

**BRATTLEBORO SELECTBOARD
TUESDAY, APRIL 18, 2017
EXECUTIVE SESSION – 5:15PM
REGULAR MEETING – 6:15PM
SELECTBOARD MEETING ROOM, MUNICIPAL CENTER
MINUTES**

Selectboard members present: Kate O'Connor, Brandie Starr, and Tim Wessel.

Staff Present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Finance Director John O'Connor, Highway/Utilities Superintendent Hannah Tyler, Fire Chief Mike Bucossi, Assistant Fire Chief Len Howard, Recreation & Parks Director Carol Lolatte, Police Captain Mark Carignan, Dispatch Supervisor Wayne Stires, Library Director Starr LaTronica, Grants and Loans Manager Kim Ellison, and Executive Secretary Jan Anderson.

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

Others present: Dale Joy, Pete Nickerson, David Hiler, Tim Brady, Rich Holschuh, Cindy Jerome, Steve Horton, Franz Reichsman, 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 5:15pm. She confirmed that the meeting was officially warned.

MOTION BY KATE O'CONNOR TO ENTER INTO EXECUTIVE SESSION TO DISCUSS CONTRACTS, LABOR RELATIONS AGREEMENTS WITH EMPLOYEES, AND NEGOTIATING OR SECURING OF REAL ESTATE PURCHASE OR LEASE OPTIONS, WHERE THE BOARD HAS DETERMINED THAT PREMATURE GENERAL PUBLIC KNOWLEDGE WOULD CLEARLY PLACE THE SELECTBOARD OR PEOPLE INVOLVED AT A SUBSTANTIAL DISADVANTAGE. THE TOWN MANAGER AND ASSISTANT TOWN MANAGER WERE INVITED TO ATTEND. MOTION CARRIED 3-0.

Chair O'Connor reconvened the meeting at 6:15pm.

APPROVE MINUTES

MOTION BY BRANDIE STARR TO APPROVE THE MINUTES FROM APRIL 4, 2017. MOTION CARRIED 3-0.

CHAIR'S REMARKS

Chair O'Connor announced that the first curbside leaf pick up date was scheduled on Friday, April 21. She also noted that with only three Selectboard members at this meeting some items on the agenda may be moved to the next meeting so that that the full Board could discuss them.

MANAGER'S COMMENTS

Town Manager Elwell clarified that the agenda items that would be moved from this meeting to the next meeting for a full Board discussion were Selectboard Goals (item D), Rules for Conduct (item K) and Diversification of Town Staff (item L). He then announced that an Emergency Management training exercise would take place on Thursday, April 20, at the Oak Grove School. He said that several public safety personnel would be present with a substantial amount of activity throughout the morning and that the public should not be alarmed – it was only a drill. He also invited the public to the open house and ribbon cutting ceremony at the new West Brattleboro Fire Station on Saturday, April 22, from 9:00am to 12:00 noon, with brief remarks taking place at 9:30am.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

Starr stated that she recently attended the Windham Solid Waste Management District meeting and noted some topics that were discussed. She said there was nothing formally to be brought to the Board at this time.

PUBLIC PARTICIPATION

Dale Joy spoke about her ongoing safety concerns at a residential building in Brattleboro. She referred to a report that she received from her former landlord, which she believed was falsified, and was sent to the State.

LIQUOR COMMISSIONERS

MOTION BY TIM WESSEL TO CONVENE AS LIQUOR COMMISSIONERS. MOTION CARRIED 3-0.

First Class Liquor License Renewal – McNeill’s Brewery. Elwell said that the Board was asked to approve the renewal of a First Class Liquor License for McNeill’s Brewery located at 90 Elliot Street. He said that previous code issues had been addressed and the application was ready for renewal. There was no discussion by the Board.

MOTION BY BRANDIE STARR TO APPROVE THE RENEWAL OF A FIRST CLASS LIQUOR LICENSE FOR MCNEILL’S BREWERY LOCATED AT 90 ELLIOT STREET. MOTION CARRIED 3-0.

Second Class Liquor License Renewal – Avenue Grocery. Elwell said that the Board was asked to approve the renewal of a Second Class Liquor License for Avenue Grocery located at 82 Western Avenue. There was no discussion by the Board.

MOTION BY TIM WESSEL TO APPROVE THE RENEWAL OF A SECOND CLASS LIQUOR LICENSE FOR AVENUE GROCERY LOCATED AT 82 WESTERN AVENUE. MOTION CARRIED 3-0.

MOTION BY BRANDIE STARR TO ADJOURN AS LIQUOR COMMISSIONERS. MOTION CARRIED 3-0.

WATER AND SEWER COMMISSIONERS

MOTION BY TIM WESSEL TO CONVENE AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 3-0.

Award Bid for Hydraulic Hammer- Highway/Utilities Superintendent Hannah Tyler said that the Board was asked to award the bid for a hydraulic hammer for the Department of Public Works’ Utilities Division to Milton Cat, of Milton, Massachusetts, in the amount of \$23,950. She discussed the need for and use of the hydraulic hammer. She also noted that the bid was the second lowest bid and the low bid did not meet bid specifications, as set forth in the memo dated April 13, 2017, from Public Works Director Steve Barrett. There was a brief discussion.

MOTION BY BRANDIE STARR TO AWARD THE BID FOR A HYDRAULIC HAMMER TO MILTON CAT IN THE AMOUNT OF \$23,950. MOTION CARRIED 3-0.

MOTION BY TIM WESSEL TO ADJOURN AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 3-0.

UNFINISHED BUSINESS

Police-Fire Facilities Project – Update

(i) *Update on Construction at Central Fire Station and Police Department*

- (ii) *Review of Project Finances*
- (iii) *Request for Funding for Radio Communications and Station Alerting Package at Central Fire Station*

Town Manager Elwell provided the Board with a detailed update on construction progress at the Central Fire Station and 62 Black Mountain Road, as set forth in his memo dated April 14, 2017. He reminded the public about the open house and ribbon cutting ceremony at the West Brattleboro Fire Station on Saturday, April 22, from 9:00am to noon. He spoke about the financial portion of his written report listing administratively approved project expenses and the overall report with the summary of the project budget, expenses to date, and funds that had been committed but not yet spent. He said that the Board was asked to approve an allocation of funding for radio communications and a station alerting system at the Central Fire Station in the total amount of \$87,942.05, as set forth in his memo. He also noted that leaks in the roof at 62 Black Mountain Road had become apparent and a partial roof replacement would be necessary. He asked to Board to authorize the expenditure of \$69,000 for the partial replacement. He said that the remaining roof was expected to last another five years, but if unused funds were available later in the project the entire roof could be replaced at the same time for a substantial savings. Dale Joy asked about the roof bid. Steve Horton, Owner's Project Manager, spoke about the condition of the roof and the replacement procedure. There was some discussion by the Board.

MOTION BY TIM WESSEL TO AUTHORIZE THE TOWN MANAGER AND THE PROJECT TEAM TO PROCEED WITH THE FOLLOWING:

- 1. PURCHASE AND INSTALLATION OF COMMUNICATIONS EQUIPMENT AT THE CENTRAL FIRE STATION IN THE AMOUNT OF \$51,248;**
- 2. PURCHASE AND INSTALLATION OF A STATION ALERTING SYSTEM AT THE CENTRAL FIRE STATION IN THE AMOUNT OF \$36,694.05; AND**
- 3. REPLACEMENT OF A PORTION OF THE ROOF AT 62 BLACK MOUNTAIN ROAD IN THE AMOUNT OF \$69,000.**

MOTION CARRIED 3-0.

NEW BUSINESS

Indigenous Peoples' Day – O'Connor said that the Board was asked to approve a Resolution proclaiming that the second Monday in October of each year shall be named "Indigenous Peoples' Day" in Brattleboro, as unanimously approved by Representative Town Meeting on March 25, 2017. She read the Resolution in full. Rich Holschuh thanked the present and past Board members and staff for their support. He spoke briefly about the importance of honoring the Indigenous People. There was no discussion by the Board.

MOTION BY BRANDIE STARR TO APPROVE A RESOLUTION FOR PROCLAIMING THAT THE SECOND MONDAY IN OCTOBER OF EACH YEAR SHALL BE NAMED "INDIGENOUS PEOPLES' DAY" IN THE TOWN OF BRATTLEBORO. MOTION CARRIED 3-0.

Pete Nickerson noted a point of order that public comment was not solicited on the Indigenous Peoples' Day matter before the vote. He said that although western civilization committed questionable acts and he respected the American Americans and other species treated as they were, he spoke in favor of keeping history intact and accurate. He also recognized that his comments probably would not have made a difference in the vote.

Financial Report – Monthly Financial Report, March. Finance Director John O'Connor presented and discussed the March, 2017 financial report. There was some discussion by the Board.

NO ACTION TAKEN.

Financial Management Questionnaire and Internal Controls Checklist – Annual Review. Finance Director O'Connor said that the Board was asked to acknowledge receipt of (1) the Financial Management Questionnaire – Towns and Cities, as required by statute; and (2) the Municipal Checklist for Internal Control – Part I, Cash Controls, and Part II – Other Controls relating to Cash or Risk, as requested by the auditors. He said that the Board was asked to authorize the Chair to sign the documents acknowledging receipt by the Board. Dale Joy asked about a posting procedure that the Town Manager questioned when he first arrived two years ago. Elwell responded that some areas of where to post expenses were arbitrary, but that was a very different matter from the accounting standards being reported on these reports. There was a brief discussion by the Board.

MOTION BY BRANDIE STARR TO AUTHORIZE THE CHAIR TO SIGN THE FINANCIAL MANAGEMENT QUESTIONNAIRE–TOWNS AND CITIES, AND THE MUNICIPAL CHECKLIST FOR INTERNAL CONTROL–PART 1, CASH CONTROLS, AND PART II-OTHER CONTROLS RELATING TO CASH OR RISK, TO ACKNOWLEDGE RECEIPT BY THE BOARD. MOTION CARRIED 3-0.

First Annual Update of Comprehensive Review of Town Operations (CRTO) and Discussion of Selectboard Goals for 2017-2018 – This matter was not discussed. Board members agreed to move the matter to the next agenda for discussion with a full Board present.

NO ACTION TAKEN.

Award Bid for Water Slide at Living Memorial Park – Recreation & Parks Department. Recreation & Parks Director Lolatte said that the Board was asked to award a bid for the replacement of the water slide at Living Memorial Park to Recreonics, Inc., of Louisville, Kentucky, in the amount of \$20,041.03, as requested in her memo dated April 12, 2017. She discussed the new slide and the need to replace the existing slide. There was a brief discussion.

MOTION BY TIM WESSEL TO AWARD A BID FOR THE REPLACEMENT OF THE WATER SLIDE AT LIVING MEMORIAL PARK TO RECREONICS, INC., IN THE AMOUNT OF \$20,041.03. MOTION CARRIED 3-0.

Bradley House CDBG/VCDP Implementation Grant

- (i) *Adopt Grant Agreement Resolution*
- (ii) *Authorize Town Manager to Execute Subgrant Agreement*

Assistant Town Manager Moreland said that the Board was asked to adopt the grant agreement resolution for accepting a Vermont Community Development Program (VCDP) Implementation Grant in the amount of \$450,000 to support the Bradley House Redevelopment Project. He discussed the application process and the Bradley House improvement project, as set forth in his memo dated April 10, 2017. He said that the Board was also asked to authorize the Town Manager to execute the Subgrant Agreement between the Town of Brattleboro and Bradley House. There was a brief discussion by the Board.

MOTION BY BRANDIE STARR TO ADOPT THE GRANT AGREEMENT RESOLUTION FOR ACCEPTING A VERMONT COMMUNITY DEVELOPMENT PROGRAM IMPLEMENTATION GRANT IN THE AMOUNT OF \$450,000 TO SUPPORT THE BRADLEY HOUSE REDEVELOPMENT PROJECT, AND TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE SUBGRANT AGREEMENT BETWEEN THE TOWN OF BRATTLEBORO AND BRADLEY HOUSE. MOTION CARRIED 3-0.

Approve Small Business Assistance Program (SBAP) Loan – Whetstone Station Associates. Grants and Loans Manager, Kim Ellison, and proprietors from the Whetstone Station Associates, David Hiler and Tim Brady, were present. Ellison spoke about the SBAP loan requirements and process, and said that the Board was asked to approve the SBAP loan in the amount of \$70,000, for 7 years, at an interest rate of 3.25%, to purchase a food truck and equipment and make technology improvements at the Whetstone Station Restaurant and Brewery. Hiler and Brady spoke in detail about the improvements anticipated to the restaurant and its operations. There was a brief discussion by the Board.

MOTION BY TIM WESSEL TO APPROVE THE SMALL BUSINESS ASSISTANCE PROGRAM LOAN FOR WHETSTONE STATION ASSOCIATES, LLC, IN THE AMOUNT OF \$70,000, FOR 7 YEARS, AT AN INTEREST RATE OF 3.25%. MOTION CARRIED 3-0.

Dispatch Schedule Change – Memorandum of Understanding to Amend the Collective Bargaining Agreement. Elwell said that the Board was asked to approve the Memorandum of Understanding between the Brattleboro Police Association and the Town of Brattleboro amending the Collective Bargaining Agreement between the parties, dated January 1, 2016, in order to implement a schedule change to the Central Dispatch Unit, as set forth in his memo dated April 12, 2017. He said that the Police Chief agreed to the operational change and that the amendments would be cost-neutral to the Town. He noted that the parties could review the schedule in six months. There was a brief discussion by the Board.

MOTION BY BRANDIE STARR TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BRATTLEBORO POLICE ASSOCIATION AND THE TOWN OF BRATTLEBORO AMENDING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE PARTIES, DATED JANUARY 1, 2016, IN ORDER TO IMPLEMENT A SCHEDULE CHANGE TO THE CENTRAL DISPATCH UNIT. MOTION CARRIED 3-0.

Fire Department's Rescue/Pumper Truck – Request to Utilize Houston-Galveston Area Council (HGAC) Group Contract Purchasing Program. Elwell said that the Board was asked to approve the use of the Houston-Galveston Area Council (HGAC) Buy Program for the purchase of the new Rescue/Pumper for the Fire Department. He said that the Board previously approved funding for the purchase of the equipment and the cash purchase was approved by Representative Town Meeting on March 25, 2017, as set forth in the memo dated March 31, 2017, from Fire Chief Michael Bucossi. He discussed the HGAC Buy Program which was a similar process to the Vermont State Bid Process often utilized by the Town and other municipalities. He said that the Board would later be asked to approve the actual purchase package. Fire Chief Bucossi said there would be no cost to the Town to utilize the program and a purchase through it would save substantial monies to the Town. There was a brief discussion by the Board.

MOTION BY TIM WESSEL TO APPROVE USE OF THE HOUSTON-GALVESTON AREA COUNCIL (HGAC) BUY PROGRAM FOR THE PURCHASE OF THE NEW RESCUE/PUMPER FOR THE FIRE DEPARTMENT. MOTION CARRIED 3-0.

Rescue, Inc. Annual Contract – Elwell said that the Board was asked to authorize him to execute the Town's agreement with Rescue, Inc., for 2017-2018, as set forth in his memo dated April 12, 2017. There was a brief discussion by the Board.

MOTION BY BRANDIE STARR TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE TOWN'S AGREEMENT WITH RESCUE, INC., FOR 2017-2018. MOTION CARRIED 3-0.

Rules for Conduct of Meetings and Hearings – Discussion and Possible Approval. This matter was not discussed. Board members agreed to move the matter to the next agenda for discussion with a full Board present.

NO ACTION TAKEN.

Diversification of Town Staff – Discussion. This matter was not discussed. Board members agreed to move the matter to the next agenda for discussion with a full Board present.

NO ACTION TAKEN.

July 2017 Meeting Schedule – Proposal to Meet on July 11 and not on July 4 or 18. Elwell noted that the Board's first meeting in July fell on the Fourth of July holiday. He proposed that the Board cancel the July 4 and July 18 meetings and meet only one time in July on July 11, 2017, as set forth in his memo dated April 12, 2017, from Town Manager Elwell. The Board members agreed to add the matter to the next agenda so the full Board could make the decision.

NO ACTION TAKEN.

There was no further business.

MOTION BY BRANDIE STARR TO ADJOURN AT 8:05PM. MOTION CARRIED 3-0.

Tim Wessel, Clerk