

**BRATTLEBORO SELECTBOARD
TUESDAY, APRIL 7, 2020
REGULAR MEETING – 6:15PM
HELD REMOTELY VIA GoToMeeting
MINUTES**

NOTE: Per the “Stay Home – Stay Safe” order issued by Governor Scott on March 13, 2020, this meeting was held remotely with no physical location using GoToMeeting.

Selectboard members in attendance: Tim Wessel, Elizabeth McLoughlin, Ian Goodnow, and Daniel Quipp.

Staff participating: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Planning Director Sue Fillion, Assistant Fire Chief Leonard Howard, and Executive Secretary Jan Anderson.

Others participating: Kurt Daims, Millicent Cooley, Gary Stroud, Terry Carter, Stephanie Bonin, Wendy Levy, ASL interpreters Elizabeth Fox and Janet Dickinson, and BCTV staff and volunteers.

Chair Wessel called the meeting to order at 6:15pm. He confirmed that the meeting was properly warned.

APPROVE MINUTES

Wessel asked the Board to approve the meeting minutes from March 17 and March 23, 2020. There was no discussion.

MOTION BY ELIZABETH McLOUGHLIN TO APPROVE MINUTES FROM THE MARCH 17 AND MARCH 23 MEETINGS. MOTION CARRIED 4-0.

CHAIR’S REMARKS

Chair Wessel noted that these were interesting times due to the self-quarantining and social distancing required by the Coronavirus/COVID-19 pandemic. He suggested that viewers continue to support friends, neighbors, and family through the crisis. He noted that this was the second meeting taking place on GoToMeeting, rather than in-person, and he thanked Assistant Town Manager Patrick Moreland for his efforts on managing the remote connections during this meeting.

MANAGER’S COMMENTS

None.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

None.

PUBLIC PARTICIPATION

Wessel announced that the “chat” window was open for members of the public who wanted to participate.

Millicent Cooley announced that she was working with BAMA (Brattleboro Area Mutual Aid) and formed a volunteer technical support team, consisting of Alan Baker, Steve Morelock, and herself, to assist with participants who needed technical assistance during this meeting. She asked callers to use the chat button if they needed assistance.

Kurt Daims inquired about rescheduling Representative Town Meeting and still preserving the people’s powers of referendum, as provided in the Town Charter. Wessel responded that the matter was an agenda item that would be discussed later in the meeting.

COVID-19

Overall Update re: Town Operations. Elwell provided a broad overview of services and changes that had

occurred since last week's special Selectboard meeting. He explained that Fire and Police services were being provided 24/7 but that the practices had been altered to protect the first responders and the public since social distancing was not possible in all instances. He reviewed the field services being provided by employees in the Public Works and Recreation & Parks Departments. He said that administrative services were being provided by staff from their homes, and that staff from the Library and Recreation & Parks continued to provide services to the community while town facilities were closed to the public. He noted that green spaces in the parks were open for public use, but the equipment was not being sanitized and was not available. Elwell noted that he issued daily updates which were posted on the Town's website. He added that responses to the 2020 Census was low in this area, and he asked the public to participate in the on-line census or to welcome a volunteer who visited their homes. McLoughlin added that it was particularly important to participate in the census at this time so the Town would receive the maximum amounts of aid from the state and federal governments.

Elwell explained that although most employees remained fully (or nearly fully) engaged during this time, three employees from the Parking Enforcement were not able to work because parking enforcement had been suspended and the department had been closed. Elwell explained that because of the Town's traditionally low number of unemployment claims, it did not purchase unemployment insurance from an outside carrier, but rather was self-insured. He said that typically employees who received unemployment compensation would receive a check from the State and the Town was then obligated to repay the State dollar-for-dollar; however, he said, this year employees would receive an additional payment of \$600 per week from the Federal Assistance Package because of the COVID-19 crisis. He said that, due to the Coronavirus federal and state assistance packages, the Town would at this time be obligated to repay only 50% of each employee's unemployment benefit for so long as the Coronavirus/COVID-19 assistance packages were in effect. He said it was in the collective best interest of the employees and the Town to furlough three members of Parking Enforcement with the expectation that they would return to work at the beginning of the fiscal year. He noted that a fourth employee from Parking Enforcement would be repurposed to the Recreation & Parks Department where he was previously employed. Elwell said that each furloughed employee would retain their health insurance and benefit packages while on furlough. He said that the Parking Fund was an Enterprise Fund and revenue had been reduced to \$0 since parking operations had been suspended, and that it was necessary to reduce the expenditures, including postponing any capital expenditures such as paving the Preston Parking Lot. He said that the Parking Fund was likely to end the fiscal year with an operating deficit in excess of \$100,000. He added that he did not at this time, however, anticipate an operating deficit for FY20 in the General Fund. He added that some other Town employees were working in a reduced capacity and, depending on the length of the crisis, additional furloughs may become necessary if the employees could not be repurposed. Quipp inquired whether the HR Director was available to support employees who needed assistance through the process. Elwell confirmed that HR Director Sally Nix was assisting the employees and that she was the staff member most knowledgeable about the benefits and process.

NO ACTION TAKEN.

Update re: Representative Town Meeting. Town Manager Elwell reported that Representative Town Meeting (RTM) previously scheduled on March 21 had been cancelled after the issuance of the Governor's "Stay Home – Stay Safe" order in response to the COVID-19 pandemic. He said that the Board had intended to reschedule RTM at this meeting to May 9, which would have provided time for any public referenda prior to the start of the new fiscal year (July 1); however, that date was now not possible due to the Governor's extension of his order to May 15. Elwell said that staff had contacted the State asking how to properly hold RTM in as timely a manner as possible, and how to adjust timelines and processes as needed to protect rights of the public and still enact Town business, but the State had not yet responded. He said that staff was exploring electronic tools that could allow 140 voting participants to engage in the meeting and was also researching various venues that would allow proper social distances.

Members of the public provided their opinions and comments: Millicent Cooley spoke in strong support of a format that would allow Town Meeting Members to hear their differing opinions and be able to engage

in full debates. Terry Carter said that she appreciated the efforts. Gary Stroud suggested using the Zoom app and supported consideration of other venues. There was a brief discussion by the Board.

NO ACTION TAKEN.

Potential Additional Town Actions – Quipp noted that payments under the Small Business Assistance Program (SBAP) had been temporarily suspended and he inquired about the end-point on the deferments. Elwell said that a timeline had been intentionally omitted due to the uncertainty of the timing of the crisis, and the Board would make that decision at the appropriate time in the future. Quipp spoke in favor of offering support to the many community members who found themselves impacted during this crisis. He said that he would like to see data that was collected by BDCC or other entities, and suggested supporting creative programs, such as a possible relief fund or other options. Other Board members spoke of the positive efforts and programs by local organizations, such as Groundworks, BDCC, DBA, and the Chamber of Commerce. Goodnow asked community members to contact Board members with their concerns and suggestions. Stephanie Bonin, Executive Director of Downtown Brattleboro Alliance, spoke of the recent 48-hour Gift Card Challenge, where downtown businesses, whose doors were now closed, were able to sell gift cards on-line last weekend. She said that the program was successful in meeting two \$5,000 matches and multiple \$1,000 matches. She said the total impact was \$57,503, of which \$13,000 was given to families in need. There was much discussion by the Board. No additional actions were offered at this time.

NO ACTION TAKEN.

NEW BUSINESS

Association of Vermont Conservation Commissions Grant – Planning Services Application on Behalf of the Conservation Commission. Planning Director Sue Fillion said that the Board was asked to approve the Planning Services Department’s application for a grant from the Association of Vermont Conservation Commission in the amount of \$480. She said that the funds would be used to support a partnership between the Conservation Commission and the Friends of the West River Trail to create an interpretive trail loop on the Riverstone Preserve, as set forth in her memo dated March 30, 2020. There was a brief discussion by the Board.

MOTION BY ELIZABETH McLOUGHLIN TO APPROVE AN APPLICATION FOR A 2020 ASSOCIATION OF VERMONT CONSERVATION COMMISSIONS GRANT IN THE AMOUNT OF \$480. MOTION CARRIED 4-0.

Ordinance Amendment - Chapter 8, Article 3, Section 8-32, First Reading, Add Requirement for Licensed Electricians. Elwell said that the Board was asked to hold a first reading on the proposed amendment to Chapter 8 of the Brattleboro Code of Ordinances. He said that the amendment would require that electrical repairs or improvements on one and two-family homes be made by a licensed electrician. Assistant Fire Chief Leonard Howard said that State statutes require that licensed electricians perform electrical repairs on public buildings, including multi-family housing with three or more units, but one and two-family homes were exempt, as set forth in the memo dated March 6, 2020 from Zoning Administrator Brian Bannon. Wessel read the proposed amendment. Public comment included: (1) Wendy Levy asked if the Brooks House fire was due to electrical deficiencies. AC Howard replied that it was caused by a staple too tight into the electrical wire. (2) Tony Duncan asked where the line of demarcation would be requiring an electrician to add to existing wires or features, such as changing lightbulbs or swapping out electrical fixtures previously installed. AC Howard said he would ask for information from the State electrical inspector. There was much discussion by the Board, including whether there was an adequate number of electricians available to perform the work, why such a gap existed in the statutes, what other towns took similar actions requiring additional oversight, and how many units would be affected by the amendment. Town Manager Elwell said that staff would prepare a complete report for the Board with that information for the second reading and public hearing at its next meeting.

NO ACTION TAKEN.

Rules for Conduct – Discussion and Possible Approval. Wessel said that the Board was asked to review, and possibly approve, its Rules for Conduct of Meetings and Hearings for the year. He noted that the document included in the Board's packet was identical to the "Rules" that were approved by the Board last year. There was a brief discussion by the Board.

MOTION BY IAN GOODNOW TO APPROVE THE RULES FOR CONDUCT OF MEETINGS AND HEARINGS. MOTION CARRIED 4-0.

Warrants – Rotation Schedule for Reviewing and Signing. Wessel said that the Board was asked to assign designated periods throughout the year for each member to review and sign warrants. There was a brief discussion by the Board and assignments were agreed upon.

NO MOTION WAS OFFERED ON THIS ITEM.

Annual Selectboard Appointments – Committees and Boards. Wessel said that the Board was asked to assign individual Board members to various board and committee positions for 2020-2021. The following appointments were made: Capital Grant Review Board – Tim Wessel and Ian Goodnow; Rental Housing Improvement Program Loan Committee – Ian Goodnow; Small Business Assistance Program Loan Committee – Elizabeth McLoughlin; Traffic Safety Committee – Daniel Quipp; and Windham Solid Waste Management District Board of Supervisors – Patrick Moreland as Representative and Peter Elwell as Alternate.

NO MOTION WAS OFFERED ON THIS ITEM.

Windham Regional Commission - Appointment of Town Representatives. Wessel said that the Board was asked to appoint two representatives to the Windham Regional Commission for the period from April 1, 2020, through March 31, 2021. Planning Director Sue Fillion offered to continue to serve, along with Tom Mosakowski who was currently a member. There was no discussion.

MOTION BY DANIEL QUIPP TO APPOINT SUE FILLION AND TOM MOSAKOWSKI AS REPRESENTATIVES FROM THE TOWN OF BRATTLEBORO TO THE WINDHAM REGIONAL COMMISSION FOR THE PERIOD FROM APRIL 1, 2020, THROUGH MARCH 31, 2021. MOTION CARRIED 4-0.

Chair Wessel wished happy Passover to viewers who were celebrating the holiday. He also mentioned that the Easter Bunny may arrive on Sunday, and noted that the Recreation & Parks Department was organizing a virtual Easter egg hunt. Quipp added that various religious groups were experiencing difficulties during these holidays because of the social distancing requirements. There was no further business.

MOTION BY ELIZABETH McLOUGHLIN TO ADJOURN AT 8:40PM. MOTION CARRIED 4-0.

Ian Goodnow, Clerk