

**BRATTLEBORO SELECTBOARD
TUESDAY, APRIL 21, 2020
EXECUTIVE SESSION – 5:45PM
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, Brandie Starr, and Daniel Quipp.

Staff participating: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Public Works Director Steve Barrett, Highway/Utilities Superintendent Dan Tyler, Assistant Fire Chief Leonard Howard, Library Director Starr LaTronica, and Executive Secretary Jan Anderson.

Others participating: ASL interpreters Elizabeth Fox and Janet Dickinson, and BCTV staff and volunteers.

Chair Tim Wessel called the meeting to order at 5:45pm.

MOTION BY TIM WESSEL TO ENTER INTO EXECUTIVE SESSION TO DISCUSS THE APPOINTMENT, EMPLOYMENT, OR EVALUATION OF A PUBLIC OFFICER OR EMPLOYEE AND THE NEGOTIATION OF A REAL ESTATE PURCHASE OR LEASE. 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 5-0.

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

APPROVE MINUTES

Wessel asked the Board to approve the meeting minutes from April 2 and April 7, 2020. There was no discussion.

MOTION BY ELIZABETH McLOUGHLIN TO APPROVE MINUTES FROM THE APRIL 2 AND APRIL 7 MEETINGS. MOTION CARRIED 5-0.

CHAIR’S REMARKS

Chair Wessel noted that this meeting was taking place over the GoToMeeting platform due to Coronavirus/COVID-19 pandemic and the Governor’s order to “Stay Home – Stay Safe.” Wessel referenced a remark made by Executive Secretary Jan Anderson, who said in an e-mail, “As these unusual times persist, so do we,” and he acknowledged the continued work by the Town Manager’s office and the Town staff for their persistence through these times. He said that he was honored to work with and for the people of Brattleboro.

MANAGER’S COMMENTS

Town Manager Elwell announced that an enhancement grant of \$50,000 from the Vermont Community Development Program (VCDP) had been approved for the Groundworks Shelter Project. He said it was the final piece needed for the project to proceed once the Governor lifted the COVID-19 restrictions. He also announced that Brattleboro’s Tree Warden, Dan Adams, had been chosen by the Vermont Urban and Community Forestry Program as the winner of this year’s Hamilton Award. He said the award was given to someone “who has significantly advanced the goals of urban and community forestry through successful forestry practices, effective conservation planning, increased citizen engagement, and active public education.” He said that Adams had been the Tree Warden for more than 20 years, and helped

establish and continued to work with the Town's Tree Advisory Board. He thanked Adams for his long and dedicated service to the community. Elwell announced that the semi-annual water main flushing would take place from April 23 through May 11. Finally, he said that the final spring leaf pick date was scheduled on Friday, May 1.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

Brandie Starr made reference to the Governor's Executive Order of April 17 and the guidance issued under that order from the Vermont Agency of Commerce and Community Development that as of April 20 employees must wear non-medical face coverings or bandanas over their mouths and noses while at work.

PUBLIC PARTICIPATION

None.

COVID-19 UPDATE. Town Manager Elwell spoke about additional changes in the Town operations since the April 7 Selectboard meeting in response to the COVID-19 pandemic. He said that the Police and Fire Departments continued to operate 24/7 with some procedural changes to protect employees and the public, and that alarm fees were suspended until further notice. He said that the functions of the water and sewer departments were operating as normal, with some additional safety procedural changes. He suggested that water pipes be flushed in buildings that had been closed. He also noted that public Wifi was available outside of the Library on the sidewalk or within a parked car. He announced that Morningside Cemetery was open to the public, and he asked the public to practice social distancing when visiting it or any other open area. He said that he would speak about the Town's current financial status during the monthly financial report later in the meeting, and noted that each employee's position had been reviewed to determine whether additional furloughs were appropriate. He said that the Administrative staff determined that layoffs or additional furloughs would not be beneficial to the Town or taxpayers at this time. He said that the Brooks Memorial Library staff was available to assist people with filling out their 2020 Census forms. He noted that the Recreation & Parks Department had suspended all spring youth sports programs but was offering on-line programs and services.

Elwell said that the Town and other communities who administer Program Income Funds were collaborating with the State's Agency of Commerce and Community Development (ACCD) to create a statewide small business relief program and create a simple and consistent process to assist small businesses and make it more likely for the program to receive additional State and Federal funding. He said that Brattleboro's Program Income Fund contained approximately \$300,000, and statewide programs contained approximately \$10,000,000. He said there was a benefit in combining funds into a larger relief program in that it would be noticed by the Federal government and appear more impactful. He noted that it was unlikely that Brattleboro would be eligible to receive FEMA funds. He said that staff would continue to communicate with colleagues in other municipal governments, State agencies, and the Legislature in order to learn more on how to move forward. Wessel said that the Board was aware of the financial stresses on local businesses and residents, and it would make decisions on how financial stresses could be reduced when more information was learned, including the option of the abatement appeal process. There was a brief discussion by the Board.

NO ACTION TAKEN.

WATER AND SEWER COMMISSIONERS

MOTION BY BRANDIE STARR TO CONVENE AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 5-0.

Old Guilford Road Manhole Rehabilitation Project – Award Bid. Public Works Director Steve Barrett said that the Board was asked to award two bids in the total amount of \$47,500 to Green Mountain Pipeline,

LLC to rehabilitate 10 concrete manholes on Old Guilford Road. Highway/Utilities Superintendent Dan Tyler spoke about the condition of several deteriorating concrete manholes along Old Guilford Road and the bids submitted to perform the repair work, as set forth in his memo dated March 27. He said that the Board was asked to award the base bid in the amount of \$22,500 and the alternative bid in the amount of \$25,000 to Green Mountain Pipeline. There was some discussion by the Board.

MOTION BY BRANDIE STARR TO AWARD THE OLD GUILFORD ROAD MANHOLE REHABILITATION PROJECT TO GREEN MOUNTAIN PIPELINE, LLC, IN THE AMOUNT OF \$22,500 FOR THE BASE BID AND \$25,000 FOR THE ALTERNATIVE BID, TOTALING \$47,500 FOR THE ENTIRE PROJECT. MOTION CARRIED 5-0.

MOTION BY DANIEL QUIPP TO ADJOURN AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 5-0.

UNFINISHED BUSINESS

Ordinance Amendment – *Second Reading and Public Hearing, Chapter 8, Article 3, Section 8-32, Add Requirement for Vermont Licensed Electricians.* Elwell said that the Board was asked to hold a second reading and public hearing on the proposed amendment to Chapter 8 of the Brattleboro Code of Ordinances (Health, Sanitation and Fire Safety Inspections).

Chair Wessel opened the public hearing.

Assistant Fire Chief Leonard Howard said that the amendment to the Code of Ordinances would require that electrical repairs or improvements on one and two family rental homes be made by a Vermont licensed electrician. He referenced his memo dated April 13 with answers to several questions asked by the Board at the first reading of the amendment on April 7. He also spoke of the photograph that he provided showing the damage due to a recent electrical fire.

Elwell clarified that the amendment would modify Chapter 8, Article 3, Section 8-32 of the Town's Code of Ordinances which referred to the performance of electrical work or repairs at rental properties. He said that such licensing requirements were already required by State statute on rental properties with three or more units, and staff was asking that the standards of requiring that a Vermont licensed Journeyman or Master Electrician be applied to rental properties with one and two units.

Wessel clarified, and AC Howard confirmed, that according to the State Code, minor work was exempt from the amendment, such as "installation or replacement of equipment such as lamps and electric utilization equipment approved for connection to suitable permanently installed receptacles, replacement of fuses, and other minor maintenance and repair work, such as replacing worn cords and tightening connections on a wiring device, do not require a work notice." Wessel noted that tenants currently did not have the ability to instruct their landlords to hire a licensed electrician for electrical work in one and two unit dwellings.

Starr spoke in support of the amendment in that it offered extra protection to vulnerable community members, similar to protections provided in the Rental Inspection Program.

Goodnow noted that the requirement would affect almost 500 buildings in Town, and he encouraged other Board members to support the amendment.

McLoughlin stated that the Board's most important duty was regarding the health, safety, and welfare of the people. She commented on the devastation depicted in the picture provided by AC Howard on the fire to a structure in 2018.

Chair Wessel closed the public hearing.

MOTION BY DANIEL QUIPP TO APPROVE THE AMENDMENT TO CHAPTER 8 OF THE BRATTLEBORO CODE OF ORDINANCES, AS PRESENTED. MOTION CARRIED 5-0.

NEW BUSINESS

Monthly Financial Report. Town Manager Peter Elwell discussed the financial report for March 2020, which was prepared by Interim Finance Director Laurie Garland. He noted that the overall financial condition of the Town was strong, although impacts due to the COVID-19 pandemic were expected and would be discussed at the Selectboard meetings in May. He said the Parking Fund was severely impacted since all parking enforcement and collections had been suspended, and that revenue in the Utility Fund may be affected if water and sewer bills were not paid. He added that the General Fund contained a variety of revenue sources that also may be impacted, and staff was in the process of analyzing expenditure and revenue line items and would provide more information to the Board and the public during the May Selectboard meetings. There was a brief discussion by the Board.

NO ACTION TAKEN.

Local Emergency Management Plan – Adoption of Annual Update. Elwell said the Board was asked to adopt the 2020 Brattleboro Local Emergency Management Plan and to authorize him to sign the LEMP Municipal Adoption Form certifying that the plan met certain requirements. He said the Vermont Emergency Management Division required municipalities to submit a LEMP annually by May 1, as set forth in the memo dated April 14, 2020 from Fire Chief Mike Bucossi. He added that the plan to be submitted next year would include changes that addressed emergency planning around a public health emergency, such as the Coronavirus/COVID-19. There was a brief discussion by the Board.

MOTION BY ELIZABETH McLOUGHLIN TO ADOPT THE 2020 BRATTLEBORO LOCAL EMERGENCY MANAGEMENT PLAN AND AUTHORIZE TOWN MANAGER PETER ELWELL TO SIGN THE LOCAL EMERGENCY MANAGEMENT PLAN MUNICIPAL ADOPTION FORM TO CERTIFY THAT THE PLAN MEETS CERTAIN REQUIREMENTS. MOTION CARRIED 5-0.

Annual Certification of Compliance with VTrans' Town Road and Bridge Standards. Elwell said that the Board was asked to approve the annual Certification for Town Road and Bridge Standards, as set forth in the memo dated April 14, 2020, from Highway/Utilities Superintendent Dan Tyler. There was no discussion by the Board.

MOTION BY IAN GOODNOW TO APPROVE THE ANNUAL CERTIFICATION OF COMPLIANCE WITH TOWN ROAD AND BRIDGE STANDARDS, AS PRESENTED. MOTION CARRIED 5-0.

Appointments to Fill Vacancies on the Brooks Memorial Library Board of Trustees. Elwell said that the Board was asked to appoint Karen Tyler and Gabriel Sistare to fill vacancies on the Brooks Memorial Library Board of Trustees, as set forth in the memo dated April 14, 2020, from Library Director Starr LaTronica. LaTronica was present and said that the Library's Board of Trustees asked the Selectboard to appoint Karen Tyler for a three-year term and Gabriel Sistare to fill the final year of an unexpired term. She noted that this week was National Library Week and today was National Library Workers' Day. There was a brief discussion by the Board.

MOTION BY ELIZABETH McLOUGHLIN TO APPOINT TWO INTERIM TRUSTEES FOR THE BROOKS MEMORIAL LIBRARY BOARD OF TRUSTEES, AS FOLLOWS: KAREN TYLER FOR A THREE-YEAR TERM AND GABRIEL SISTARE FOR THE FINAL YEAR OF AN UNEXPIRED TERM. MOTION CARRIED 5-0.

There was no further business.

MOTION BY BRANDIE STARR TO ADJOURN AT 7:42PM. MOTION CARRIED 5-0.

Ian Goodnow, Clerk