

**BRATTLEBORO SELECTBOARD
TUESDAY, MARCH 7, 2017
EXECUTIVE SESSION – 5:15PM
REGULAR MEETING – 6:15PM
BROOKS MEMORIAL LIBRARY MEETING ROOM
MINUTES**

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

Staff Present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Fire Chief Mike Bucossi, Assistant Fire Chief Len Howard, Police Chief Michael Fitzgerald, Police Captain Mark Carignan, Library Director Starr LaTronica, and Executive Secretary Jan Anderson.

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

Others present: Frankie Candido, David Ingram, Paul T. Redding, William E. Daley, Judith Daley, Katie Bachler, Scott Berzofsky, Jean MacLean, 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, LABOR RELATIONS AGREEMENTS, PENDING OR PROBABLE CIVIL LITIGATION, NEGOTIATION OF REAL ESTATE PURCHASE OR LEASE, AND EVALUATION OF PUBLIC OFFICER OR EMPLOYEE, WHERE GENERAL PREMATURE PUBLIC KNOWLEDGE WOULD CLEARLY PLACE THE TOWN, OTHER PEOPLE INVOLVED, AND THE MUNICIPALITY AT A SUBSTANTIAL DISADVANTAGE. THE TOWN MANAGER AND ASSISTANT TOWN MANAGER WERE INVITED TO ATTEND AT VARIOUS POINTS DURING THE EXECUTIVE SESSION. MOTION CARRIED 4-0.

Gartenstein reconvened the meeting at 6:17pm.

APPROVE MINUTES

MOTION BY RICHARD DEGRAY TO APPROVE THE MINUTES FROM FEBRUARY 21, 2017, AS PRESENTED. MOTION CARRIED 4-0.

CHAIR'S REMARKS

Chair Gartenstein commented on the success of the I-91 Bridge tour and community walk over the new bridge. He thanked the 800-900 community members of all ages for participating in the tour in spite of the cold temperatures and strong winds. He said that it was an unforgettable experience and thanked Patrick Moreland, the Agency of Transportation, PCL Construction, Martin Langeveld and other organizers for their work in arranging the tour. Gartenstein also noted that elections were taking place today and two new Selectboard members would be elected to the Board since he and Dick DeGray were not running for re-election. He noted that voters still had time to vote before the polls closed.

MANAGER'S COMMENTS

Town Manager Elwell echoed Gartenstein's comments about the I-91 bridge tour. He said it was a completely successful event, in spite of bitter cold temperature and short notice, due to the collaboration between organizing parties. He thanked Patrick Moreland for leading the organizational efforts, Police Chief Fitzgerald for his efforts to make it a safe event, volunteers Kate O'Connor, Kerry Amidon, Jan Anderson, and several other employees for their efforts in making it a successful and safe community event.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

DeGray spoke briefly about the increased amount of panhandling issues in the Harmony Parking Lot. He also reminded voters to get out and vote.

DeGray thanked David Gartenstein, who was leaving the Selectboard, for his service and dedication to the Town of Brattleboro. He said that he appreciated Gartenstein's hard work and commitment while serving on the Selectboard for six years and his previous work on the Development Review Board, School District Board, and High School Board. He said that they disagreed at times, but each brought their different points of view and commonality to the Board. DeGray said that Gartenstein would be missed on the Selectboard. Gartenstein also thanked DeGray for his service and said it was a pleasure serving with him.

O'Connor briefly spoke about the success of the I-91 Bridge tour.

PUBLIC PARTICIPATION

None.

LIQUOR COMMISSIONERS

MOTION BY DAVID SCHOALES TO CONVENE AS LIQUOR COMMISSIONERS. MOTION CARRIED 4-0.

Renewal of First Class Liquor License and Outside Consumption Permit – Delta Pie Brattleboro, LLC, d/b/a Ramunto's Brick Oven Pizza. Elwell said that at the previous Selectboard meeting, the Board did not approve the renewal of Ramunto's liquor license because it had two violations for serving minors, and representatives from that establishment were asked to appear before the Board to discuss its liquor policies. Representatives from Ramunto's, David Ingerman and Frankie Candido, were present and discussed the violations and subsequent improvements made to its liquor practices. There was some discussion by the Board.

MOTION BY RICHARD DEGRAY TO APPROVE RENEWAL OF THE FIRST CLASS LIQUOR LICENSE AND OUTSIDE CONSUMPTION PERMIT FOR DELTA PIE BRATTLEBORO, LLC., D/B/A RAMUNTO'S BRICK OVEN PIZZA, LOCATED AT 1111 PUTNEY ROAD. MOTION CARRIED 4-0.

Renewal of Second Class Liquor License – W G Daley, Inc., d/b/a Vermont Country Deli. Gartenstein said that at the previous Selectboard meeting, the Board did not approve the renewal of Vermont Country Deli's liquor license because it had three violations for serving minors, and representatives from that establishment were asked to appear before the Board to discuss its liquor policies. Representatives from Vermont Country Deli, Bill Daley and Judy Daley, were present and discussed the violations and subsequent improvements made to the store's liquor practices and cash register software. There was some discussion by the Board.

MOTION BY RICHARD DEGRAY TO APPROVE RENEWAL OF THE SECOND CLASS LIQUOR LICENSE FOR W G DALEY, INC., D/B/A VERMONT COUNTRY DELI, LOCATED AT 436 WESTERN AVENUE. MOTION CARRIED 4-0.

Second Class Liquor License – Avenue Grocery, LLC. Gartenstein said that the Board was asked to approve a new Second Class Liquor License for Avenue Grocery, LLC, located at 82 Western Avenue. Scott Berzofsky and Katharine Bachler, soon-to-be owners of the store, were present and discussed their plans for the store after the purchase on March 31. DeGray mentioned that the taco signboard placed across the street was in violation of the Town's zoning ordinance. There was some discussion by the Board.

MOTION BY RICHARD DEGRAY TO APPROVE THE SECOND CLASS LIQUOR LICENSE FOR AVENUE GROCERY, LLC, LOCATED AT 82 WESTERN AVENUE. MOTION CARRIED 4-0.

MOTION BY DAVID SCHOALES TO ADJOURN AS LIQUOR COMMISSIONERS. MOTION CARRIED 4-0.

UNFINISHED BUSINESS

Police-Fire Facilities Building Project – Update. Town Manager Elwell provided the Board with an update on the construction progress at the West Brattleboro Fire Station, Central Fire Station, and 62 Black Mountain Road, as set forth in his memorandum dated March 2, 2017. He noted that there were no new expenses that had been administratively approved since his last report. He also recognized that a new report, Overall Project Financial Report, was included with his memo and provided an overall summary of the project budget, expenses to date, and funds that had been committed but not yet spent. There were some questions and much discussion by the Board.

NO ACTION TAKEN.

NEW BUSINESS

Route 142 Speed Limit. Elwell said that the Board was asked to authorize staff to commence the formal process of preparing for the possible increase of the speed limit from 25mph to 35mph between Royal Road and the southern terminus of the Town's jurisdiction on Route 142 (Vernon Road). He referred to his memo and Police Chief Fitzgerald's memo explaining the reasons for staff proposal of the change. He said that if the Board approved the concept, the matter would be taken to the Traffic Safety Committee, to the Town Attorney to craft a new ordinance, and back to the Board for approval. There was a brief discussion. The Board generally agreed to authorize the Town Manager to begin the steps necessary to change the speed limit.

NO MOTION WAS OFFERED.

Brattleboro Community Justice Center (BCJC) Memorandum of Understanding – Elwell said that the Board was asked to approve a Memorandum of Understanding (MOU) between BCJC and the Town. He said that the MOU was prepared and approved by Town Attorney Fisher and was recommended by staff and the BCJC Board of Directors, as summarized in his memo dated March 2, 2017. He briefly discussed the relationship between the BCJC and the Town. There was no discussion.

MOTION BY RICHARD DEGRAY TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF BRATTLEBORO AND THE BRATTLEBORO COMMUNITY JUSTICE CENTER AND TO AUTHORIZE THE TOWN MANAGER TO SIGN THE MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE TOWN. MOTION CARRIED 4-0.

Approve Grant Application – Homeland Security Equipment Special Operations Enhancement Grant, Fire Department. Elwell said that the Board was asked to approve the Fire Department's application for a Homeland Security HSU Equipment Grant in the amount of \$28,085 from the Vermont Division of Emergency Management and Homeland Security to pay for a battery operated extrication tool (the "jaws of life"), as set forth in the memo dated February 27, 2017, from Grants Manager Ellison and Fire Chief Bucossi. There was no discussion by the Board.

MOTION BY DAVID GARTENSTEIN TO APPROVE THE FIRE DEPARTMENT'S APPLICATION FOR A HOMELAND SECURITY HSU EQUIPMENT GRANT IN THE AMOUNT OF \$28,085 FROM THE VERMONT DIVISION OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY. MOTION CARRIED 4-0.

Committee Matters

- (i) *Approve Request from BASIC (Brattleboro Area Skatepark Is Coming) to Remove Joe Bushey due to Relocation from Area*
- (ii) *Announce BASIC and Other Committee Vacancies*

Gartenstein said that the Board was asked to approve the request from BASIC (Brattleboro Area Skatepark Is Coming) to remove Joe Bushey from the committee due to his relocation from the area. There was a brief discussion.

MOTION BY RICHARD DEGRAY TO REMOVE JOE BUSHEY FROM THE BRATTLEBORO AREA SKATEPARK IS COMING (BASIC) COMMITTEE. MOTION CARRIED 4-0.

Gartenstein announced the vacancy on the Brattleboro Area Skatepark Is Coming (BASIC) Committee. He also announced other committee vacancies, including the extension of the application deadline for the Volunteer Energy Coordinator position. There was a brief discussion.

NO MOTION WAS OFFERED.

Tour of Library Renovations – Gartenstein said that renovations to the Brooks Memorial Library had taken place over the past several months and Library Director Starr LaTronica would provide a tour of the renovated library. He said that no further business would be conducted by the Board after the tour.

NO ACTION TAKEN.

There was no further business.

MOTION BY RICHARD DEGRAY TO ADJOURN AT 7:45PM. MOTION CARRIED 4-0.

David Schoales, Clerk