Selectboard members present: Kate O’Connor, Brandie Starr, Tim Wessel, David Schoales, and Shanta Lee Gander.

Staff present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Town Attorney Robert Fisher, Finance Director John O’Connor, Library Director Starr LaTronica, Fire Chief Mike Bucossi, Assistant Fire Chief Leonard Howard, personnel from the Fire Department, Public Works Director Steve Barrett, Police Chief Mike Fitzgerald, Police Captain Mark Carignan, and Executive Secretary Jan Anderson.

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

Others present: Brian Monaghan, Nick Nickerson, Randy Schoonmaker, Dan Batsie, Rio Daims, Mark Tally, Bruce Whitney, ASL interpreters Janet Dickinson and Elizabeth Fox, and others who did not sign the attendance sheet.

Chair Kate O’Connor called the meeting to order at 4:11pm. She confirmed that the meeting was properly warned.

MOTION BY KATE O’CONNOR TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PENDING OR PROBABLE CIVIL LITIGATION OR PROSECUTION TO WHICH THE PUBLIC BODY IS OR MAY BE A PARTY, THE NEGOTIATING OR SECURING OF REAL ESTATE PURCHASE OR LEASE OPTIONS, AND THE APPOINTMENT, 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, ASSISTANT TOWN MANAGER (FOR A PORTION OF THE MEETING), TOWN ATTORNEY, AND BRIAN MONAGHAN (FOR A PORTION OF THE MEETING) WERE INVITED TO ATTEND. MOTION CARRIED 5-0.

Chair O’Connor reconvened the meeting at 6:20pm.

APPROVE MINUTES

MOTION BY BRANDIE STARR TO APPROVE MINUTES FROM THE AUGUST 7, 2018 MEETING. MOTION CARRIED 5-0.

CHAIR’S REMARKS
Chair O’Connor thanked members of the public for attending the meeting.

MANAGER’S COMMENTS
Town Manager Elwell advised that several parking matters will be on the September 4 Selectboard agenda. He then announced that after about two years of negotiations, the State of Vermont would not become a tenant in the Municipal Building. He said that other options were being explored.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS
Gander spoke about a recent Compassion Committee meeting that she and Schoales attended. She said that the committee was discussing the possibility of having an art show that would illustrate what compassion looked like through art. She said that she would have more information when it was available. She noted that separate from the work of the Compassion Committee, Doug Cox was leading a study group on compassion which may appear at some of the local churches.
Schoales said that the Compassion Committee was organizing a series of speaker forums to take place in the spring with the goal of connecting with the community to make compassion an active part of people’s lives. He said that professionals and community members would be asked to talk about why compassion was important in their professions and their lives in order to raise awareness and recognize the importance of compassion.

O’Connor noted the recent passing of Ben Underhill. She said that he was a Town Meeting Representative and active in Youth Services, the Chamber of Commerce, and other local agencies. She said he was the voice of reason and would be missed. She offered condolences to his family and friends.

**PUBLIC PARTICIPATION**

Rio Daims, Youth Vote Coordinator with Brattleboro Common Sense, distributed a handout to the Board members and discussed a proposal to amend the Charter so that citizens as young as 16 years of age could vote. She said that the matter was on the ballot in 2015, although it failed at that time. She said that a petition to add the Youth Vote to the November, 2018 ballot had been circulated but was not complete by the time that the Selectboard meeting was warned last week. She said that the necessary amount of signatures on the petition had since been attained and she asked Selectboard members not to pass judgement on the matter but agree to add the matter to the November ballot. She spoke of several conflicting and confusing conversations that she had with staff members last week and about the procedure and timeframe of getting the matter onto the November ballot. O’Connor noted that the Selectboard could not take action on the matter at this meeting because it was not a publicly warned item but the matter could be added to a September meeting agenda so it could be placed on the March, 2019 ballot. Daims said that the matter had current support and she did not want to wait months before it went to the voters. Elwell confirmed that there had been conflicting and confusing communications last week and he apologized. He said that the timing had been tight and the petition did not contain enough signatures last week, so there was confusion in attempting to add the matter to this agenda. After some discussion, the Board agreed to hold a special meeting on Friday, August 24, at 9:30am in the Selectboard Meeting Room to hear this matter.

Nick Nickerson spoke against supporting the Youth Vote.

Mark Tully spoke in support of the Youth Vote. He said that discussions about the matter were taking place at different venues throughout the town.

**PRESENTATION**

Presentation of “First Responder Service of the Year” Award to Fire Department Personnel. O’Connor said that the Brattleboro Fire Department was receiving an award for the “First Responder Service of the Year.” Dan Batsie, Chief of Medical Services at the Vermont Department of Health Emergency Medical Services & Injury Prevention, congratulated the Brattleboro Fire Department for its excellence in first response, the significant impact made in patient care, and its dedication to emergency medical services and to the EMS system. He spoke of several examples of the Department’s services and said it was a model for other first response agencies. He handed the award to Chief Mike Bucossi. Several members of the Fire Department were present and received a standing ovation and round of applause from members of the Board and audience.

**NO ACTION TAKEN.**

Connecticut River Transit/Southeast Vermont Transit/The Current – Update on Bus Routes. O’Connor said that the Board would hear from Southeast Vermont Transit/Connecticut River Transit (also known as The Current) about its routes and service. Randy Schoonmaker, CEO of Southeast Vermont Transit, provided the Board with copies of the Proposed Brattleboro Bus Service Plan (“Plan”) and new bus schedules. He reviewed the Plan, including goals of the company, research efforts, data that had been gathered, and the proposed new system. He then discussed in detail several changes that had been made to the bus routes and schedules, including the addition of several hundred hours of service. Nick Nickerson commented about the possibility of driverless vehicles. There were several questions and much discussion by the Board.

**NO ACTION TAKEN.**
MOTION BY DAVE SCHOALES TO CONVENE AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 5-0.

Bid Award - Utilities Dump Truck. Public Works Director Barrett was present and asked the Board to award a bid for a Utilities Division dump truck to Delurey Sales and Service, of North Hoosick, New York, in the total amount of $121,954, as set forth in his memo dated August 13, 2018. He discussed the four bids that were received and said that Delurey Sales and Service was the low bidder. There was a brief discussion by the Board.

MOTION BY SHANTA LEE GANDER TO AWARD A BID FOR A UTILITIES DIVISION DUMP TRUCK TO DELUREY SALES AND SERVICE IN THE TOTAL AMOUNT OF $121,954. MOTION CARRIED 5-0.

Odor Control Study – Public Works Director Barrett said that the Board was asked to authorize the Town Manager to execute a “Standard Form of Agreement between Owner and Engineer for Study and Report Phase Professional Services” with Bowker & Associates, Inc. (“Engineer”) in the amount of $39,910, for a study and report on odor emissions at the Wastewater Treatment Plant. He said that the Engineer would conduct testing while the current odor control program was in place to confirm existing conditions, and then conduct a second phase of testing in September while the odor control system was temporarily turned off to document the limits of the odors emitted from the WWTP without treatment. He spoke about a past history of odors emitted from the plant and about systems that were currently in place, as set forth in his memo dated August 13, 2018. There was a brief discussion by the Board.

MOTION BY DAVE SCHOALES TO AUTHORIZE THE TOWN MANAGER TO EXECUTE A “STANDARD FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR STUDY AND REPORT PHASE PROFESSIONAL SERVICES” WITH BOWKER & ASSOCIATES, INC., IN THE AMOUNT OF $39,910. MOTION CARRIED 5-0.

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

UNFINISHED BUSINESS

Ordinance Amendment – Second Reading and Public Hearing, Chapter 8 (Health, Sanitation and Fire Safety Inspections), Article Three (Rental Housing Code). O’Connor said that the Board was asked to hold a second reading and public hearing on the proposed amendment to the Code of Ordinances at Chapter 8 (Health, Sanitation and Fire Safety Inspections), Article Three (Rental Housing Code).

O’Connor opened the public hearing.

Elwell summarized the State’s recently imposed unfunded mandates on Vermont municipalities regarding the enforcement of the Rental Housing Code. He said that the mandates imposed additional requirements on the health officers when inspecting rental properties. He said that the amendment to the ordinance would streamline how the inspections were documented in order to make the additional work and enforcement as efficient as possible. He said that when the ordinance was amended, the violations would be written as a violation of the Town’s code and could be enforced locally.

O’Connor asked if the Town had adequate resources to enforce the unfunded State mandates. Elwell responded that the health officer duties fell primarily on Assistant Fire Chief Howard and his Fire Department responsibilities were interrupted when he was required to act as a health officer. O’Connor noted that housing deficiencies affect people’s lives and neighborhoods. She suggested discussing the matter during budget negotiations.

Starr asked staff to provide the costs associated with hiring a fulltime health officer.

Gander noted that some landlords lived off-site and were difficult to contact.
Schoales said that the School District had to hire additional staff to address State mandates in the school system. He suggested adding this topic for discussion at a Regional Economic Hub meeting.

There was no further discussion.

O’Connor closed the public hearing.

MOTION BY TIM WESSEL TO APPROVE THE AMENDMENTS TO THE CODE OF ORDINANCES AT CHAPTER 8 (HEALTH, SANITATION, AND FIRE SAFETY INSPECTIONS), ARTICLE THREE (RENTAL HOUSING CODE), AS PRESENTED. MOTION CARRIED 5-0.

NEW BUSINESS

VCDP Scattered Site Enhancement Request – Windham & Windsor Housing Trust. O’Connor said that the Board was asked to approve an enhancement request to continue services that Windham and Windsor Housing Trust (WWHT) provide. Bruce Whitney, from WWHT, said that the VCDP grant funded a Home Repair Program and the Housing Counseling Program. He spoke in detail about the five-county scattered site grant and the programs funded with the funds. He thanked the Town for its ongoing support and asked for support of the request for additional funds in the amount of $455,255 that would available in the 2018-2019 funding cycle. Assistant Town Manager Moreland noted that scattered site funds were set aside by VCDP and so the remaining resources were not affected by such an enhancement request, as set forth in his memo dated August 15. He also noted that the memo contained information about the number of Brattleboro residents that benefited from the scattered site funding and the affordable housing benefits realized by the Town. There was a brief discussion by the Board.

MOTION BY BRANDIE STARR TO AUTHORIZE SUBMISSION OF AN ENHANCEMENT REQUEST IN THE AMOUNT OF $455,255 FROM THE VERMONT COMMUNITY DEVELOPMENT PROGRAM TO SUPPORT THE FIVE COUNTY SCATTERED SITE PROGRAMS PROVIDED BY WINDHAM AND WINDSOR HOUSING TRUST AND ITS PARTNER, DOWNSTREET HOUSING AND COMMUNITY DEVELOPMENT. MOTION CARRIED 5-0.

Kyle Gilbert Bridge Repair. Public Works Director Barrett said that the Board was asked to authorize Town staff to enter into a contract with Welch Masonry in the amount of $14,250 to repair the abutment on the Main Street Bridge (Brattleboro Bridge #7 [a/k/a Kyle Gilbert Memorial Bridge]), as set forth in his memo dated August 15, 2018. He discussed the repair work proposed by Welch Masonry and said that the proposed work was approved by the State. There was a brief discussion by the Board.

MOTION BY DAVE SCHOALES TO AWARD A BID TO WELCH MASONRY IN THE AMOUNT OF $14,250 TO REPAIR THE ABUTMENT ON THE MAIN STREET BRIDGE (BRATTLEBORO BRIDGE #7 [ALSO KNOWN AS KYLE GILBERT MEMORIAL BRIDGE]). MOTION CARRIED 5-0.

Capital Equipment Bid Awards - Highway Dump Truck. Public Works Director said that the Board was asked to award a bid for a Highway Department dump truck to Delurey Sales and Service, of North Hoosick, New York, in the total amount of $171,583, as set forth in his memo dated August 13, 2018. He discussed the six bids that were received and said that Delurey Sales and Service was the low bidder. There was a brief discussion by the Board.

MOTION BY SHANTA LEE GANDER TO AWARD A BID FOR A HIGHWAY DEPARTMENT DUMP TRUCK TO DELUREY SALES AND SERVICE IN THE TOTAL AMOUNT OF $171,583. MOTION CARRIED 5-0.
Ordinance Amendments - First Reading

(i) Chapter 11 (Licenses and Permits), Article IV (Taxicabs/Vehicles for Hire) re: Uber/Lyft
(ii) Appendix C (Regulations Governing the Control of Traffic), Article I (Loading and Unloading Zones) and Article II (Parking) re: Flat Street near the Boys & Girls Club

O'Connor said that the Board was asked to hold a first reading on amendments to the Code of Ordinances at Chapter 11 and Appendix C.

(i) Elwell said that Chapter 11 contained a substantial rewrite of the taxi ordinance to include regulations for "vehicles for hire," such as Uber, Lyft, limousines, and transport services, as set forth in detail in the memo dated July 31, 2018 from Town Attorney Fisher. O'Connor noted that the most substantive changes were replacing "taxi cab" with "vehicles for hire" and adding State regulations with the new law and safety standards. There was some discussion by the Board.

(ii) Elwell said that Appendix C contained a revision to the "loading zone" and "no parking zone" in front of the Boys and Girls Club on Flat Street. He said that amending the ordinance would allow parents and workers at the Boys & Girls Club to leave their cars unattended for short periods of time while dropping off/picking up passengers and allow for loading and unloading of supplies in connection with activities taking place at the Club. There was no discussion by the Board.

NO ACTION TAKEN ON EITHER ITEM.


NO ACTION TAKEN.

Long Term Financial Plan – 2018 Update. Town Manager Elwell presented the 2018 update of the Long Term Financial Plan. He spoke about some highlights contained in the report, including meeting the goal of having $1 million from current revenues available for capital projects, not using any fund balance in the upcoming year, and the positive effect that the use of long term planning had on stabilizing town finances and making sound decisions regarding revenue and expenditures. There was some discussion by the Board.

NO ACTION TAKEN.

There was no further business.

MOTION BY BRANDIE STARR TO ADJOURN AT 8:30PM. MOTION CARRIED 5-0.

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Tim Wessel, Clerk