAGE. THE TOWN MANAGER, TOWN ATTORNEY, AND ASSISTANT TOWN MANAGER WERE INVITED TO ATTEND. MOTION CARRIED 4-0 (O'CONNOR WAS NOT PRESENT AT THE TIME OF THE VOTE).

Gartenstein reconvened the meeting at 6:15pm. He asked for an adjustment to the agenda to move the "Transportation Center Stairs" (Item G under New Business) to take place after "Police-Fire Facilities Project" (Item B under Unfinished Business) in order to accommodate the schedule of the Project Manager. The Board agreed to adjust the agenda.

APPROVE MINUTES

MOTION BY JOHN ALLEN TO APPROVE THE MINUTES FROM JANUARY 5, 2016, AS PRESENTED. MOTION CARRIED 5-0.

CHAIR'S REMARKS

Chair Gartenstein noted that the Selectboard had been meeting every week for over two months in order to bring several matters to a conclusion. He expected that the Board would resume its normal schedule of meeting twice per month in February. He also noted that the deadline to submit petitions for elected Town officers was Monday, January 25 at 5:00pm, and he encouraged residents to consider participating in town government.

MANAGER'S COMMENTS

None.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

Allen said that at the recent Windham Solid Waste Management District (WSWMD) meeting, its budget had been approved. He said there was discussion by some members who had reservations about the

solar array panels proposed at the WSWMD but he did not have additional information. Schoales said that the WSWMD Finance Committee formed a committee to review the WSWMD fee structure. There was a brief discussion about those matters.

PUBLIC PARTICIPATION

Tim Johnson announced that Project Feed exceeded its fund raising goals and he thanked the Town employees for their substantial contributions.

LIQUOR COMMISSIONERS

MOTION BY DONNA MACOMBER TO CONVENE AS LIQUOR COMMISSIONERS. MOTION CARRIED 5-0.

Special Event Permits – Brattleboro Luv Crawl on February 11, 2016

- (i) *Saxtons River Distillery at Altiplano, 42 Elliot Street*
- (ii) *Whetstone Cider Works, LLC, at Brattleboro Bicycle Shop, 165 Main Street*
- (iii) *American Crafted Spirits, Inc., d/b/a Silo Distillery, at Candle in the Night, 181 Main Street*
- (iv) *Stonecutter Spirits at Beadniks, 115 Main Street*
- (v) *Whetstone Station Restaurant at Burrows, 105 Main Street*
- (vi) *Caledonia Spirits at Renaissance Jewelers, 151 Main Street*
- (vii) *Charles Dodge, d/b/a Putney Winery, LLP, at ArtRageUs1, 57 Elliot Street*
- (viii) *Vermont Distillers, Inc., at In the Moment Records, 143 Main Street*
- (ix) *Cold Springs Spirits, LLC, d/b/a Mad River Distillers, at Taylor for Flowers, 15 Elliot Street*

Stephanie Bonin, member of the Downtown Brattleboro Alliance (DBA) and owner of the Duo Restaurant, said that DBA created an event called the Luv Crawl. She said that several merchants had been paired with several local distillers, brewers, artisans, and wine makers with the purpose of bringing more people to the downtown area to enjoy the variety of businesses and shops. She said the event was scheduled on February 11, from 6:00pm to 8:00pm and she asked the Board to approve special event permits for nine liquor distributors taking part in the event. Elwell said that staff had reviewed and approved the applications. There was a brief discussion.

POTENTIAL MOTION: TO APPROVE SPECIAL EVENT PERMITS FOR FEBRUARY 11, 2016, FROM 6:00PM TO 8:00PM FOR:

- (i) **SAXTONS RIVER DISTILLERY AT ALTIPLANO, 42 ELLIOT STREET**
- (ii) **WHETSTONE CIDER WORKS, LLC, AT BRATTLEBORO BICYCLE SHOP, 165 MAIN STREET**
- (iii) **AMERICAN CRAFTED SPIRITS, INC., D/B/A SILO DISTILLERY, AT CANDLE IN THE NIGHT, 181 MAIN STREET**
- (iv) **STONECUTTER SPIRITS AT BEADNIKS, 115 MAIN STREET**
- (v) **WHETSTONE STATION RESTAURANT AT BURROWS, 105 MAIN STREET**
- (vi) **CALEDONIA SPIRITS AT RENAISSANCE JEWELERS, 151 MAIN STREET**
- (vii) **CHARLES DODGE, D/B/A PUTNEY WINERY, LLP, AT ARTRAGEUS1, 57 ELLIOT STREET**
- (viii) **VERMONT DISTILLERS, INC., AT IN THE MOMENT RECORDS, 143 MAIN STREET**
- (ix) **COLD SPRINGS SPIRITS, LLC, D/B/A MAD RIVER DISTILLERS, AT TAYLOR FOR FLOWERS, 15 ELLIOT STREET. MOTION CARRIED 5-0.**

MOTION BY DAVID SCHOALES TO ADJOURN AS LIQUOR COMMISSIONERS. MOTION CARRIED 5-0.

WATER AND SEWER COMMISSIONERS

MOTION BY JOHN ALLEN TO CONVENE AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 5-0.

Wastewater Treatment Plant – Replacement of Shaftless Screw and Conveyor Liner. Public Works Director Barrett explained that the conveyor system at the wastewater treatment plant was failing and in need of replacement soon. He explained that the equipment was a front line piece of equipment and experiences substantial demand in processing wastewater, as described in detail in his memo dated January 13, 2016. He asked the Board to approve the quote from Custom Conveyor Corporation for \$22,574 to replace the shaftless screw and conveyor liner at the wastewater treatment plant. There was some discussion by the Board, including the unanticipated short life span of this equipment.

MOTION BY DAVID SCHOALES TO APPROVE THE QUOTE FROM CUSTOM CONVEYOR CORPORATION FOR \$22,574 TO REPLACE THE NECESSARY EQUIPMENT AT THE WASTEWATER TREATMENT PLANT. MOTION CARRIED 5-0.

Black Mountain Gravity Sewer System – Additional Funding for Engineering Services. Gartenstein said that the Board was asked to approve additional engineering services for Hoyle, Tanner & Associates at a cost not to exceed \$200,000 in connection with the Black Mountain Gravity Sewer System. He provided a summary of the project and several difficulties experienced in the project, as set forth in the memo from Public Works Director Barrett dated January 13, 2016. He said that discussions were underway with the contractor in an attempt to bring the project to a successful completion and avoid termination of the contract and ensuing litigation. He said that Hoyle Tanner had performed engineering work since August 1, 2015 at a cost of \$100,000, for which they had not been paid, and anticipated supplying further engineering services to complete the project at an additional cost of \$100,000. There was some discussion.

MOTION BY JOHN ALLEN TO EXTEND THE AGREEMENT WITH HOYLE, TANNER & ASSOCIATES UNTIL COMPLETION OF THE PROJECT AT AN ESTIMATED COST NOT TO EXCEED \$200,000 FOR ADDITIONAL CONSTRUCTION PHASE ENGINEERING SERVICES. MOTION CARRIED 5-0.

MOTION BY DONNA MACOMBER TO ADJOURN AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 5-0.

UNFINISHED BUSINESS

FY17 Budget – Approval of Budget to Recommend at Representative Town Meeting. Elwell said that the Board met several times to discuss the FY17 budget. He said that over the past several weeks, several reductions and changes had been made to the budget that was first proposed, as set forth in his memo dated January 14, 2016. He said that the changes requested by the Board were included in the revised FY17 budget as provided to the Board in its packets, and he asked the Board to approve the budget. He said that the budget included use of \$134,225 from the Unassigned Fund Balance to reduce the tax levy for FY17 as requested by the Board at the last meeting. There was much discussion by the Board.

MOTION BY DAVID GARTENSTEIN TO APPROVE THE FY17 BUDGET, AS PRESENTED WITH TOTAL EXPENDITURES AND REVENUE OF \$16,111,352. MOTION CARRIED 5-0.

Elwell said that Representative Town Meeting would have to approve use of the Unassigned Fund Balance to reduce the tax levy and to fund certain projects, and he asked the Board to approve an Article to be added to the Representative Town Meeting Warning.

MOTION BY DAVID GARTENSTEIN THAT THE SELECTBOARD RECOMMEND TO [REPRESENTATIVE] TOWN MEETING TO APPROPRIATE \$449,225 FROM THE UNASSIGNED GENERAL FUND BALANCE AS OF JUNE 30, 2015 TO FUND \$150,000 FOR THE BONNYVALE ROAD RETAINING WALL, \$165,000 FOR THE REPAIR AND REFURBISHMENT OF THE LIVING MEMORIAL PARK SWIMMING POOL, AND \$134,225 TO REDUCE THE TAX LEVY FOR 2017. MOTION CARRIED 5-0.

Police-Fire Facilities Project –

- (i) *Final Results of Questionnaire*
- (ii) *Discussion (and Potential Decision) on Preferred Alternative*
- (iii) *Schedule Special Representative Town Meeting for March 12 at 8:30am.*

(i) *Final Results of Questionnaire.* Elwell said that a survey had recently been distributed to the public soliciting public opinion about how to proceed with the Police-Fire Facilities Project. He reviewed the final results of the survey and provided a document containing answers to all of the questions included on the questionnaire. There was some discussion by the Board.

NO ACTION TAKEN.

(ii) *Discussion (and Potential Decision) on Preferred Alternative.* Gartenstein said that the Board was asked to discuss the proposed alternatives for improvements to the Police and Fire facilities and necessary bonding authority. He asked Town Attorney Fisher to discuss the necessary bonding authority IF the Board was to endorse the “full scale alternative,” which included a \$6 million alternative at Central Fire Station, \$1.5 million alternative at the West Brattleboro Fire Station, and moving the Police Department to the Black Mountain Road location. Town Attorney Fisher said that if the Board approved the Black Mountain Road alternative for the Police Department, then Representative Town Meeting (RTM) would have to approve the allocation of up to \$4.5 million from the “authorized but not issued bonds” that were authorized at the 2012 RTM. He said that renovations to both Fire Stations were approved by RTM in 2012 and since neither station involved a change in location no additional bonding authority was necessary from RTM. Elwell said that the scope of the improvements to the Fire Stations being proposed were less expensive than what was contemplated in 2012, and Fisher stated that it was within the Board’s discretion to spend less than authorized funds. Fisher said that if the Board did not recommend the alternative to move the Police Department to Black Mountain Road, then no additional funding authority would be required from RTM to proceed with the project. There was much discussion by the Board. Franz Reichsman said that it had been his impression that Town Meeting Members would have an opportunity to vote on alternatives. He also cautioned that since only 500 people chose to participate in the survey that there were far more people who did not participate and those votes were unknown. Orion Barber asked for information on the tax impact if a 30-year bond was taken out. David Manning said he was not in support of moving the Police Station out of the downtown area and spoke of complaints he had about a police officer in connection with a specific incident. There was substantial further discussion by the Board and participants, including scheduling a special RTM on March 12 to provide the Town Meeting Members an opportunity to discuss the project and have an opportunity to vote by Australian ballot on funding the option to move the Police Department. Gartenstein said that informational meetings would be scheduled prior to both the special and annual RTMs.

Gartenstein then asked the Board members to discuss their preferred alternatives for the project. Each Board member spoke about their opinions and concerns. O’Connor said that, although she was supportive of the Police Department and convinced that improvements were necessary, she would not support moving the Department out of the downtown area. Allen spoke in support of the Putney Road Alternative and in support of adding a third floor to Central Fire station as part of the project. Macomber said that moving the Police Department to the Putney Road location was in the Town’s best interest and said she was reassured that the Police Department would maintain a strong presence in all parts of Town. Schoales said there was a preponderance of advantages to moving the Police Department to Black Mountain Road and spoke in support of adding additional structural support to Central Fire Station for future expansion. Gartenstein said he understood the value of having the Police Department downtown but was concerned about the amount of money required to adequately improve the facilities at the Municipal Station. All Board members voiced their concerns about the resulting tax implications and other matters.

MOTION BY DAVID GARTENSTEIN TO ENDORSE THE BLACK MOUNTAIN ROAD ALTERNATIVE FOR THE POLICE DEPARTMENT AND THE FULL-SCALE IMPROVEMENTS RECOMMENDED BY STAFF FOR THE CENTRAL FIRE STATION AND THE WEST BRATTLEBORO FIRE STATION, NOT INCLUDING THE STRUCTURAL ELEMENTS FOR THE THIRD FLOOR [ON CENTRAL FIRE STATION]. MOTION CARRIED 4-1 (O’CONNOR OPPOSED).

Gartenstein asked if the Board supported including an advisory article on the Warning for the annual RTM pertaining to improvements to the Fire Stations. There was no support for doing so.

(iii) *Schedule Special Representative Town Meeting for March 12 at 8:30am.* The Board agreed to schedule a special Representative Town Meeting on Saturday, March 12, at 8:30am at Brattleboro Area Middle School in the multipurpose room.

MOTION BY DAVID GARTENSTEIN TO SCHEDULE A SPECIAL REPRESENTATIVE TOWN MEETING ON SATURDAY, MARCH 12, 2016, STARTING AT 8:30AM, AT THE BRATTLEBORO AREA MIDDLE SCHOOL IN THE MULTIPURPOSE ROOM TO DISCUSS THE POLICE-FIRE FACILITIES PROJECT. MOTION CARRIED 5-0.

Gartenstein asked the Town Attorney to draft an Article for the Special Representative Town Meeting Warning based on the discussions from this meeting, including using \$4.5 million from the 2012 bonding authority for the Black Mountain Road alternative. He said that the Board would vote on the Warning at its February 2nd meeting.

The Board took a short recess at 8:10pm

Gartenstein reconvened the meeting at 8:18pm. He announced that the previously approved agenda adjustment would not be necessary and the meeting would proceed as originally warned.

NEW BUSINESS

Representative Town Meeting Articles

- (i) Downtown Brattleboro Alliance (f/k/a Downtown Alliance and Building a Better Brattleboro) –
Approve Article
- (ii) Requests for Tax Exemption
 - (a) *Brattleboro Post 5 Little League.*
 - (b) *Bradley House*
 - (c) *Holton Home*
 - (d) *The Family Garden, Inc.*
 - (e) *Rescue, Inc.*
 - (f) *Camp Waubonong, Inc.*
- (iii) Charter Amendments – Public Meeting
 - (a) *to change the deadline for incumbent Town Meeting members to submit their notice of intent*
 - (b) *to allow mechanical tabulation of ballots from citizens that use early voting*

(i) Downtown Brattleboro Alliance (f/k/a Downtown Alliance and Building a Better Brattleboro) - *Approve Article.* Elwell said that the Board previously approved the FY17 work plan and budget for the Downtown Brattleboro Alliance, and was now asked to add an Article to the March 19, 2016, Representative Town Meeting Warning. There was no discussion.

MOTION BY DAVID SCHOALES TO ADD THE FOLLOWING ARTICLE TO THE REPRESENTATIVE TOWN MEETING WARNING FOR MARCH, 2016: “TO SEE IF THE TOWN WILL VOTE TO RAISE AND APPROPRIATE THE SUM OF \$78,000 THROUGH SPECIAL ASSESSMENTS ON TOWN PROPERTIES WITHIN THE DOWNTOWN IMPROVEMENT DISTRICT (AS APPROVED BY TOWN MEETING 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 AS REFLECTED IN ITS WORK PLAN AND BUDGET.”

- (ii) Requests for Tax Exemption
 - (a) *Brattleboro Post 5 Little League*
 - (b) *Bradley House*
 - (c) *Holton Home*
 - (d) *The Family Garden, Inc.*
 - (e) *Rescue, Inc.*
 - (f) *Camp Waubonong, Inc.*

Elwell said that six properties owned by non-profit organizations were previously granted tax exempt status by Representative Town Meeting for municipal and/or state education taxes, as set forth on the

"2016 Grant List – Proposed Voted Exemptions" provided by Town Assessor Russell Rice and included in the Board's packets. He said that the tax exemptions would expire on April 1, 2016, and the six organizations submitted written requests to extend the exemptions. He said that the Board was asked to add an Article for each organization to the Warning for Representative Town Meeting. Tom Costello, representing the Brattleboro Post 5 Little League, asked for an exemption of the municipal portion of real estate taxes. He also complimented the Board on their public service to the Town. Cindy Jerome, from Bradley House and Holton Home, asked for an exemption of the municipal portion of real estate taxes for Holton Home. She said that Holton Home and Bradley House merged a few weeks ago, but the Bradley House was not in a strong financial position and requested exemptions of the municipal and education taxes for Bradley House. Thayer Tomlinson, from The Family Garden, said that the organization was currently not in a strong financial condition and she requested exemptions of the municipal and education taxes. She said that the organization would be looking to change its model to strengthen its financial condition and be better able to meet its tax obligation in the future. There was some discussion by the Board about exempting education taxes because those State taxes would still have to be paid by the Town, and the organizations should take the matter to the State level. It was generally agreed to recommend some of the organizations relief from the education taxes for two years in order to give the organizations time to strengthen their business practices and work with the State.

MOTION BY DAVID GARTENSTEIN TO ADD THE FOLLOWING ARTICLES TO THE REPRESENTATIVE TOWN MEETING WARNING FOR MARCH, 2016:

(a) TO SEE IF THE TOWN WILL APPROVE EXEMPTION OF THE MUNICIPAL TAX PORTION OF REAL ESTATE TAXES FOR BRATTLEBORO POST 5 LITTLE LEAGUE FOR A PERIOD OF FIVE YEARS;

(b) TO ADD THE FOLLOWING ADDITIONAL ARTICLE TO THE REPRESENTATIVE TOWN MEETING WARNING FOR MARCH, 2016: "TO SEE IF THE TOWN WILL APPROVE EXEMPTION OF THE MUNICIPAL TAX PORTION OF THE REAL ESTATE TAXES FOR BRADLEY HOUSE FOR A PERIOD OF FIVE YEARS, AND THE EDUCATION TAX PORTION OF THE REAL ESTATE TAXES FOR BRADLEY HOUSE FOR A PERIOD OF TWO YEARS;"

(c) TO ADD THE FOLLOWING ADDITIONAL ARTICLE TO THE REPRESENTATIVE TOWN MEETING WARNING FOR MARCH, 2016: "TO SEE IF THE TOWN WILL APPROVE EXEMPTION OF THE MUNICIPAL TAX PORTION OF REAL ESTATE TAXES FOR HOLTON HOME FOR A PERIOD OF FIVE YEARS;"

(d) TO ADD THE FOLLOWING ADDITIONAL ARTICLE TO THE REPRESENTATIVE TOWN MEETING WARNING FOR MARCH, 2016: "TO SEE IF THE TOWN WILL APPROVE EXEMPTION OF THE MUNICIPAL TAX PORTION OF REAL ESTATE TAXES FOR THE FAMILY GARDEN, INC., FOR A PERIOD OF FIVE YEARS, AND THE EDUCATION TAX PORTION OF REAL ESTATE TAXES FOR FAMILY GARDEN, INC. FOR A PERIOD OF TWO YEARS;"

(e) TO ADD THE FOLLOWING ADDITIONAL ARTICLE TO THE REPRESENTATIVE TOWN MEETING WARNING FOR MARCH, 2016: "TO SEE IF THE TOWN WILL APPROVE EXEMPTION OF THE MUNICIPAL TAX PORTION OF THE REAL ESTATE TAXES FOR RESCUE, INC., FOR A PERIOD OF FIVE YEARS;" AND

(f) TO ADD THE FOLLOWING ADDITIONAL FINAL ARTICLE TO THE REPRESENTATIVE TOWN MEETING WARNING FOR MARCH, 2016: "TO SEE IF THE TOWN WILL APPROVE EXEMPTION OF THE MUNICIPAL TAX PORTION OF REAL ESTATE TAXES FOR CAMP WAUBONONG, INC., FOR A PERIOD OF FIVE YEARS." MOTION CARRIED 5-0.

(iii) Charter Amendments – Public Meeting

(a) To change the deadline for incumbent Town Meeting members to submit their notice of intent;

(b) To allow mechanical tabulation of ballots from citizens that use early voting.

Town Clerk Annette Cappy submitted a request to Representative Town Meeting (RTM) last year to amend the Charter. She reviewed and discussed the two amendments. She asked the Board to hold a public meeting at this time and said that RTM would be then required to re-approve the amendments at the next annual RTM. She also asked the Board to approve placement of Articles for each amendment on the Representative Town Meeting Warning. There was a brief discussion.

MOTION BY DAVID SCHOALES TO SEE IF THE TOWN WILL APPROVE AN AMENDMENT TO THE BRATTLEBORO TOWN CHARTER ADDENDUM A, ACTS OF 1959, NO. 302, SECTION 4A TO CHANGE THE DEADLINE FOR INCUMBENT TOWN MEETING MEMBERS TO SUBMIT THEIR NOTICE OF INTENT TO HAVE THEIR NAME PLACED ON THE BALLOT AS PRESENTED. MOTION CARRIED 5-0.

MOTION BY DONNA MACOMBER TO SEE IF THE TOWN WILL APPROVE AN AMENDMENT TO THE BRATTLEBORO TOWN CHARTER ARTICLE II, SECTION 3 TO ALLOW MECHANICAL TABULATION OF BALLOTS FROM CITIZENS THAT USE EARLY VOTING AS PRESENTED. MOTION CARRIED 5-0.

Southeastern Vermont Economic Development Strategies (SeVEDS) -

(i) Contribution for FY16

(ii) Representative Town Meeting Article re: Contribution for FY17.

Adam Grinold, Executive Director of the Brattleboro Development Credit Corporation (BDCC), and Bob Stevens, Chair of the Southeastern Vermont Economic Development Strategies (SeVEDS) and member of the BDCC Board, were present. Grinold spoke about the focus and efforts of BDCC and SeVEDS. They both spoke about the past, current, and future economic climate in Brattleboro and the greater region, including neighboring towns and counties. They discussed the material set forth in Grinold's January 13, 2016 letter and related documents. As set forth in Grinold's letter, BDCC was asking the Board to (1) authorize the expenditure of \$18,069 from program income as an FY16 contribution to the operation of SeVEDS (BDCC's satellite organization for economic development planning), and (2) place an article on the Warning for the Representative Town Meeting asking that body to authorize the expenditure of \$36,138 from program income as an FY17 contribution to the operation of SeVEDS. Grinold said that members from the two organizations had been conducting municipal visits and were requesting contributions from the towns of \$3 per capita to continue the workforce development.

There was much discussion by the Board and the participants, including Brattleboro being a regional economic hub, other areas of economic support already provided by Brattleboro, the disproportionate funding request of Brattleboro residents, and the population-based funding model. Some Board members spoke in support of the important work done by BDCC and SeVEDS, but disagreed with the amount of the funding request for reasons already discussed.

MOTION BY DAVID SCHOALES TO PLACE AN ARTICLE ON THE WARNING FOR THE 2016 REPRESENTATIVE TOWN MEETING ASKING THAT BODY TO AUTHORIZE THE EXPENDITURE OF \$36,138 FROM PROGRAM INCOME AS AN FY17 CONTRIBUTION TO THE OPERATION OF SEVEDS.

Gartenstein said that he would not support the sum of \$36,138 and suggested a sum between \$20,000 to \$25,000. There was discussion about amending the amount. Gartenstein offered a friendly amendment to change the authorized amount to \$25,000. Schoales accepted the friendly amendment.

AMENDED MOTION BY DAVID SCHOALES TO PLACE AN ARTICLE ON THE WARNING FOR THE 2016 REPRESENTATIVE TOWN MEETING ASKING THAT BODY TO AUTHORIZE THE EXPENDITURE OF \$25,000 FROM PROGRAM INCOME AS AN FY17 CONTRIBUTION TO THE OPERATION OF SEVEDS. MOTION CARRIED 5-0.

The Board briefly discussed authorizing an expenditure for FY16.

MOTION BY DAVID GARTENSTEIN TO AUTHORIZE THE EXPENDITURE OF \$12,500 FROM PROGRAM INCOME AS AN FY16 ALLOCATION TO SEVEDS. MOTION CARRIED 5-0.

Pay-As-You-Throw Advisory Committee/Working Group – Final Report. Assistant Town Manager Moreland said that the Pay-As-You-Throw (PAYT) Advisory Committee/Working Group met for the final time on January 7, 2016. He said that the Committee reviewed and discussed the three recommendations set forth in his memo dated January 5, 2016. He said that the Committee members endorsed those recommendations and asked the Board to approve them. There was some discussion by the Board.

MOTION BY DONNA MACOMBER TO DIRECT THE TOWN MANAGER TO MAINTAIN THE PRACTICE OF SUPPLYING RECYCLING AND COMPOSTING BINS AND BUCKETS, AND TO TRANSITION SALES OF THESE ITEMS TO MARKET PRICING BEGINNING AUGUST 1, 2016. MOTION CARRIED 5-0.

There was brief discussion about the increased cost of the PAYT garbage bags in the Waste Zero contract.

MOTION BY KATE O’CONNOR TO DIRECT THE TOWN MANAGER TO EXECUTE A CONTRACT EXTENSION WITH WASTE ZERO FOR CONTINUATION OF PAY-AS-YOU-THROW BAG FABRICATION AND INVENTORY/DISTRIBUTION SERVICES, AS PRESENTED. MOTION CARRIED 5-0.

MOTION BY DAVID SCHOALES TO DISSOLVE THE PAY-AS-YOU-THROW ADVISORY COMMITTEE/WORKING GROUP EFFECTIVE IMMEDIATELY, AND TO THANK JANE SOUTHWORTH, MOSS KAHLER, CARL HIRTH, PETER GASKILL, BOB SPENCER, AND PATRICK MORELAND FOR THEIR SERVICE. MOTION CARRIED 5-0.

Financial Report – Monthly Report, December. Finance Director John O’Connor reviewed and discussed the December, 2015 financial report. There was a very brief discussion.

NO ACTION TAKEN.

Annual Status Report on Implementation of Town Plan. Planning Director Rod Francis said that the Town Charter required the Selectboard to report annually in writing on the Town’s progress toward accomplishing the goals set out in the duly adopted Town Plan. He said that he prepared a draft report for inclusion in the Town Report and he asked the Board to review and approve the “Selectboard’s Progress Report on Town Plan Implementation” as presented. There was a brief discussion about including the Board and other staff members in assisting with accomplishing the goals in the upcoming year.

MOTION BY JOHN ALLEN TO APPROVE THE “SELECTBOARD’S PROGRESS REPORT ON TOWN PLAN IMPLEMENTATION” AS PRESENTED. MOTION CARRIED 5-0.

Stormwater Permit for Living Memorial Park. Elwell said additional developments had taken place since the writing of the Administrative Report and this matter did not require Board action. He said that the matter was being withdrawn. There was no discussion by the Board.

NO ACTION TAKEN.

Transportation Center Stairs – Recommend Bid Award. Gartenstein said that the Board was asked to award a bid to Wright Construction of Mount Holly, Vermont, in the amount of \$188,103, for the replacement of the eastern stairwell at the Brattleboro Transportation Center. He said that the stairs were in an advanced state of deterioration as described in the Assistant Town Manager’s memo, dated January 12, 2016. Elwell said that the Board also was asked to approve \$6,600 for the Owner’s Project Manager contractual fee and a \$10,000 project contingency, for a total project budget not to exceed \$204,703. Gartenstein confirmed that the funds would come from the Parking Fund. There was a brief discussion.

MOTION BY DONNA MACOMBER TO AWARD A BID TO WRIGHT CONSTRUCTION OF MOUNT HOLLY, VERMONT, IN THE AMOUNT OF \$188,103, FOR REPLACEMENT OF THE EASTERN STAIRWELL AT THE BRATTLEBORO TRANSPORTATION CENTER, TO AUTHORIZE THE TOWN MANAGER TO EXECUTE A CONTRACT WITH WRIGHT CONSTRUCTION FOR THIS PROJECT, AND TO APPROVE A TOTAL PROJECT BUDGET NOT TO EXCEED \$204,703. MOTION CARRIED 5-0.

Approve Contract – Town Attorney. Gartenstein said that the Board was asked to approve a one-year extension of the Town Attorney's contract, including a 1% increase in the applicable fees for a total 2016-2017 amount of \$102,010. There was a brief discussion.

MOTION BY DAVID SCHOALES TO APPROVE A CONTRACT WITH FISHER & FISHER LAW OFFICES, PC, FOR A ONE YEAR TERM IN THE AMOUNT OF \$102,010.

Annual Appointments – Town Attorney, Treasurer, and Town Clerk. Gartenstein said that the Board was asked to appoint Fisher & Fisher Law Offices, PC, as the Town Attorney, John O'Connor as Town Treasurer, and Annette L. Cappy as Town Clerk, all for a one-year term from March 20, 2016, through March 25, 2017.

MOTION BY DAVID GARTENSTEIN TO:

(1) APPOINT FISHER & FISHER LAW OFFICES, PC, AS TOWN ATTORNEY FOR THE PERIOD ENDING MARCH 25, 2017;

(2) APPOINT JOHN O'CONNOR AS TOWN TREASURER FOR THE PERIOD ENDING MARCH 25, 2017; AND

(3) APPOINT ANNETTE CAPPY AS TOWN CLERK FOR THE PERIOD ENDING MARCH 25, 2017. MOTION CARRIED 5-0.

Committee Appointments – Design Review Committee. Gartenstein said that the Board was asked to appoint two applicants to serve as members of the newly created Design Review Committee.

**JOHN ALLEN NOMINATED BARBARA GEORGE.
DAVID SCHOALES NOMINATED ROBIN RENZONI-SWEETAPPLE.
THE NOMINATIONS CARRIED 5-0.**

Schedule March Selectboard Meetings

(i) Reschedule Regular March 1 Meeting (to March 2 or March 8?)

(ii) Schedule Organizational Meeting (March 30 or 31?)

Gartenstein said that the Board was asked to reschedule the regular March 1 Selectboard meeting to accommodate Town Meeting Day conflicts for BCTV. The Board agreed to reschedule the meeting to March 8.

MOTION BY DAVID GARTENSTEIN TO RESCHEDULE THE REGULAR FIRST MARCH MEETING OF 2016 FROM MARCH 1 TO MARCH 8. MOTION CARRIED 5-0.

Gartenstein said that newly elected Selectboard members would have to be sworn-in after Representative Town Meeting and then hold an organizational meeting. Gartenstein said that if he were re-elected he would not be available for the organizational meeting until March 30 or March 31. Elwell said that the other two newly elected Board members would be sworn-in on or about March 21 so there would be a quorum on the Board if an emergency arose. The Board agreed to schedule the organizational meeting on Wednesday, March 30, at a time to be determined after the elected members were determined.

MOTION BY DAVID GARTENSTEIN TO SCHEDULE THE BRATTLEBORO SELECTBOARD'S ORGANIZATIONAL MEETING ON MARCH 30, 2016. MOTION CARRIED 5-0.

There was no further business.

MOTION BY DAVID SCHOALES TO ADJOURN AT 10:11PM. MOTION CARRIED 5-0.

David Schoales, Clerk