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

Staff Present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Town Attorney Robert Fisher, Public Works Director Steve Barrett, Police Chief Michael Fitzgerald, Police Captain Mark Carignan, and Executive Secretary Jan Anderson.

Media present: Olga Peters representing WTSA and BCTV staff and volunteers.

Others present: Tad Montgomery, Adam Grinold, ASL interpreters Elizabeth Fox and Janet Dickinson, and others who did not sign the attendance sheet.

Chair Gartenstein called the meeting to order at 5:15pm. He confirmed that the meeting was officially warned.

MOTION BY DAVID GARTENSTEIN TO ENTER INTO EXECUTIVE SESSION TO DISCUSS CONTRACTS, REAL ESTATE LEASES, AND LABOR RELATIONS AGREEMENTS WITH EMPLOYEES, WHERE GENERAL PREMATURE PUBLIC KNOWLEDGE WOULD CLEARLY PLACE THE MUNICIPALITY, PEOPLE INVOLVED, AND THE BOARD AT A SUBSTANTIAL DISADVANTAGE. THE ASSISTANT TOWN MANAGER, TOWN ATTORNEY, AND TOWN MANAGER WERE INVITED TO ATTEND. MOTION CARRIED 5-0.

Chair Gartenstein reconvened the meeting at 6:15pm. He announced that the regular meeting previously scheduled on February 7 was cancelled due to a severe ice storm and was rescheduled to today.

APPROVE MINUTES

MOTION BY RICHARD DEGRAY TO APPROVE THE MINUTES FROM JANUARY 10, JANUARY 17, AND JANUARY 31, 2017, AS PRESENTED. MOTION CARRIED 5-0.

CHAIR'S REMARKS

Chair Gartenstein offered a special recognition and gratitude to the employees in the Public Works Department for keeping the roads open and safe after the ice storm and two snow storms since last Tuesday. He also made reference to a recent Executive Order issued from the Federal Government purporting to ban people from coming into the United States based upon national origin and possible religious orientation. He confirmed that in the past and for the future, the Town of Brattleboro did not nor would not discriminate against anyone because of national origin, religion, or other protected class, such as age, disability, race, color, sex or sexual orientation. He said that the Town was proud to provide services in a nondiscriminatory manner and was committed to continue to do so going forward.

Gartenstein then referenced reports of three drug overdose deaths in the very recent past. He said that as a prosecutor, his office addressed drug crimes daily and the drug and opiate crisis was nationwide and not isolated to the Town. He said that the general political response to drug use was to treat it as a criminal justice issue but that it should be addressed with robust treatment availability throughout communities. He asked Police Chief Fitzgerald to address the opiate crisis. Chief Fitzgerald first offered his condolences to the family and loved ones of those whose lives were recently lost. He read a portion of the Police Department’s mission statement toward addressing drug activity, and he reviewed some department procedures pertaining to the matter. He suggested that a collaborative effort with the State and local resources be continued with emphasis on prevention, treatment, and law enforcement activities.
He asked concerned citizens to contact their State representatives to express their concerns. He stressed that the Police Department was committed to assisting through prevention, treatment and education, and he asked that people who needed help to contact the Police Department who would connect them to available services.

**MANAGER’S COMMENTS**

Town Manager Elwell echoed his gratitude to the Department of Public Works team for their work over the past week on several storms, with difficult timing and long durations of storms and events. He noted that the winter maintenance expenses were over the budgeted amount due to the demand on services but reassured the residents that the Town could handle such an overage from surplus funds and a reorganization of other services in order to avoid a deficit in the total town operations. Elwell also announced that that snow would be removed tonight in the parking lots and on streets, and he reminded drivers to remove their cars in order to avoid being towed.

**SELECTBOARD COMMENTS AND COMMITTEE REPORTS**

DeGray reminded Brattleboro voters to attend the Brattleboro Union High School meeting tomorrow night to vote on the BUHS budget. He also announced that the Harris Hill Ski Jump was taking place next weekend on Saturday and Sunday (January 18 and 19) and invited the public to attend one or both days to support the world class event. Additionally, he congratulated Dana Zelenakas for his recent induction into the American Ski Jumping Hall of Fame. Finally, he reminded viewers to remember their Valentines tomorrow.

Allen announced that the Windham Solid Waste Management District meeting was cancelled last week and rescheduled to Thursday, February 16.

O’Connor thanked Public Works for their thorough work on keeping the roads and sidewalks clear. She said she was in Montpelier last week and the differences were obvious.

Gartenstein reminded property owners in the downtown district of their responsibility to shovel the sidewalk in front of their businesses.

Schoales stated there was a race for Selectboard seats, and he announced that a Selectboard candidate debate was scheduled on Friday (January 17) at 8:00am at the Senior Center and that breakfast would also be available. He said that a second candidates’ forum was scheduled on February 23 in the Selectboard Meeting Room.

**PUBLIC PARTICIPATION**

None.

**UNFINISHED BUSINESS**

Police-Fire Facilities Project – Update. Town Manager Elwell provided the Board with an update on the construction progress at the West Brattleboro Fire Station, the Central Fire Station, and the Police Station to be re-located to 62 Black Mountain Road, all as set forth in his memo dated February 2, 2017. He then reported that only one purchase had been authorized administratively and the amount was $7,129.19 for office furnishings at Central Fire Station. He said that the furniture was being constructed by inmates in the State Corrections Program, that it was solid furniture priced below the market price, and the funds would assist the inmate program. There was no discussion by the Board.

**NO ACTION TAKEN.**

**NEW BUSINESS**

Approve 2017 Certificate of Highway Mileage – Public Works Department. Public Works Director Barrett said that the Board was asked to approve the Certificate of Highway Mileage for the year ending February 10, 2017, as presented in his memo dated January 25, 2017. He briefly reviewed the changes in the mileage. There was a brief discussion by the Board.
MOTION BY JOHN ALLEN TO APPROVE THE CERTIFICATE OF HIGHWAY MILEAGE FOR THE YEAR ENDING FEBRUARY 10, 2017, AS PRESENTED. MOTION CARRIED 5-0.

Engineering Services for Parking Lot Improvements. Assistant Town Manager Moreland said that the Board was asked to authorize the Town Manager to execute a contract with Stevens & Associates in the total amount of $27,000 for design, bidding, and project oversight services associated with upgrades at the Harmony Lot, Preston Lot, Harris Lot, and the parking area at the rear of the Gibson Aiken Center. He said that previously the Board tentatively approved the work and the proposed expenditure as summarized in his memo dated February 1, 2017. Schoales asked whether the contract should be put out to bid. Elwell said that a competitive bid process was not required for professional services, that there was a limited number of local firms available to do this work, that timing was a factor, and that Stevens & Associates had previous experience and data pertaining to the parking lots. There was some discussion by the Board. Gartenstein said that in the future he would favor the Board having some discussion about the competitive bidding process when the cost of the contract was over $20,000 or $25,000. Barrett also notified the Board that the sidewalk plow broke down during the last storm and was being repaired so the snow and ice in the sidewalks would be addressed starting tomorrow. There was a brief discussion about the reduction in the sidewalk plow equipment and route.

MOTION BY RICHARD DEGRAY TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE CONTRACT WITH STEVENS & ASSOCIATES IN THE TOTAL AMOUNT OF $27,000, AS PRESENTED, FOR DESIGN, BIDDING, AND PROJECT OVERSIGHT SERVICES ASSOCIATED WITH UPGRADES AT THE HARMONY LOT, THE PRESTON LOT, THE HARRIS LOT, AND THE PARKING AREA AT THE REAR OF THE GIBSON AIKEN CENTER. MOTION CARRIED 5-0.

Sky Solar Net Metering Agreement. Gartenstein said that the Board was asked to approve the Net Metering Agreement between the Town and Sky Solar for the purchase of solar net metering credits through the Windham Solid Waste Management District Group Net Metering Project. Town Attorney Fisher spoke about negotiations between the parties and the resulting contract. He said that the contract provided for an electric cost to the Town of $0.139 per kilowatt hour which would be applied to the 18 largest municipal electric accounts and was expected to save approximately $86,000 in the first year, all as set forth in the memo dated January 31 from Assistant Town Manager Moreland. Tad Montgomery had some questions which were addressed by administration, and he suggested obtaining more net metering credits. There was some discussion by the Board.

MOTION BY DAVID SCHOALES TO APPROVE THE NET METERING AGREEMENT FOR THE WINDHAM SOLID WASTE MANAGEMENT DISTRICT GROUP NET METERING PROJECT, AND TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE AGREEMENT FOR THE PURCHASE OF SOLAR NET METERING CREDITS WITH SKY SOLAR. MOTION CARRIED 5-0.

Authorize Town Manager to Release the Right of First Refusal – 1037 Western Avenue. Gartenstein said that the Board was asked to authorize the Town Manager to execute the Release of Right of First Refusal on property located at 1037 Western Avenue. Town Attorney Fisher provided a history of the Town’s involvement with the property and spoke about the Right of First Refusal held by the Town, as set forth in his memo dated January 26, 2017. He said that the Town could exercise its right of first refusal and purchase the property for $400,000, or release the right of first refusal and allow the sale transaction to proceed. There was a brief discussion.

MOTION BY JOHN ALLEN TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE RELEASE OF RIGHT OF FIRST REFUSAL ON THE PROPERTY LOCATED AT 1037 WESTERN AVENUE. MOTION CARRIED 5-0.
Volunteer Energy Coordinator Position. Elwell said that the Board was asked to approve a position description for an unpaid volunteer Energy Coordinator as prepared and recommended by Energy Committee Chair Michael Bosworth, and to announce the Energy Coordinator vacancy. Schoales voiced his disapproval that the position would be unpaid and said he would support providing a stipend for the position due to the significant fiscal contributions realized by the Town through the work of the Energy Committee. Tad Montgomery read an excerpt from the minutes of the November 7, 2016 Energy Committee meeting recommending the hiring of a full time Energy Coordinator, or at least a part-time coordinator, and a contribution of $10,000 by the Town in support of such a position. Elwell said that the Board heard the Energy Committee’s recommendation during its previous budget discussions and voted against it, but suggested that staff would undertake an effort in the months ahead to address the position and a model to support the work of the Energy Committee. Montgomery said that the Town of Hartford would be voting to add a full time Energy Coordinator and suggested that Brattleboro do the same. He also said that Representative Mollie Burke notified him that the Vermont Council on Rural Development would be considering a new grant program for the Climate Energy Economy Model Community where grant funds would be available to a number of towns in Vermont, and he suggested the Board fund the full-time Energy Coordinator position to write grants for such programs. There was some discussion by the Board, including whether the position would be a staff position. It was agreed that it would not be a staff position at this time.

MOTION BY KATE O’CONNOR TO APPROVE THE VOLUNTEER ENERGY COORDINATOR POSITION DESCRIPTION, AS PRESENTED, AND TO ANNOUNCE THE VACANCY FOR A VOLUNTEER ENERGY COORDINATOR. MOTION CARRIED 4-1 (SCHOALES OPPOSED).

Tax Increment Financing (TIF) – Support for Legislative Effort to Open Access to this Economic Development Tool. Elwell said that the Board was asked to endorse Brattleboro Development Credit Corporation’s (BDCC) advocacy for Brattleboro’s access to the State’s Tax Increment Finance (TIF) Program. He provided a brief history and information about the TIF program which he said was a complex program and was addressed more thoroughly in the memo dated January 31, 2017 from Assistant Town Manager Moreland. Adam Grinold, Executive Director of BDCC, spoke about the TIF program and its potential future benefits. Elwell clarified that the Board was not being asked to create a TIF District at this time, but rather support the legislative effort underway. Gartenstein said that the TIF program was not applicable to the Town of Brattleboro and he spoke of his concerns that BDCC had not been involved in efforts regarding the Town’s regional economic hub concerns. He also noted that the Town already supported economic development in many ways. Grinold countered by speaking of BDCC’s support of other economic development projects. There were many questions and much discussion by the Board.

MOTION BY JOHN ALLEN TO ENDORSE THE BRATTLEBORO DEVELOPMENT CREDIT CORPORATION’S ADVOCACY FOR BRATTLEBORO’S ACCESS TO THE STATE OF VERMONT’S TAX INCREMENT FINANCE (TIF) PROGRAM. MOTION CARRIED 3-2 (GARTENSTEIN AND DEGRAY OPPOSED).

Accept and Appropriate Grant – Interlibrary Loan Courier Pilot Project 2017. Elwell said that the Board was asked to accept and appropriate the Interlibrary Loan Courier Pilot Project 2017 Grant from the Vermont Department of Libraries in the amount of $180 for an interlibrary loan courier delivery service. There was a very brief discussion.

MOTION BY DAVID SCHOALES TO ACCEPT AND APPROPRIATE THE INTERLIBRARY LOAN COURIER PILOT PROJECT 2017 GRANT FROM THE VERMONT DEPARTMENT OF LIBRARIES IN THE AMOUNT OF $180. MOTION CARRIED 5-0.

Approve Grant Application – Aquatic Nuisance Grant and Aid, Planning Services. Elwell said that the Board was asked to approve the Planning Department’s application for a $3,800 aquatic Nuisance
Control Grant from the Vermont Department of Environmental Conservation, Watershed Management program to pay for an aquatic biologist to coordinate a program to survey, document, and provide educational prevention signage regarding invasive aquatic species, as set forth in the memo dated January 31, 2017, from Planner Sue Fillion. There was a very brief discussion.

**MOTION BY JOHN ALLEN TO APPROVE THE PLANNING DEPARTMENT’S APPLICATION FOR A $3,800 AQUATIC NUISANCE CONTROL GRANT FROM THE VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION WATERSHED MANAGEMENT PROGRAM. MOTION CARRIED 5-0.**

Committee Appointment  Gartenstein said that the Board was asked to fill the unexpired seat on the Citizen Police Communications Committee (CPCC) for a term ending June 30, 2017. There was no discussion.

**GARTENSTEIN NOMINATED ARIEL NELSON TO THE CITIZEN POLICE COMMUNICATIONS COMMITTEE. THE NOMINATION CARRIED 5-0.**

There was no further business.

**MOTION BY RICHARD DEGRAY TO ADJOURN AT 7:37PM. MOTION CARRIED 5-0.**

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David Schoales, Clerk