

**BRATTLEBORO SELECTBOARD
THURSDAY, AUGUST 6, 2020
SPECIAL MEETING – 6:15PM
HELD REMOTELY VIA ZOOM
MINUTES**

NOTE: Due to the ongoing social distancing requirements of COVID-19, this meeting was held remotely with no physical location using Zoom.

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, and Executive Secretary Jan Anderson.

Others participating: Rikki Risatti, Sasha, Kurt Daims, Terry Carter, Doran Hamm, Jackson Stein, Ryan Stratton, Wichie Artu, Mel Motel, Melika, Rhianna Kendrick, Liz, Sonia, Shea, Emily, Gary Stroud, Stephan Gillam, statement read aloud from Ralph Buchanan, Tom Grasso, Ain Thompson, Jessica Gelter, Franz Reichsman, Deb Witcas, ASL interpreters Elizabeth Fox and Janet Dickinson, and BCTV staff and volunteers.

Chair Tim Wessel called the meeting to order at 6:22pm. He confirmed that the meeting was properly warned.

CHAIR'S REMARKS

Chair Wessel referenced the "Zoom bomb" intrusion at last Selectboard meeting. He acknowledged that it was very unpleasant and if another such intrusion were to happen again, he would immediately close the meeting. He noted that additional security protocols had since been implemented. He provided a brief review about how to participate using the Zoom platform.

MANAGER'S COMMENTS

Town Manager Elwell responded to Amber Arnold and other people, who participated in lengthy discussions during the July 7 and July 21 meetings about the Police Department and community safety, where Arnold questioned why Elwell did not participate in the discussion at the July 21 meeting. Elwell provided a copy of an organizational chart that indicated the Selectboard's responsibility was to answer to the People, the Town Manager answered to the Selectboard, and the Town staff, including the Police Chief, answered to the Town Manager. He explained that the discussions at the July 7 and 21 meetings were between the People and the Selectboard about a policymaking decision that the Board was being asked to make. He said that he purposely did not participate in the discussion until asked by the Board about the legal structure within which the Town operated and about complying with State Statutes and the Town Charter. He said that his silence appeared awkward but was proper, and he intended to follow the same procedure during this meeting.

SELECTBOARD COMMENTS

Starr reminded community members who wanted to watch Selectboard meetings, but not participate, that the meetings were streamed live by BCTV. She also mentioned that members of the public told her they wanted a "chat" feature included in the virtual meetings so they could connect with each other during the meetings.

Goodnow provided an election update and suggested that voters drop their ballots into the mailbox in the Municipal Center parking lot, rather than relying on the mail, because of the close proximity to the election

date. He announced that in-person voting for the primary election would take place at the American Legion on Tuesday, August 11, and polls would be open from 7:00am to 7:00pm.

PUBLIC PARTICIPATION

Rikki Risatti suggested that the “chat” feature be enabled for this meeting. Starr and Quipp agreed. Starr offered that the chat function would be no different than people whispering or communicating in the hallway when meetings were previously held in-person. Wessel noted that running meetings on the GoToMeeting platform with a chat feature was difficult. He said that the chat function on GoToMeeting was meant to be a way to raise one’s hand to speak to the Board and was not intended to allow chatter between attendees. He said that attendees could communicate amongst themselves using other devices. He stated that the chat function introduced a new element to the meetings and the chatter was not part of the public record. Goodnow agreed that the chat function was a new element and he preferred to maintain the precedence of meetings as they were held pre-COVID-19. Sasha, Kurt Daims, Terry Carter, Doran Hamm, Frank Austin (via a statement read by Jackson), and Ryan Stratton provided their comments and opinions.

MOTION BY BRANDIE STARR TO ENABLE THE “CHAT” FUNCTION FOR THIS MEETING, IF POSSIBLE. MOTION FAILED 2-3 (WESSEL, McLOUGHLIN, AND GOODNOW OPPOSED).

UNFINISHED BUSINESS

Continued Consideration of Process for Review of Police and Community Safety – Review Request for Proposals. Wichie Artu discussed the Request for Proposals (RFP) that had been presented by community members to address community safety and social justice and injustice. He said that the community saw the RFP as a way to introduce an ongoing process to address social justice/injustice and evaluate public safety. He summarized some of the details in the RFP, including (1) hiring an independent facilitator(s) with knowledge on anti-racists/public safety models on vulnerable populations, (2) establish a review committee where power differences did not result in less privileged people being excluded and would gather input from the wider community and determine how to define safety for the community, and (3) examine current public safety systems and how safety was being met or not met. He said that through the process, the community wanted to be able to make short-term recommendations to discuss procedures that could be accomplished immediately to ease needs that were not being met, and to devise a long-term solution to identify an ongoing process and be ready by March 2021 to be reviewed at Representative Town Meeting (RTM). Several attendees provided their comments and opinions and spoke in general support of the community RFP. Mel Motel, Executive Director of Brattleboro Community Justice Center, spoke about restorative justice and in support of the RFP. Other speakers were: Melika (Healthcare & Rehabilitation Services) who read a statement by HCRS Director of Adult Services Kate Lamphere, Rhianna Kendrick (Director of Operations at Groundworks Collaborative), Doran Hamm (Brattleboro Tenants Union), and Kurt Daims. There was some discussion by the Board. McLoughlin spoke at length about some aspects of the RFP and some amendments that she would request. She said that she favored the Selectboard forming a committee to conduct an examination of Brattleboro’s Police practices and training and to review of the hurt and harm within the community. She suggested that at the same time, the Board authorize a study with non-profit agencies, who were located in town and involved in such work, to lead discussions and assist with open, healing, and public conversations with the community. She suggested that those agencies apply for funding through the Human Services Review Committee. She said that she would support asking staff to make comments and edits to the RFP and bring it back to the Board for a vote.

Chair Wessel called for a recess at 8:03pm. He reconvened the meeting at 8:16pm.

Wessel discussed some statutory requirements under which the Board was bound and which promoted a democratic process, including abiding by the Open Meeting Law which required that all meetings be open to anyone and no member or group be excluded. He spoke about removing from the RFP any presumptive outcome and about the structure of a committee to be created. He noted that the Selectboard was elected by the people and voters had the power every year to change the make-up of

the Board. He confirmed that the Board, Police Chief, and public were sympathetic with the national momentum to improve police procedures throughout the country and in Brattleboro. Starr said that she was uncomfortable in making changes to the RFP and she supported retaining its integrity in its current form, even if it was not through the ordinary process. Quipp said that he was ready to move forward with the process and to define and address the practical questions brought up tonight and find common ground. He agreed that the process should not contain presuppose outcomes and suggested that the process could open new avenues. There was further discussion by the Board.

Wessel invited the public to speak and several members of the public provided their comments and opinions – Liz, Shea, Emily, Sonia, Wichie Artu, Gary Stroud, Stephan Gillam, Melika, and Ralph Buchanan’s statement (read by Tim Wessel). At one point in the public comment, the Board was asked where it stood. Board members discussed whether they were ready to agree on how to move forward. A majority of the Board agreed they were not ready to accept the RFP as written and they discussed some elements of the RFP that were unacceptable and some elements that would need to be included in a final document. Wessel invited more public comment and several participants provided additional comments and opinions – Melika, Tom Grasso, Ain Thompson, Wichie Artu, Jessica Gelter, Jackson Stein, Franz Reichsman, Deb Witcas, Sonia, and Stephan Gillam.

Town Manager Elwell was asked to provide information on staff’s involvement in revising the RFP into a legal document. Elwell said that he needed clear instructions from a consensus of the Board on how to proceed. He said that he could work with the Town Attorney and other staff to revise the RFP and bring a document to the Board for the August 18 meeting if the broader scope was community safety. If, however, the Board instructed staff to undertake a narrower and more complex matter of reviewing Police Department procedures with community collaboration, the timeframe would take much longer. He noted that any item going before Representative Town Meeting would need to be finalized by December 31 in order to properly warn RTM. The Board had further discussion and agreed to ask staff to bring a revised document to it for consideration at the August 18 meeting.

There was no further business.

MOTION BY DANIEL QUIPP TO ADJOURN AT 11:20PM. MOTION CARRIED 5-0.

Ian Goodnow, Clerk