

**BRATTLEBORO SELECTBOARD
TUESDAY, AUGUST 6, 2019
EXECUTIVE SESSION – 5:30PM
REGULAR MEETING – 6:15PM
SELECTBOARD MEETING ROOM, MUNICIPAL CENTER
MINUTES**

Selectboard members present: Brandie Starr, Tim Wessel, David Schoales, and Daniel Quipp.

Staff Present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Police Chief Mike Fitzgerald, Captain Mark Carignan, Lt. Adam Petlock, Public Works Director Steve Barrett, Recreation & Parks Director Carol Lolatte, Library Director Starr LaTronica, and Executive Secretary Jan Anderson.

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

Others present: Julia von Ranson, Lissa Weinmann, George Harvey, Hollis Carlisle, Matthew Whalan, Marybeth Fleming, Jedediah Popp, Chris Hart, Dick DeGray, Rhianna Kendrick, Fred Lawrence, James Branagan, David Hiler, Jennifer Ansart, Chad Simmons, Kurt Daims, Rio Daims, Franz Reichsman, Stephanie Bonin, Suzie Walker, Justin Johnston, Lisa Ford, Annie Richard, Warner Clark, ASL interpreters Elizabeth Fox and Janet Dickinson, and others who did not sign the attendance sheet.

Chair Starr called the meeting to order at 5:30pm.

MOTION BY BRANDIE STARR TO ENTER INTO EXECUTIVE SESSION TO DISCUSS CONTRACTS, LABOR RELATION AGREEMENTS WITH EMPLOYEES, THE NEGOTIATING OR SECURING OF REAL ESTATE PURCHASE OR LEASE OPTIONS, AND THE APPOINTMENT OR EMPLOYMENT OR EVALUATION OF A PUBLIC OFFICER OR EMPLOYEE, 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 INTO THE SESSION. MOTION CARRIED 4-0.

Chair Starr reconvened the meeting at 6:15pm. She confirmed that the meeting was properly warned.

APPROVE MINUTES

Starr asked the Board to approve the minutes from the July 9 and July 25 meetings. There was no discussion.

MOTION BY DANIEL QUIPP TO APPROVE THE MINUTES FROM THE JULY 9 AND JULY 25 MEETINGS. MOTION CARRIED 4-0.

CHAIR'S REMARKS

None.

MANAGER'S COMMENTS

Town Manager Elwell announced that the Town received notice that it had been awarded a \$440,000 grant from the Federal Economic Development Administration for the Town's utility system. He said that the matter would come before the Board to accept and appropriate at a future meeting. He then announced that the Windham & Windsor Housing Trust and the Town were forming a partnership to renovate the Municipal Center. He said that they would share the building, with offices to be located on the first two floors and housing on the top two floors. He said that many details remained to be worked out on this complex project and that additional information would be shared as the project developed.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

Wessel noted that he found a social media post by Sarah Gonzales where she complimented two Brattleboro Police Officers who worked with her through a difficult time. He said that story was followed

by other people who listed their own stories and compliments for the Police Department. He thanked the officers for their public work.

PUBLIC PARTICIPATION

Matthew Whalan spoke at length about the matter of homelessness in America and his extensive research in Brattleboro for a book that he just completed. He suggested that the community was not able to understand or address homelessness. He inquired about trespass citations, constitutionality of statutes limiting access to public property during the day or night, and trespass policies of the Groundworks Collaborative. He had a series of questions about the Selectboard's authority and practices over the Police Department and individual officers' actions. He also asserted that the Homeless Revolution was not properly reported in the Brattleboro Reformer. He said that people suffering the least were not doing enough to help the people suffering the most. He commended the people who offer assistance to the homeless population.

Kurt Daims, Rio Daims, and other participants marched into the meeting carrying a banner that read "Declare Climate Emergency." The participants read a "Declaration of Emergency," promoted by Brattleboro Common Sense, and suggested that the people of Brattleboro declare war on climate change. Many of the participants spoke of the importance of addressing climate change. Lissa Weinmann spoke in support of supporting a climate emergency and asked the Selectboard to add climate emergency to the next agenda. She also spoke in support of hiring a Sustainability Coordinator. George Harvey spoke about the noticeable effects of climate change and of his efforts to address climate change. The Board agreed to add the Declaration of Emergency to the August 20 agenda.

Julia von Ranson suggested that the Library staff was not properly compensated for their work and asked the Board to review the pay scale.

Dick DeGray spoke of an encounter he had with someone sleeping in Plaza Park early in the morning where he accidentally poured water on the sleeper (who was on the other side of a wall) while DeGray was watering the flowers in flower boxes on the wall. He said that when he returned to finish his rounds of watering, the sleeper had retaliated by turning over three flower boxes. He spoke of the lack of support he was receiving from the Board and administration, his frustration in the lack of leadership by not enforcing policies, the divisiveness in the community, and the lack of respect on the street. He suggested that benches be washed daily and suggested removing a dead tree from downtown. He also said that the Work Today Program was taking too much time to implement. DeGray also recognized the retirement of Finance Director John O'Connor and said that he would be missed.

WATER AND SEWER COMMISSIONERS

MOTION BY DAVE SCHOALES TO CONVENE AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 4-0.

Retreat Well Pump Rebuild – Public Works Director Steve Barrett said that the Board was asked to approve the expenditure of \$35,490 to rebuild a motor and pump at the Retreat Wells. He spoke about failing condition of the pump and the use of the Retreat Wells as a supplemental system to the Town's water system at Pleasant Valley. He said that a bid was received from Associated Electro Mechanic, from Springfield, Massachusetts, in the amount of \$35,490 to rebuild the motor and pump, as set forth in his memo dated July 26. There was a brief discussion by the Board.

MOTION BY TIM WESSEL TO APPROVE THE EXPENDITURE OF \$35,490 TO ASSOCIATED ELECTRO MECHANIC FOR REBUILDING A MOTOR AND PUMP AT THE RETREAT WELLS. MOTION CARRIED 4-0.

Chestnut Hill Retaining Wall - Public Works Director Barrett said that the Board was asked to approve the purchase of retaining wall materials in the amount of \$41,536.60 for the Chestnut Hill Reservoir Project, as set forth in the memo from Highway/Utilities Superintendent Dan Tyler, dated July 26, 2019. He spoke about the history of the reservoir renovation project. There was a brief discussion by the Board.

MOTION BY DAVE SCHOALES TO APPROVE THE PURCHASE OF RETAINING WALL MATERIALS IN THE AMOUNT OF \$41,536.60 FROM REDI-ROCK WALLS OF NEW ENGLAND FOR THE CHESTNUT HILL RESERVOIR PROJECT. MOTION CARRIED 4-0.

MOTION BY DAVE SCHOALES TO ADJOURN AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 4-0.

UNFINISHED BUSINESS

Project CARE Update – *Police Department and Community Partners.* Police Chief Mike Fitzgerald, Lt. Adam Petlock, and Suzie Walker, Director of Turning Point, were present and discussed Project CARE. Chief Fitzgerald said that Project CARE evolved in response to the opioid crisis. He said that Project CARE was a community partnership focused on healing addiction and said that its mission was to connect people living with addiction to people and support services that could help achieve and maintain recovery. He said that many experts and individuals had volunteered for the project for over the past 18 months and he spoke of some success stories, having obstacles and barriers, and the need to move to the next level. He also announced that a film, entitled “Faces of Recovery,” would be shown on August 29 at 7:00pm at the Brooks Memorial Library. He said that the star of the film would be at the event and there would be a question and answer time following the film presentation. Lt. Petlock stated that the purpose of Project CARE was to reduce the impact that opioid use was having on the Town, businesses and the community, and to reduce the amount of deaths due to drugs and alcohol. He said the aim was to get people into treatment by establishing partnerships with several agencies, such as Brattleboro Memorial Hospital, Brattleboro Union High School, Brattleboro Retreat, Habit OPCO, Turning Point, Groundworks, and many others. He spoke about the community outreach performed by the Police Department and the use of the Police Department and other agencies’ influence to improve access to treatment. He said that the Department was taking a proactive and innovative approach and that they would not stop enforcement, when it was necessary. He spoke of some barriers to the program, being transportation, burdening the volunteers, lack of recovery housing, and need for resources. Suzie Walker spoke of the need to “meet people where they are” and for accepting them for who they are. She talked about the importance of relationship-building, going out in the community, providing a safe place for recovery, providing rides to treatment, meeting peers in recovery, and following up with people who had overdosed, along with their family members. Jed spoke of his experiences as a person in recovery and the progression into treatment and rehabilitation. He shared some success stories and the need for going into the community in a supportive manner. Justin Johnston spoke of his success in long-term recovery, including being a BMH employee and recovery coach at the hospital. He spoke of the need to build trusting relationships with the community, talking with people in recovery, and breaking barriers by peer support. Board members each provided their perspectives on the matter. There was discussion by the Board about the importance of the work being performed by the Project CARE team.

NO ACTION TAKEN.

Chair Starr called for a short recess at 8:03pm.
She reconvened the meeting at 8:12pm.

NEW BUSINESS

Entertainment License – *Whetstone Station Restaurant and Brewery.* Starr said that the Board was asked to approve an Entertainment License for the Whetstone Station Restaurant and Brewery. James Branagan, Brewery Operations Manager at Whetstone Station Brewery, said that Whetstone Station would like to extend its entertainment license from the restaurant to the new brewery location at 39 Frost Street to host music events outside and occasionally inside at the tap room. There was some discussion by the Board, especially about concerns of the fenced alcohol area, outreach to neighbors, and parking.

MOTION BY DAVE SCHOALES TO APPROVE AN ENTERTAINMENT LICENSE FOR THE

WHETSTONE STATION RESTAURANT AND BREWERY TO HOST MUSIC EVENTS OUTSIDE AND INSIDE AT 39 FROST STREET. MOTION CARRIED 4-0.

Red Clover Commons 2 Project – Supplemental Town Appropriation of \$50,000 from Program Income. Elwell said that the Board was asked to approve a grant in the amount of \$50,000 from Program Income to Brattleboro Housing Partnerships in support of the Red Clover Commons 2 Project, as set forth in the memo from Assistant Town Manager Patrick Moreland, dated July 30, 2019. Chris Hart, Executive Director of Brattleboro Housing Partnerships, said that the funds would support development of the last of the Melrose Relocation Project and completion of the Red Clover Commons 2 Project. She thanked Assistant Town Manager Patrick Moreland for his assistance with the additional Vermont Community Development Program funding. There was a brief discussion by the Board.

MOTION BY DANIEL QUIPP TO APPROVE A GRANT IN THE AMOUNT OF \$50,000 FROM PROGRAM INCOME TO BRATTLEBORO HOUSING PARTNERSHIPS IN SUPPORT OF THE RED CLOVER COMMONS 2 PROJECT. MOTION CARRIED 4-0.

Downtown Brattleboro Alliance (DBA) – Semi-Annual Update. Representatives from the Downtown Brattleboro Alliance (DBA), Stephanie Bonin (Executive Director), Lisa Ford (of the Short Term Rental Summit), and Annie Richards (DBA Board member), were present to discuss the FY19 budget summary, FY20 budget, and DBA programs. Bonin discussed the FY19 budget summary, including a \$26,000 surplus going into the new fiscal year. She then discussed planned events and promotions. Richards discussed past and future plans for the event called “Brattleboo.” Ford discussed the first annual “Short Term Rental Summit” that was scheduled last year and added that some agencies were working on obtaining data pertaining to short term rentals. Bonin added that the summit was an income-generator last year. She also reported on the flower program through the DBA Design Committee. She spoke about upcoming programs and events, including the Brattleboro Community Marketing Initiative, work around the Transportation Center, placemaking work, promotions, and community conversations. There was much discussion by the Board.

NO ACTION TAKEN.

Ordinance Amendment – First Reading, Appendix C, Article 3, Section 16-110, Parking Meters on Grove Street. Elwell said that the Board was asked to hold a first reading on proposed amendments to Appendix C of the Brattleboro Code of Ordinances to convert the allowed parking time on the two westernmost meters on Grove Street from 30-minute parking to two-hour parking. He said that the second reading and public hearing would be added to the August 20 Selectboard agenda. There was no discussion by the Board.

NO ACTION TAKEN.

Re-Appointment of Town Health Officer – Assistant Fire Chief Howard. Elwell said that the Board was asked to recommend to the Vermont Department of Health the re-appointment of Assistant Fire Chief Leonard Howard III as the Town’s Health Officer. There was a brief discussion by the Board.

MOTION BY TIM WESSEL TO RECOMMEND TO THE VERMONT DEPARTMENT OF HEALTH THE RE-APPOINTMENT OF ASSISTANT FIRE CHIEF LEONARD HOWARD III AS THE TOWN’S HEALTH OFFICER. MOTION CARRIED 4-0.

Ice Rink Energy Efficiency Project – Bid Award. Assistant Town Manager Moreland said that the Board was asked to authorize the Town Manager to execute a change order in the amount of \$87,937 with GPI Construction for the implementation of energy savings measures at the Nelson Withington Staking Rink at Living Memorial Park. He provided background information about various energy efficiency projects implemented by the Town, as set forth in his memo dated July 30, 2019. He said that the scope of the

skating rink project had been revised in order to allow for available funding and provide a more complete energy saving project. He said that Efficiency Vermont recommended completion of the project as planned and would provide a \$5,000 incentive to do so. Quipp inquired about progress and status on other energy saving measures. Elwell offered to provide an updated report at the next meeting. There was some discussion by the Board.

MOTION BY TIM WESSEL TO AUTHORIZE TOWN MANAGER ELWELL TO EXECUTE A CHANGE ORDER IN THE AMOUNT OF \$87,937 WITH GPI CONSTRUCTION FOR IMPLEMENTATION OF ENERGY SAVINGS MEASURES AT THE NELSON WITHINGTON SKATING RINK AT LIVING MEMORIAL PARK, AND TO ACCEPT AN INCENTIVE GRANT FOR THIS PROJECT FROM EFFICIENCY VERMONT IN THE AMOUNT OF \$5,000. MOTION CARRIED 4-0.

Maintenance Equipment Vehicle Lift – Bid Award. Public Works Director Barrett said that the Board was asked to accept the bid from Mohawk Resources of Amsterdam, New York, in the amount of \$16,500 to purchase a maintenance equipment lift for the Department of Public Works to improve staff efficiency and safety, as set forth in his memo dated July 26, 2019. There was a brief discussion by the Board.

MOTION BY DAVE SCHOALES TO ACCEPT THE BID FROM MOHAWK RESOURCES IN THE AMOUNT OF \$16,500 TO PURCHASE A MAINTENANCE EQUIPMENT LIFT FOR THE DEPARTMENT OF PUBLIC WORKS. MOTION CARRIED 4-0.

Capital Paving Contract - Re-Award Paving Bid. Public Works Director Barrett said that the Board previously awarded the capital paving contract to the low bidder, but that company could not fulfill the contract requirements. He said that the Board was asked to change the award to contract with the second low bidder, Northeast Paving, in the amount of \$307,018, as set forth in the memo dated July 30, 2019 from Highway/Utilities Superintendent Dan Tyler. He said that Northeast had agreed to honor its previous bid price and would complete the project by the original deadline date. Warner Clark, from Northeast Paving, was present and said that he would serve as superintendent for the job. There was a brief discussion by the Board.

MOTION BY DANIEL QUIPP TO WITHDRAW THE PRIOR CAPITAL PAVING AWARD AND INSTEAD AWARD THE 2019 CAPITAL PAVING CONTRACT TO NORTHEAST PAVING IN THE AMOUNT OF \$307,018. MOTION CARRIED 4-0.

Consider Providing Childcare for Selectboard Meetings and Other Community Events – Discussion. Quipp said that he asked this matter to be included on the agenda because he received comments from members of the public who were interested in attending the recent opioid forum at the Fire Department if childcare was available. He commented that increasing accessibility may increase participation in democracy. He also mentioned the timing of meetings. There was much discussion by the Board, including responsibilities of childcare, appropriate locations, and various types of meetings/events such as Representative Town Meeting, Selectboard meetings, and special events. Wessel questioned whether such a service was an appropriate expansion of Municipal services for the taxpayer to bear and whether it was value-driven. Schoales spoke in favor of providing childcare and said that the School District was researching the matter. Quipp suggested offering childcare as an experiment at the opioid film on August 29 at the Library, particularly since the Library contained a Children’s Room. The Board agreed to ask staff to look into that possibility. Elwell said that he would discuss the possibility with the Library Director.

NO MOTION WAS OFFERED.

Town Committees and Boards – Appointment. Starr said that the Board was asked to appoint Byron Stookey to the Brattleboro Housing Partnerships Board of Commissioners.

NOMINATION BY DAVE SCHOALS TO APPOINT BYRON STOOKEY TO THE BRATTLEBORO HOUSING PARTNERSHIPS BOARD OF COMMISSIONERS. NOMINATION CARRIED 4-0.

There was no further business.

MOTION BY DANIEL QUIPP TO ADJOURN AT 9:45PM. MOTION CARRIED 4-0.

Elizabeth McLoughlin, Clerk