

**BRATTLEBORO SELECTBOARD  
TUESDAY, MARCH 20, 2018  
REGULAR MEETING – 6:15PM  
BROOKS MEMORIAL LIBRARY MEETING ROOM  
MINUTES**

Selectboard members present: Kate O'Connor, Brandie Starr, John Allen, David Schoales, and Tim Wessel (by telephone).

Staff Present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Finance Director John O'Connor, Town Clerk Hilary Francis, Planning Director Rod Francis, and Executive Secretary Jan Anderson.

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

Others present: Nick Nickerson, Brenda Boyle, John Buchanan, Scott Berzofsky, Dale Joy, Alan Blackwell, Adam Grinold, ASL interpreters Janet Dickinson and Elizabeth Fox, and others who did not sign the attendance sheet.

Chair O'Connor called the meeting to order at 6:15pm. She confirmed that the meeting was properly warned.

***APPROVE MINUTES***

**MOTION BY JOHN ALLEN TO APPROVE THE MINUTES FROM THE MARCH 6 AND MARCH 14, 2018 MEETINGS. MOTION CARRIED 5-0.**

***CHAIR'S REMARKS***

Chair O'Connor announced that John Allen's term would expire after Representative Town Meeting on Saturday and this meeting was his last regular Selectboard meeting. She noted that he had served on the Board at two different times and invited him to run for another term in the future. She spoke of fond memories over the past five years that they served together. She said that she appreciated the different backgrounds and perspectives brought to the Board by all of the Board members. She said that Allen had been true to his voice to represent the taxpayers in this Town and his decisions reflected that point of reference. She thanked him for his service.

***MANAGER'S COMMENTS***

Town Manager Elwell also thanked John Allen for his service to the Town.

***SELECTBOARD COMMENTS AND COMMITTEE REPORTS***

Schoales said that he had worked with John Allen for the past five years and said it had been "fun, challenging, and interesting." He noted that Allen held his ground when he believed he was right and listened when he was not sure.

Starr noted that John Allen and she would disagree at times over the year, but that they always treated each other respectfully.

Wessel thanked John Allen for his service and for his candor and humor. He said that they were able to smile and work hard.

John Allen thanked his greatest supporter, his mother-in-law Nancy Crafts, who was currently at Grace Cottage Hospital but hoped that she would be home soon. He said he hoped she would find another outlet to fill her Tuesday evenings. He also thanked the other Board members and staff. He said that in spite of any differences, no bad words were spoken. He thanked the ASL interpreters, BCTV, and Chris and Lise at iBrattleboro. He addressed some people who posted comments on social media to "use their own name and lighten up because life was too short." He said that he was looking forward to Representative Town Meeting on Saturday.

**PUBLIC PARTICIPATION**

Dale Joy criticized the past performance of a Town employee (Rod Francis) in connection with a grant that had been awarded a few years ago, and she questioned why he was being nominated later in the meeting as a representative to a local commission. Town Manager Elwell spoke briefly about the NEA Grant and the thorough and public process by which the grant had been awarded, including how the artists were selected and the two separate panels comprised of members of the public that ultimately recommended the artists to receive the award. Joy offered other allegations and Elwell said that the facts did not support her allegations. Chair O'Connor suggested that the matter could be heard at a later date when the facts could be provided to the newer Board members. Elwell agreed to provide facts around the process and grant.

Nick Nickerson referenced the recent Parkland, Florida, school shootings and said he was saddened that complaints about the shooter were ignored before the shootings took place. He inquired whether the Brattleboro Police Department would ignore such calls and whether the children in Town knew that they could call the Police Department if they were threatened by firearm violence. Elwell confirmed that the Town's emergency services personnel and the schools were actively communicating and collaborating around keeping the students safe. There was a brief discussion.

**LIQUOR COMMISSIONERS**

**MOTION BY JOHN ALLEN TO CONVENE AS LIQUOR COMMISSIONERS. MOTION CARRIED 5-0.**

Annual Renewal of Liquor Licenses and Outside Consumption Permit – Review of Selected Licensees

- (i) Avenue Grocery
- (ii) Price Chopper
- (iii) Indo-American Grocery
- (iv) A&B Squared, d/b/a Arkham (with Outside Consumption Permit)
- (v) Hotel Pharmacy

O'Connor said that at the February 20 Selectboard meeting, the Board asked that representatives from Avenue Grocery, Price Chopper, Indo-American Grocery, and any other establishments that had been cited by the Vermont Department of Liquor Control (DLC) for serving alcohol to minors, or having certain other infractions, to appear at this meeting to discuss the citations and corrective actions. She said that DLC also reported that A&B Squared (d/b/a Arkham) and Hotel Pharmacy incurred citations last year for serving alcohol to a minor, and representatives from those establishments were invited to this meeting. She noted that Mary Giamartino, from Hotel Pharmacy, had a scheduling conflict and was not able to attend this meeting but would attend the April 3 meeting. Scott Berzofsky, from Avenue Grocery, admitted to misreading the birthdate on an ID, said that he had since taken the online training again, and would be more careful in the future. Brenda Boyle and John Buchanan, from Price Chopper, reported that a cashier inserted an incorrect birth date in the cash register, and was later suspended, fined, and terminated. They spoke of the alcohol policies in place and general enforcement measures. Representatives from Indo-American Groceries said that the owner was late for a training seminar and was cited for an education violation, and another time his son was asked to assist at the cash register but was not listed as being on the payroll so the business was cited for that incident. The son said that he was now on the payroll. Alan Blackwell, owner of Arkham, said the one of his bartenders misread the birth date on the ID of an underage patron and was cited for it. He said that he then mandated that all staff be recertified and he scheduled multiple mandatory staff meetings to discuss the alcohol policies. Town Clerk Hilary Francis asked that the Board approve all of the renewals at this meeting (except Hotel Pharmacy) so their applications could be forwarded to DLC for renewal. There was some discussion by the Board.

**MOTION BY DAVE SCHOALES TO ACCEPT THE 2018 LIQUOR, OUTSIDE CONSUMPTION LICENSE RENEWALS, AND ENTERTAINMENT PERMIT RENEWALS LISTED ON THE MEMORANDUM FROM MARCH 2, 2018 WITH THE EXCEPTION OF HOTEL PHARMACY. MOTION CARRIED 5-0.**

**MOTION BY BRANDIE STARR TO ADJOURN AS LIQUOR COMMISSIONERS. MOTION CARRIED 5-0.**

***NEW BUSINESS***

*Financial Report – Monthly Report, February, Finance Department.* Finance Director John O'Connor presented and discussed the financial report for February, 2018. Dale Joy asked the difference between "default" and "fully reserved." There was a brief discussion by the Board.

**NO ACTION TAKEN.**

Windham Regional Commission Matters

- (i) *Representatives' Annual Report to Selectboard*
- (ii) *Appointment of Town Representatives*

Kate O'Connor said that the Town of Brattleboro was authorized to appoint two representatives each year to the Windham Regional Commission (WRC) to serve one-year terms for the period of April 1 through March 31. Last year's representatives, Rod Francis and Elizabeth McLoughlin, were present and discussed the major areas of activity over the past year, as set forth in the memo from Rod Francis dated March 13, 2018, and the accompanying WRC Work Program and Budget. They indicated their willingness to serve on the WRC for another one-year term starting April 1, 2018. Dale Joy inquired about the pay that McLoughlin and Francis received for such service. McLoughlin said that she was not paid and Francis said that he participated as part of his job as Planning Director. Joy also noted her displeasure with Francis' documentation on a previous NEA grant. Chair O'Connor noted that during public participation earlier in the meeting, the Board agreed to discuss that matter at a later time. There was some discussion by the Board about the work of WRC throughout the year.

**MOTION BY JOHN ALLEN TO APPOINT ELIZABETH MCLOUGHLIN AND ROD FRANCIS AS BRATTLEBORO'S REPRESENTATIVES TO THE WINDHAM REGIONAL COMMISSION FOR THE PERIOD OF APRIL 1, 2018 THROUGH MARCH 31, 2019. MOTION CARRIED 5-0.**

Collective Bargaining Agreement with Brattleboro Professional Firefighters Association – Approve Agreement. O'Connor said that the Board was asked to approve the Collective Bargaining Agreement between the Town and the Brattleboro Professional Firefighters Association. She summarized that the parties had been negotiating the renewal of the agreement since the termination of the previous contract on July 1, 2016, and that it was the last of the four Collective Bargaining Units within the Town to complete its current contract. Elwell added additional details regarding changes to the contract and about the synchronized cycles of the four unions as set forth in his memo dated March 15, 2018. He reviewed the negotiating process with the Firefighters Union and noted that the Firefighters would soon receive retroactive pay in accordance with the contract. He recommended approval of the Collective Bargaining Agreement as presented. O'Connor noted that the Board had met in executive session several times recently to discuss the negotiations. There was a brief discussion by the Board.

**MOTION BY BRANDIE STARR TO APPROVE THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF BRATTLEBORO AND THE BRATTLEBORO PROFESSIONAL FIREFIGHTERS ASSOCIATION, IAFF LOCAL 4439, FOR THE PERIOD FROM JULY 1, 2016, THROUGH JUNE 30, 2019, AS PRESENTED. MOTION CARRIED 5-0.**

Bulletproof Vests 2017 – Accept and Appropriate. O'Connor said that the Board was asked to accept and appropriate a Bulletproof Vest Grant from the Bureau of Justice Assistance in the amount of \$4,053.08 to purchase bullet proof vests. There was a brief discussion by the Board.

**MOTION BY JOHN ALLEN TO ACCEPT AND APPROPRIATE A BULLETPROOF VEST GRANT FROM THE BUREAU OF JUSTICE ASSISTANCE IN THE AMOUNT OF \$4,053.08 TO PURCHASE BULLET PROOF VESTS. MOTION CARRIED 5-0.**

VCDP Implementation Grant Closeout – Public Hearing, G.S. Precision. O'Connor said that the Board was required to hold a public hearing for the purpose of closing out the grant from the Agency of Commerce and Community Development to support the expansion of G.S. Precision.

Chair O'Connor opened the public hearing.

Patrick Moreland discussed the process of a CDBG funded project and noted that public hearings were required when an application was submitted and upon closeout of the grant. He summarized the successes and impacts of the project as set forth in his memo dated March 13, 2018, including the funding, creation of 86 new employment positions, the increase of the assessed value of the properties and related increased tax revenues, and the tax stabilization agreement that was implemented.

Adam Grinold, from Brattleboro Development Credit Corporation, thanked the Town and staff for their efforts in successfully completing the project.

Board Member Dave Schoales asked for explanation of the table on the bottom of Moreland's March 13, 2018 memo. Moreland explained the table outlined the differences in property taxes during the tax years of 2016 and 2017. There was a brief discussion about the differences in taxes between the town and school due to the tax stabilization agreement.

O'Connor closed the public hearing. She said that no further action by the Board was required.

**NO MOTION WAS OFFERED.**

Assignment of Motions on Articles - For Representative Town Meeting on March 24, at 8:30am, at the Brattleboro Area Middle School Multipurpose Room. O'Connor offered assignments of motions to be read at Representative Town Meeting on March 24, 2018.

**NO MOTION WAS OFFERED.**

Schoales announced that the School Board would hold its annual Informational Meeting and present its proposed budget on Wednesday, March 21 at 7:00pm at Oak Grove School. He also noted that caucuses for Town Meeting Members would be held prior to the meeting starting at 6:30pm.

There was no further business.

**MOTION BY JOHN ALLEN TO ADJOURN AT 7:29PM. MOTION CARRIED 5-0.**

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Tim Wessel, Clerk