

**BRATTLEBORO SELECTBOARD  
TUESDAY, JANUARY 21, 2020  
EXECUTIVE SESSION – 5:30PM  
REGULAR MEETING – 6:15PM  
SELECTBOARD MEETING ROOM, MUNICIPAL CENTER  
MINUTES**

Selectboard members present: Brandie Starr, Tim Wessel, Elizabeth McLoughlin, and Daniel Quipp.

Staff Present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Town Attorney Robert Fisher (for executive session), Recreation & Parks Director Carol Lolatte, Library Director Starr LaTronica, and Executive Secretary Jan Anderson.

Media present: Chris Mays representing the Brattleboro Reformer and BCTV staff and volunteers.

Others present: Nick Nickerson, Elijah Cooper, Stephanie Bonin, Randy Schoonmaker, Franz Reichsman, ASL interpreters Janet Dickinson and Elizabeth Fox, and others who did not sign the attendance sheet.

Chair Brandie Starr called the meeting to order at 5:30pm.

**MOTION BY BRANDIE STARR TO ENTER INTO EXECUTIVE SESSION TO DISCUSS LABOR RELATIONS AGREEMENTS WITH EMPLOYEES, CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATIONS MADE FOR THE PURPOSE OF PROVIDING PROFESSIONAL LEGAL SERVICES TO THE BODY, THE NEGOTIATING OR SECURING OF REAL ESTATE PURCHASE OR LEASE OPTIONS, AND THE APPOINTMENT OR EMPLOYMENT OR EVALUATION OF A PUBLIC OFFICER OR EMPLOYEE, 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, ASSISTANT TOWN MANAGER, AND TOWN ATTORNEY WERE INVITED TO ATTEND. MOTION CARRIED 4-0.**

Chair Starr reconvened the meeting at 6:20pm.

***APPROVE MINUTES***

Starr asked the Board to approve the meeting minutes from January 7, 2020. There was no discussion.

**MOTION BY ELIZABETH McLOUGHLIN TO APPROVE MINUTES FROM THE JANUARY 7 MEETING. MOTION CARRIED 4-0.**

***CHAIR'S REMARKS***

Chair Starr reminded anyone interested in submitting a petition to be included on the Town Meeting ballot that petitions were due to the Town Clerk by Monday, January 27, at 5:00pm.

***MANAGER'S COMMENTS***

Town Manager Elwell announced that the Board agreed to add an item to the end of the agenda. He said the matter was a letter from the Selectboard to Governor Scott regarding the current financial situation at the Brattleboro Retreat. He read the proposed letter in its entirety and said the Board would discuss it later in the evening and, if approved, the letter would be sent to the Governor tomorrow.

***SELECTBOARD COMMENTS AND COMMITTEE REPORTS***

Quipp thanked the staff at the Department of Public Works for their dedicated work over the weekend in preparing and organizing for snow removal from last weekend's storm.

**PUBLIC PARTICIPATION**

Nick Nickerson read a short statement that was printed in the Wall Street Journal entitled “What’s Better from the Republican Party,” and he mentioned the increase in wages for lower paid workers.

**LIQUOR COMMISSIONERS**

**MOTION BY DANIEL QUIPP TO CONVENE AS LIQUOR COMMISSIONERS. MOTION CARRIED 4-0.**

Special Event Permits – Brattleboro Luv Crawl

- (i) *Caledonia Spirits at Altiplano, 42 Elliot St.*
- (ii) *Saxtons River Distillery at B’s Nest, 19 Elliot St.*
- (iii) *American Crafted Spirits, d/b/a Silo Distillery, at Beadniks, 115 Main St.*
- (iv) *Vermont Distillers, Inc., at Brattleboro Bicycle Shop, 165 Main St.*
- (v) *Wild Hart Distillery at Cara Wolff Jewelry Shop, 4 Elliot St.*
- (vi) *Smugglers’ Notch Distillery at In the Moment Records, 143 Main St.*
- (vii) *White Mountain Distillery, d/b/a Stowe Cider, at Malisun, 44 Harmony Place*
- (viii) *Charles Dodge, d/b/a Putney Winery, at Michelle Freshee Photography, 26 High St.*
- (ix) *Vermont Vermouth at Renaissance Jewelry, 151 Main St.*
- (x) *St. Johnsbury Distillery at Taylor for Flowers, 15 Elliot St.*
- (xi) *Aqua Vitea After Glow at Vermont Hempiculture, 8 Flat St.*

Elwell said that the Board was asked to approve 11 special event permits for downtown businesses that would be participating in this year’s Luv Crawl event, organized by the Downtown Brattleboro Alliance (DBA). Stephanie Bonin, Executive Director, and Elijah Cooper, from DBA, were present. Bonin spoke about the Luv Crawl event and the plan to bring shoppers downtown in February and into various shops. There was some discussion by the Board, including adding non-alcoholic options to this event in future years.

**MOTION BY TIM WESSEL TO APPROVE THE ISSUANCE OF THE FOLLOWING SPECIAL EVENT PERMITS FOR THE “BRATTLEBORO LUV CRAWL” EVENT ON THURSDAY, FEBRUARY 6, 2020, FROM 5:00PM TO 10:00PM:**

**CALEDONIA SPIRITS AT ALTIPLANO, 42 ELLIOT ST.;**  
**SAXTONS RIVER DISTILLERY AT B’S NEST, 19 ELLIOT ST.;**  
**AMERICAN CRAFTED SPIRITS, D/B/A SILO DISTILLERY, AT BEADNIKS, 115 MAIN ST.;**  
**VERMONT DISTILLERS, INC., AT BRATTLEBORO BICYCLE SHOP, 165 MAIN ST.;**  
**WILD HART DISTILLERY AT CARA WOLFF JEWELRY SHOP, 4 ELLIOT ST.;**  
**SMUGGLERS’ NOTCH DISTILLERY AT IN THE MOMENT RECORDS, 143 MAIN ST.;**  
**WHITE MOUNTAIN DISTILLERY, D/B/A STOWE CIDER, AT MALISUN, 44 HARMONY PLACE;**  
**CHARLES DODGE, D/B/A PUTNEY WINERY, AT MICHELLE FRESHEE PHOTOGRAPHY, 26 HIGH ST.;**  
**VERMONT VERMOUTH AT RENAISSANCE JEWELRY, 151 MAIN ST.;**  
**ST. JOHNSBURY DISTILLERY AT TAYLOR FOR FLOWERS, 15 ELLIOT ST.; AND**  
**AQUA VITEA AFTER GLOW AT VERMONT HEMPICUREAN, 8 FLAT ST.**  
**MOTION CARRIED 4-0.**

**MOTION BY DANIEL QUIPP TO ADJOURN AS LIQUOR COMMISSIONERS. MOTION CARRIED 4-0.**

**UNFINISHED BUSINESS**

FY21 Proposed Budget –

- (i) *Pay Adjustments for Non-Union Employees*
- (ii) *Funding of Conceptual Design for Living Memorial Park Pool Project*
- (iii) *Finalize Selectboard’s Recommended FY21 Budget for Consideration at Representative Town Meeting on March 21, 2020*

(i) Elwell spoke about the request by employees to improve the pay equity for non-union employee positions. He said that substantial discussions regarding wages occurred during the collective bargaining process, but pay for non-union employees was not part of the natural course of union negotiations. He said that some non-union employees requested that the matter be reviewed. He said that a consultant had been engaged and staff had participated in conversations with the employees. He said that the attachment to his January 15, 2020 memo provided suggested pay ranges and identified several positions that were considered, and would be affected, if the Board approved staff's recommendation to adjust the pay for non-union employees. He said the cost impact for the remainder of FY20 would be \$24,000, and the total impact to the FY21 would be \$82,000; however \$15,000 of that would come from the Utility Fund and \$66,875 from the General Fund. He said that the proposed FY21 budget contained a placeholder of \$30,000, which was an underestimate, so \$36,875 would have to be added to the proposed FY21 budget, if the Board approved this matter. Library Director Starr LaTronica thanked the management staff and Selectboard for taking this matter into consideration. She said it was meaningful for the Library staff. There was some discussion by the Board.

**MOTION BY DANIEL QUIPP TO APPROVE THE TOWN MANAGER'S RECOMMENDED COMPENSATION SYSTEM AND PAY ADJUSTMENTS FOR NON-UNION EMPLOYEES. MOTION CARRIED 4-0.**

(ii) Elwell said that the Board previously discussed the possible replacement of the pool house and staff was asked to provide more accurate cost estimates. He said that the estimated engineering and planning work would cost approximately \$30,000. He said that staff would rather look into a larger replacement of pool facilities at a later date since it was not urgent at this time and the replacement of other facilities in Town was urgent. He spoke of the potential of taking out a bond in 2023 for improvements/replacement of other facilities, and said that staff did not suggest that the pool be added to that list of improvements. He said that the effect on the tax rate of adding \$30,000 into the FY21 budget was noted at the bottom of page 2 of his January 15 memo. He spoke of alternative ways of funding the pool improvements, including grants and community fund raising, which would not have a direct impact on the tax rate and would provide additional time for the planning and engineering. Recreation & Parks Carol Lolatte agreed that the facilities were safe and were not in need of replacement at this time. She added that additional minor repairs and improvements may become necessary prior to a time that a larger pool improvement project could be implemented. There was some discussion by the Board, including the importance of the pool to the community and whether to include funds in the FY21 budget. The Board generally agreed not to add funds to the FY21 budget for the pool house replacement.

(iii) Elwell summarized the Board's changes to the proposed FY21 budget, as set forth at the bottom of page 1 of his January 15 memo, including the non-union pay approved at this meeting. He said that the result would be an increase in the FY21 budget of \$59,014, which was an increase over last year's budget of 2.9% (or 3.77 cents) in the municipal property tax rate. He noted that would increase taxes by \$37.70 per \$100,000 of property value. He said that if the budget was now acceptable to the Board, it would be provided to the Board for approval at the January 28 special meeting. Franz Reichsman, from the Finance Committee, confirmed those changes would be included in the FY21 budget. There was a brief discussion.

**NO FURTHER ACTION WAS TAKEN.**

***NEW BUSINESS***

Financial Report – Monthly Report, December 2019. Town Manager Peter Elwell presented the financial report for December 2019, as set forth in the memo dated January 9, 2020, from Finance Director John O'Connor. There was a brief discussion by the Board.

**NO ACTION TAKEN.**

Southeast Vermont Transit (SEVT) – Presentation and Discussion. Randy Schoonmaker, CEO from SEVT, said that SEVT was a product of a merger in 2015 between The Moover (based in Wilmington) and The Current (based in Rockingham). He said that the consolidation continued and buses were being rebranded from The Current name and design to The Moover. He said that Brattleboro ridership had increased since implementing the new schedule in 2018 and two new buses were being purchased for the Brattleboro area. He discussed the operating plan, funding, and increased ridership numbers, as set forth in the document he provided, dated January 21, 2020. He spoke about a possible expansion of facilities in Brattleboro and the availability of the “transit app” that could be downloaded to cellphones so riders would know the exact location of the bus. McLoughlin suggested that ridership could be significantly increased by promoting the sustainability aspects of riding buses, and she suggested that he meet with the new Sustainability Coordinator to promote ridership as a sustainability action. She also suggested installing bus signs at every bus stop. Schoolmaker responded that a previous administration removed signs with schedules and said that he would be in favor of signing the stops. Quipp inquired about a plan to transition away from fossil fuels. Schoonmaker said the cost of an electric bus was \$1.3 million and that better technology was being developed to increase the horsepower and battery power of electric buses. There was a brief discussion by the Board.

**NO ACTION TAKEN.**

Collective Bargaining Agreement with the New England Police Benevolent Association. Elwell said that the Board was asked to approve the collective bargaining agreement between the Town and the New England Police Benevolent Association (NEPBA) for the period from July 1, 2019, through June 30, 2022. He said that the entire proposed agreement was in the Selectboard’s notebooks, along with his summary memorandum dated January 15, 2020. He noted that the financial impact of the NEPBA Agreement was included in the proposed FY21 budget. There was a brief discussion by the Board.

**MOTION BY ELIZABETH McLOUGHLIN TO APPROVE THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF BRATTLEBORO AND THE NEW ENGLAND POLICE BENEVOLENT ASSOCIATION FOR THE PERIOD FROM JULY 1, 2019 THROUGH JUNE 30, 2022. MOTION CARRIED 4-0.**

Annual Appointments for Ratification at Representative Town Meeting

- (i) *Town Clerk*
- (ii) *Town Attorney*

Elwell said that the Board was asked to re-appoint Hilary Francis as Town Clerk and Fisher & Fisher Law Offices, PC, as Town Attorney for one-year terms, subject to ratification at the Representative Town Meeting on March 21, 2020. There was no discussion by the Board.

**MOTION BY TIM WESSEL TO APPOINT HILARY FRANCIS AS TOWN CLERK, SUBJECT TO RATIFICATION AT THE REPRESENTATIVE TOWN MEETING ON MARCH 21, 2020. MOTION CARRIED 4-0.**

**MOTION BY DANIEL QUIPP TO APPOINT FISHER & FISHER LAW OFFICES, PC, AS TOWN ATTORNEY, SUBJECT TO RATIFICATION AT THE REPRESENTATIVE TOWN MEETING ON MARCH 21, 2020. MOTION CARRIED 4-0.**

Annual Contract – Town Attorney. Elwell said that the Board was asked to approve a one-year contract with Fisher & Fisher Law Offices, PC, for Town Attorney services. He said that the agreement for 2020-2021 was identical to last year’s contract, except for a 2% increase in the annual retainer to \$110,364. There was no discussion by the Board.

**MOTION BY ELIZABETH McLOUGHLIN TO AUTHORIZE TOWN MANAGER PETER ELWELL TO EXECUTE A CONTRACT WITH TOWN ATTORNEY BOB FISHER FOR THE PROVISION OF TOWN ATTORNEY SERVICES FOR 2020-2021 YEARS BY FISHER & FISHER LAW OFFICES, PC, IN THE ANNUAL RETAINER AMOUNT OF \$110,364. MOTION CARRIED 4-0.**

Review of Draft Warnings for Town Meeting Election on March 3, 2020, and Representative Town Meeting on March 21, 2020. Elwell said that the Board was asked to review the draft Warnings for the Town Meeting Election on March 3, 2020, and the Representative Town Meeting (RTM) on March 21, 2020. He briefly reviewed the articles contained in both Warnings. He asked the Board members to ask questions and/or concerns at this time, so the final Warnings could be presented to the Board for final approval at the January 28 special Selectboard meeting. Executive Secretary Anderson noted that Article 2 on the March 3 Warning was likely to be removed at the School District's request. Franz Reichsman voiced his opinion about the length of RTM. Elwell noted that an Informational Meeting was scheduled on March 11 at Academy School, and that RTM would be held on March 21 in the multipurpose room at Brattleboro Area Middle School (BAMS). There was some discussion by the Board.

**NO ACTION TAKEN.**

Letter to the Governor in Support of the Brattleboro Retreat. Town Manager Elwell noted that earlier in this meeting, the Board agreed to add this item to the agenda for discussion. He said the Board was asked to approve a letter from the Selectboard to Governor Scott in support of the Brattleboro Retreat during the Retreat's financial crisis. He read the letter in its entirety. There was no discussion by the Board.

**MOTION BY TIM WESSEL TO APPROVE THE LETTER TO GOVERNOR SCOTT, DATED JANUARY 22, 2020, AS READ BY THE TOWN MANAGER. MOTION CARRIED 4-0.**

Starr reminded members of the public who were interested in becoming a candidate to be included on the Town Meeting ballot that the deadline to submit a petition to the Town Clerk was Monday, January 27, at 5:00pm.

There was no further business.

**MOTION BY DANIEL QUIPP TO ADJOURN AT 8:20PM. MOTION CARRIED 4-0.**

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Elizabeth McLoughlin, Clerk