

**BRATTLEBORO SELECTBOARD
TUESDAY, JULY 28, 2020
EXECUTIVE SESSION – 5:30PM
SPECIAL MEETING – 6:15PM
HELD REMOTELY VIA GoToMeeting
MINUTES**

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

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

Staff participating: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Town Attorney Robert Fisher, Town Clerk Hilary Francis, and Executive Secretary Jan Anderson.

Others participating: Rikki Risatti, Mary Casey, Town Moderator Lawrin Crispe, Millicent Cooley, David Levenbach, Oscar Heller, ASL interpreters Janet Dickinson and Elizabeth Fox, and BCTV staff and volunteers.

Chair Tim Wessel called the meeting to order at 5:33pm. He confirmed that the meeting was properly warned.

MOTION BY TIM WESSEL TO ENTER INTO EXECUTIVE SESSION TO DISCUSS CONTRACTS, CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATIONS MADE FOR THE PURPOSE OF PROVIDING PROFESSIONAL LEGAL SERVICES TO THE BODY, AND THE 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, ASSISTANT TOWN MANAGER, AND TOWN ATTORNEY WERE INVITED INTO THE SESSION. MOTION CARRIED 4-0 (McLOUGHLIN WAS NOT PRESENT AT THE TIME OF THE VOTE).

Chair Wessel reconvened the meeting at 6:25pm.

CHAIR’S REMARKS

Chair Wessel spoke briefly about using the “chat” function on the GoToMeeting platform. He said that chats could be made available in written form if requested.

MANAGER’S COMMENTS

None.

SELECTBOARD COMMENTS

Starr announced that her kitten was hit by a car and killed today on Green Street. She spoke about her concerns of speeding traffic on that street and the safety for children and pets in the neighborhood. She asked drivers to slow down and respect the residential neighborhood. She said that she would petition to install speed bumps on the street.

Quipp, also a member of the Traffic Safety Committee, offered his condolences to Starr and asked that the matter be added to the next Traffic Safety Committee agenda. He also spoke about the “Everyone Eats Program,” which would launch on Monday, August 3. He said it was a food relief program that would serve residents of Brattleboro and neighboring communities whose food securities had been challenged due to COVID-19, unemployment, underemployment, homelessness, etc. He said 150 meals per day would be available on Monday through Thursday from August 3 through August 27, and there

was no requirement to sign up for the program or proof of eligibility. He said more information could be found online by searching “everyone eats Brattleboro.”

Goodnow offered his condolences to Starr. He then spoke about the upcoming primary and general elections and suggested that voters update their contact information, and suggested that they request an absentee ballot since in-person early voting was not available for the primary. He suggested that people read the instructions on their ballots carefully, complete the ballot, and then drop it off in the box in in the Municipal Center Parking Lot marked “Ballots Here,” rather than relying on the mail since the deadline was so close.

PUBLIC PARTICIPATION

Mary Casey said that the telephone participation function on the GoToMeeting platform was not working at the last Selectboard meeting. She said that she was watching this meeting with two other Representative Town Meeting Members and noted that multiple people may gather in the same manner for Representative Town Meeting. Elwell cautioned against multiple members gathering in the same room or using the same device as that would inhibit each member’s ability to cast their votes.

Rikki Risatti said that property located at 17 South Main Street had been listed for sale for more than a year at \$49,500. They suggested that the Town buy the property, demolish the building, and turn the space into a park. There was a brief discussion.

UNFINISHED BUSINESS

Representative Town Meeting – Survey Results, Proposed All-Online Meeting, and Draft Warning. Town Manager Elwell noted that Representative Town Meeting (RTM), which was originally scheduled on March 21, had been cancelled this year due to the Governor’s “Stay Home – Stay Safe” order that was issued in response to the COVID-19 pandemic. He said that a core group of six members, who represented different disciplines and aspects of Town government, had been working since May on alternatives to schedule RTM and keep as much of the democratic process and integrity as possible during the ongoing pandemic. He said the first alternative presented to the Board was a “pod method,” which had been rejected due to ongoing restrictions and concerns about people meeting in groups. He said the second alternative presented was to hold RTM meeting in two parts, where the first part would be a meeting on-line to discuss the articles and the second part would be voting by Australian ballot. That alternative would provide every Town Meeting Member (TMM) an opportunity to cast a vote regardless of their technical skills, capabilities, or connectivity; however, it would remove TMM’s ability to modify any article on the ballot. He said that members of the public expressed concerns about that option because TMM would not be able to debate or modify the articles, and they expressed a renewed interest in holding an on-line meeting. He said that consequently the Board asked staff to conduct a survey of TMM about their preference, and staff received 133 responses out of 138 TMM, the results of which were included in the back-up materials for this meeting. Elwell said that as a result of the survey, the core group researched on-line options and was now recommending holding an on-line meeting via Zoom. He spoke about some favorable features of Zoom, including hand raising and voting options, and about some potential risks and pitfalls of an on-line meeting, as set forth in the memorandum dated July 24 from Executive Secretary Anderson, Town Moderator Crispe, Town Manager Elwell, Town Attorney Fisher, Town Clerk Francis, and Assistant Town Manager Moreland. He said if the Board approved this proposal, it could approve the warning at its next regular meeting and schedule RTM on Saturday, September 12. He asked the Board for direction in deciding between the safer but less popular 2-part method with the Australian ballot, or the interactive but riskier method of a Zoom meeting.

Town Moderator Lawrin Crispe said that he was undecided between the two options. He said his primary concern was to hold a meeting in the most democratic way possible under the current circumstances. He said that the Australian ballot option would ensure that all TMM would be included and have the opportunity to vote, and it would eliminate connectivity problems. He spoke of his concerns using Zoom with the possibility of technical glitches and difficulties resulting in excluding some members, and the

length of time that a Zoom meeting would take in order to follow Roberts Rules. Millicent Cooley, David Levenbach, Rikki Risatti, and Oscar Heller provided their comments and opinions.

There was some discussion by the Board, including the two options, concerns about the length of the meeting, whether the length of the meeting could be limited, whether to schedule a meeting over two days and, if so, which days. Town Attorney Fisher noted that the length of the meeting could not be limited but the Board could warn it for two specified days. There was also discussion about whether to hold another informational meeting, or holding a “practice” meeting, preparing an instructional video including Roberts Rules, and making available a transcript of the informational meeting that was held on March 11.

Chair Wessel called a recess at 7:56pm. He reconvened the meeting at 8:11pm

There was further discussion about the two meeting options, with a focus on the Zoom meeting. Elwell said he conferred with Town Attorney Fisher during the break and was advised that the RTM could be warned for a certain date and include a second date, if necessary. Town Clerk Hilary Francis noted that if the meeting ran onto a second day that a quorum would be required for that date. Goodnow thanked Attorney Fisher for his July 20 memo regarding the Board’s authority to adopt the FY21 budget for this year and authority to hold RTM by Australian ballot, a copy of which was included in the back-up materials. By a show of hands, the Board indicated its preference to hold the meeting via Zoom on September 12 and September 13, if necessary.

There was no further business.

MOTION BY ELIZABETH McLOUGHLIN TO ADJOURN AT 8:45PM. MOTION CARRIED 5-0.

Ian Goodnow, Clerk