

**BRATTLEBORO SELECTBOARD  
TUESDAY, FEBRUARY 4, 2020  
REGULAR MEETING – 6:15PM  
SELECTBOARD MEETING ROOM, MUNICIPAL CENTER  
MINUTES**

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

Staff Present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Police Chief Mike Fitzgerald, Town Clerk Hilary Francis, Sustainability Coordinator Stephen Dotson, Highway/Utilities Superintendent Dan Tyler, Town Assessor Jenepher Burnell, and Executive Secretary Jan Anderson.

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

Others present: Ian Goodnow, Oscar Heller, Leesette Bengar, Bruce Sweeter, Michael Lonardo, Morgan Grover, Matthew Frechette, Travis [illegible last name], William Gussin, Ivan Hennessey, Cyndy Gray, Kim Nace, Lester Humphreys, Chloe Learey, Cassandra Holloway, ASL interpreters Elizabeth Fox and Janet Dickinson, and others who did not sign the attendance sheet.

Chair Brandie Starr called the meeting to order at 6:15pm. She confirmed that the meeting had been properly warned.

***APPROVE MINUTES***

Starr asked the Board to approve the meeting minutes from January 14, 2020. There was no discussion.

**MOTION BY TIM WESSEL TO APPROVE MINUTES FROM THE JANUARY 14 MEETING. MOTION CARRIED 5-0.**

***CHAIR'S REMARKS***

None.

***MANAGER'S COMMENTS***

Town Manager Elwell announced that the ballots for early voting in statewide elections and the national primary elections will begin on February 12 in the Town Clerk's Office. He also asked the Assistant Town Manager Patrick Moreland to provide a status report regarding the possible formation of a broadband Communications Union District (CUD). Moreland said that the Windham Regional Commission (WRC) recently received a grant to hire professional and technical assistance to work with surrounding towns throughout the region to determine the interest around establishing and participating in a CUD. He said that the process just started and would take about 6 months. He said it would be a two-phase plan, with the first phase being a feasibility study. WRC would look at the physical plant and infrastructure around the region. If determined to be feasible, phase 2 would be to develop a business plan. He said the principal responsibility of participating towns was to facilitate a market survey of citizens' interest. He said that Brattleboro would have an on-line survey posted on the Town's website, along with paper copies to be distributed at various locations, and would likely send a postcard mailing to residents in Brattleboro to help assess the potential feasibility. He said that meetings with the WRC and regional towns would take place every couple of weeks and that he would provide the Board with updates as the matter progressed.

***SELECTBOARD COMMENTS AND COMMITTEE REPORTS***

None.

***PUBLIC PARTICIPATION***

Kim Nace, Executive Director of the Rich Earth Institute, read a letter from the Institute asking that it be

included in the design and production of a public sanitation facility, if the Town moved forward with that project.

Ian Goodnow, a candidate for a one-year seat on the Selectboard, introduced himself to the Board and the public. He said that he appreciated all of the work that the Board did, and he looked forward to the upcoming campaign.

Chair Starr asked Police Chief Fitzgerald to provide an update on the recent number of vehicle larcenies and break-ins in Town. Fitzgerald said that he appreciated all of the conversations that were taking place and the participation in neighborhood meetings by community members. He said that in the past ten days, the number of break-ins had dropped from an average of 1 to 6 per night to 1 to 3 per night. He said that contributing factors for the decrease in numbers were public discussions and a change in the Police Department's tactics. He said that some arrests had been made in Brattleboro and neighboring towns. He emphasized that working together and good communication had a positive effect. He reminded the public that a community forum on this topic was scheduled on Saturday February 29, starting at 10:00am, in the Brooks Memorial Library, and he anticipated attendance by legislators, the State's Attorney, and members from the Police Department and Town government. Michael Lonardo, resident on Marlboro Avenue, spoke at length about his concerns of the recent break-ins in his neighborhood. He encouraged members of the public to attend the public forum on February 29. He said that Town Manager Elwell confirmed in an e-mail to him earlier that panelists at the forum would include State's Attorney Tracey Shriver, Mel Motel from the Brattleboro Community Justice Center, Police Chief Fitzgerald, one or more Selectboard members, and one or more legislators. He said that other attendees (not panelists) would include several other legislators and Selectboard members, along with Town Manager Elwell. Lonardo suggested that the local media also cover the event. He said that the law was confusing and often misunderstood, and that the rights of citizens were different from the rights of criminals. Fitzgerald said it would be important for community members to understand the law and the distinct and separate roles of various parties in the judicial system, such as courts, defense counsel, prosecutors, and law enforcement, all who had different limitations and capabilities. Cyndy Gray asked if trespassing signs could be installed on people's properties and whether the signs needed to be registered with the Town. Fitzgerald responded that a trespassing sign did not need to be registered with the Town and, if placed in plain view, would serve as a warning. Wessel noted that a legislator (and former Vermont State Trooper) recently introduced a new bill in the legislature that would make an uninvited entry into a car a trespassing violation. There was some discussion by the Board.

## ***LIQUOR COMMISSIONERS***

### **MOTION BY DAVID SCHOALES TO CONVENE AS LIQUOR COMMISSIONERS. MOTION CARRIED 5-0.**

Liquor Licenses, Outdoor Consumption Permits, and Entertainment Licenses – Annual Renewals. Town Clerk Hilary Francis said that the Board was asked to approve the renewal of all existing liquor licenses, outdoor consumption permits, and entertainment licenses for an additional year, subject to each existing license or permit holder submitting all of the required paperwork. She said that the current licenses would expire on April 30, and she explained the process for liquor license renewals, as set forth in her memo dated January 22, 2020, and said that a complete list of the licenses and permits ready for renewal were attached to her memo. She noted that three establishments had violations in the past year and that some previous Selectboards had asked such businesses to appear before the Board to discuss the violations. Elwell spoke about the efficiency of bringing the entire list of renewals to the Board in one presentation, rather than bringing individual applications to the Board for renewal. There was some discussion about the violations. Ivan Hennessey, from Saxtons River Distillery, said that he understood from his training that suspensions took place very soon after the citation. Cassandra Holloway from Building a Positive Community (f/k/a Brattleboro Area Prevention Coalition) spoke about the one business that had been cited for lack of training and said that subsequently five people from that business had taken an on-site alcohol training by the State and coordinated by BAPC. She said that the employee who was cited had

previously worked at a different establishment and the management assumed that the employee brought the proper training to the new job. She said that the Department of Liquor Control checked on the status of all other employees at that business and found all of the other education credentials to be up-to-date. She also spoke of many aspects of assistance that BAPC offered to various businesses that were licensed to sell alcohol. There was much discussion by the Board about the three businesses that had violations and whether to ask those businesses to come before the Board and explain their liquor practices and the remedies that had been implemented after the citation. There was agreement that only the two businesses with serving violations appear before the Board prior to approving their renewals.

**MOTION BY ELIZABETH McLOUGHLIN TO APPROVE THE RENEWAL OF ALL EXISTING LIQUOR LICENSES, OUTDOOR CONSUMPTION PERMITS, AND ENTERTAINMENT LICENSES, EFFECTIVE MAY 1, 2020, SUBJECT TO EACH EXISTING LICENSE OR PERMIT HOLDER SUBMITTING THE REQUIRED PAPERWORK. THE EXCEPTIONS TO THIS BLANKET APPROVAL ARE McNEILL'S BREWERY AND ONE STOP ON CANAL STREET, EACH OF WHICH WILL BE INVITED TO ATTEND THE FEBRUARY 18 SELECTBOARD MEETING. MOTION CARRIED 5-0.**

Festival Permit – *Winston Prouty Center for Child and Family Development, Par for the Cause Festival.* Starr said that the Board was asked to approve a festival permit for the Winston Prouty Center for Child Development's Par for the Cause fundraising event on Saturday, March 28, 2020, from 5pm until 8pm at 209 Austine Drive. Chloe Leary and Willie Gussin, from Winston Prouty, spoke about annual spring fundraiser event. Leary also spoke about the mission of the Winston Prouty Center being a provider of inclusive education and family support for the success of children and families. She invited the public to visit the campus. Cassandra Holloway, from Building a Positive Community, inquired about the precedence being set by a staff person serving alcohol at the family-focused event. Gussin said that traditionally an adult event was held on Saturday night and that Sunday, March 29, was the family-friendly event. There was a brief discussion by the Board.

**MOTION BY TIM WESSEL TO APPROVE A FESTIVAL PERMIT FOR THE WINSTON PROUTY CENTER FOR CHILD DEVELOPMENT'S PAR FOR THE CAUSE EVENT TO BE HELD ON MARCH 28, 2020, FROM 5PM UNTIL 8PM AT 209 AUSTINE DRIVE. MOTION CARRIED 5-0.**

**MOTION BY ELIZABETH McLOUGHLIN TO ADJOURN AS LIQUOR COMMISSIONERS. MOTION CARRIED 5-0.**

### ***NEW BUSINESS***

#### Sustainability Matters

- (i) *Introduction of Sustainability Coordinator Stephen Dotson*
- (ii) *Carbon Offsets vs. Renewable Sources of Electricity*

(i) Town Manager Elwell introduced the Town's new Sustainability Coordinator, Stephen Dotson, who started employment two days ago. The Board welcomed Dotson to the Town's team.

(ii) Assistant Town Manager Patrick Moreland, Chair of the Energy Committee Oscar Heller, and former Energy Committee member Lester Humphreys were present. Moreland said that in his September 10, 2019 memo, he had recommended that staff solicited letters of interest from local energy projects for a supplementary renewable subsidy (similar to Cow Power) for municipal electrical energy usage. He said that after several meetings with Heller and Humphreys, who were very knowledgeable in energy matters, his recommendation now would be to consider carbon neutrality as a goal, as set forth in his memo dated January 27, 2020. He said that he envisioned future discussions would include members from the Energy Committee and Stephen Dotson, the new Sustainability Coordinator. Heller, Humphreys, Cassandra Holloway, and Ivan Hennessey provided their opinions and comments. There was much discussion by the Board and it was agreed that many further discussions would take place in the future.

**NO ACTION TAKEN.**

Proposed Handicapped Parking Space on Canal Street Adjacent to the Coop's Community Meeting Room. Elwell said that the Board was asked to approve designating the first on-street parking space on the north side of Canal Street west of South Main Street as a handicapped parking space, as set forth in his memo dated January 27, 2020. He said that the request was made by the Brattleboro Food Co-Op and was subsequently recommended by the ADA Committee, Traffic Safety Committee, and Town staff. There was a brief discussion by the Board.

**MOTION BY DANIEL QUIPP TO APPROVE DESIGNATING THE FIRST ON-STREET PARKING SPACE ON THE NORTH SIDE OF CANAL STREET WEST OF SOUTH MAIN STREET FOR USE ONLY BY DRIVERS WITH A HANDICAPPED PARKING PERMIT. MOTION CARRIED 5-0.**

Certificate of Highway Mileage – Highway/Utilities Superintendent Dan Tyler said that the Board was asked to approve the Town's Certificate of Highway Mileage for 2020. He reviewed the annual requirement of the certificate and said that no changes were made during the past year. There was a brief discussion by the Board.

**MOTION BY ELIZABETH McLOUGHLIN TO APPROVE THE TOWN OF BRATTLEBORO'S CERTIFICATE OF HIGHWAY MILEAGE FOR 2020. MOTION CARRIED 5-0.**

Certificate of Attestation - No Appeal or Suit Pending– 2018 and 2019 Grand Lists. Town Assessor Jenepher Burnell said that the Board was asked to approve the Town's Certificate of Attestation – No Appeal or Suit Pending forms for the 2018 and 2019 Grand Lists. She said that two previous appeals had been remedied and no appeals were pending at this time for any given fiscal year. There was a brief discussion by the Board.

**MOTION BY DAVE SCHOALES TO APPROVE THE CERTIFICATE OF ATTESTATION – NO APPEAL OR SUIT PENDING FORMS FOR THE 2018 AND 2019 GRAND LISTS. MOTION CARRIED 5-0.**

Committee Appointment – Starr said that the Board was asked to appoint Ashlyn Bristle to the Conservation Commission. There was no discussion by the Board.

**DAVE SCHOALES NOMINATED ASHLYN BRISTLE FOR THE CONSERVATION COMMISSION. NOMINATION CARRIED 5-0.**

There was no further business.

**MOTION BY DANIEL QUIPP TO ADJOURN AT 7:36PM. MOTION CARRIED 5-0.**

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Elizabeth McLoughlin, Clerk