

**BRATTLEBORO SELECTBOARD  
TUESDAY, NOVEMBER 6, 2018  
EXECUTIVE SESSION – 5:45PM  
REGULAR MEETING – 6:15PM  
SELECTBOARD MEETING ROOM, MUNICIPAL CENTER  
MINUTES**

Selectboard members present: Kate O'Connor, Brandie, Starr, Tim Wessel, and David Schoales.

Staff Present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Assistant Fire Chief Leonard Howard, Library Director Starr LaTronica, and Executive Secretary Jan Anderson.

Media present: BCTV staff and volunteers.

Others present: Nick Nickerson, Stewart McDermet, Samantha Duda, Stephanie Keep, Frederick Engstrom, Ralph Meima, Franz Reichsman, ASL interpreters Janet Dickinson and Karen Todd, and others who did not sign the attendance sheet.

Chair O'Connor called the meeting to order at 5:45pm. She confirmed that it was properly warned.

**MOTION BY KATE O'CONNOR TO ENTER INTO EXECUTIVE SESSION TO DISCUSS CONTRACTS, 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 3-0 (SCHOALES WAS NOT PRESENT AT THE TIME OF THE VOTE).**

Chair O'Connor reconvened the meeting at 6:15pm.

***APPROVE MINUTES***

O'Connor asked the Board to approve the minutes from the October 9 and October 16, 2018 meetings. There was no discussion.

**MOTION BY BRANDIE STARR TO APPROVE MINUTES FROM THE OCTOBER 9 AND OCTOBER 16 MEETINGS. MOTION CARRIED 5-0.**

***CHAIR'S REMARKS***

Chair O'Connor reminded the voters that polls were open another 43 minutes and were located at the American Legion on Linden Street. She then spoke about the recent visit by Governor Scott and his cabinet members, during his Capital for a Day tour. She said that she attended the meeting, along with Board member Brandie Starr, Town Manager Peter Elwell, and other staff members, and she spoke about many projects that were taking place within town. She thanked the State for partnerships with the Town on several projects and asked the State to partner with the Town on other pending projects. She complimented Starr on her dialog about the issues of poverty, homelessness, and drug addiction in Town. She said that the Board and staff would continue to hold discussion with State representatives.

***MANAGER'S COMMENTS***

Town Manager Elwell also reminded voters that polls were open until 7:00pm and said they were located in the American Legion Hall on Linden Street. He also announced that the final curbside leaf collection was scheduled for Friday, November 9.

***SELECTBOARD COMMENTS AND COMMITTEE REPORTS***

Schoales requested that the Department of Public Works contact the State about failing paint used in line-stripping at the roundabout at Exit 3. Elwell said that VTrans personnel were on-site on Sunday evening

and that he would follow up with State on the condition of the line-striping. Schoales then said that he would like the housing matter set forth in the Board's annual goals to be added to an upcoming agenda so that the Board could continue to hold discussions on the housing issue.

### ***PUBLIC PARTICIPATION***

Stewart McDermet spoke about a matter of "discrimination, elitism and where the town was being taken advantage of" in the area of four homes located at 72, 76, 80 and 84 Canal Street, which were located directly east of the Portland Glass, auto parts store and Code 3 business complex. He said that each year the owner of the complex had snow plowed into Canal Street and in front of the four homes. He provided a picture of the area and said that the snow piles remain for days or weeks and obstruct the driveways and access to the homes. He said that the Town snowplows traveling south on Canal Street had to plow around the piles of snow and later cleaned up the piles. He said that the owner of the complex was taking advantage of town services and asked why the Town had to incur such expenses when the snow should be stored on the property of the business complex. He asked that this behavior be stopped and the property owners on the south side of Canal Street be treated the same as other property owners. Elwell said that he would look into the matter and report back to the Board.

Nick Nickerson spoke about the short left-hand turn lane and short traffic light cycle on Putney Road in front of Hannaford's Store. He suggested that the State be contacted and asked to lengthen the turn lane and light cycle.

### ***BOARD OF HEALTH COMMISSIONERS***

**MOTION BY BRANDIE STARR TO CONVENE AS HEALTH COMMISSIONERS. MOTION CARRIED 4-0.**

Issue Health Order – Hold Public Hearing re: 33 Oak Street. O'Connor said that this matter had been removed from the agenda because the property owner had agreed to a schedule with Assistant Fire Chief Len Howard to resolve code violations at the property. She said that the matter would be brought to the Board at a future time if the property owner did not make the required improvements. There was no discussion.

**NO ACTION TAKEN.**

**MOTION BY BRANDIE STARR TO ADJOURN AS HEALTH COMMISSIONERS. MOTION CARRIED 4-0.**

### ***NEW BUSINESS***

Western Avenue/Union Hill Pedestrian Crossing Device (RRFB) –Stephanie Keep and Frederick Engstrom. Frederick ("Fritz") Engstrom and Stephanie Keep, owners of property located at 39 Western Avenue, spoke of their concerns and objections to the recent installation of a Rapid Rectangular Flashing Beacon (RRFB) pedestrian crossing device at the crosswalk in front of their home. Engstrom spoke at length about his objections to the RRFB, and (1) asked that the RRFB be removed, (2) stated that they received very poor service from the Town Manager, and (3) said that if it was determined that the RRFB would stay at that location then the lights be lowered on the pole. He spoke about some of the criteria contained in the RRFB manufacturer's materials (Tapco) and the Manual on Uniform Traffic Control Devices (MUTCD). He said that they were never consulted about the plan to reconfigure the intersection at Western Avenue and Union Hill. He complained that the blinking light intruded into his son's bedroom and significantly impacted the value of their property. He said that other RRFBs in town were located in front of businesses and not residences. He claimed that the Town Manager offered to work with them to lower the light but never re-contacted them before the lights were installed. He maintained that the RRFBs were not installed in accordance with the recommendations in the Tapco and MUTCD materials. Ms. Keep also spoke of conversations they had with the Town Manager who offered to assist with the situation but then did not "circle back." She claimed that the other neighbors were consulted but they were not. She agreed that safety was important but said that such devices were not consistent with residential neighborhoods. Elwell apologized for not communicating properly with them. He said that he confirmed with the Public Works Director (who could be present at this meeting) that the pole was

installed within the MUTCD guidelines and was consistent within other installations in the community. He said that the matter was reviewed by members from the Public Works Department and/or a traffic consultant, the Traffic Safety Committee, and the Selectboard when it approved receiving a State grant for the project. Board member Wessel said that he walked the area often and was of the opinion that the RRFBs at that location were essential for pedestrian safety. He noted that the lights were only activated when a pedestrian was crossing. He suggested possibly installing a baffle to help shield the light intruding into the residence. There was much discussion by the Board. It was agreed that the Town Manager and Public Works Director would investigate the possibility of installing a baffle and, if that was not possible or acceptable to the property owners, that the Board hold another discussion when the Public Works Director was available.

**NO ACTION TAKEN.**

Mural in the Harmony Parking Lot – *Scot Borofsky*. O'Connor said that this matter was removed from the agenda at the request of the local artist, Scot Borofsky, who agreed to work with the Town Manager and the Arts Committee on the mural project in the Harmony Parking Lot. There was no discussion.

**NO ACTION TAKEN.**

Transportation Center Resilience Hub Project Proposed by Green Lantern Solar. O'Connor said that the Board was asked to authorize Town Manager Elwell to sign a letter of intent to lease space above the Brattleboro Transportation Center (BTC) to Green Lantern Solar. Ralph Meima, from Green Lantern Solar, provided a background on his company and spoke about exploring the possibility of installing a net metered solar array and possibly a solar-powered micro grid system with a battery storage system at the BTC. He said that the project would be privately funded by investors, provide revenue and tax benefits to the town, and provide a net metering benefit to a customer to be determined. He said that the project would involve substantial research into the feasibility, cost, design, and financial benefits. He spoke of other projects in which Green Lantern Solar was involved. Daniel Quipp spoke in general favor of renewable energy projects with clean energy and resiliency, and of the possibility that such a project could benefit low-income households. Elwell confirmed that the letter of intent was an expression of good faith to work together but was not binding on either party. He said that further lease negotiations would have to take place at a later time if the project was better defined and deemed possible. There was some discussion by the Board.

**MOTION BY TIM WESSEL TO AUTHORIZE TOWN MANAGER PETER ELWELL TO SIGN A LETTER OF INTENT TO LEASE SPACE ABOVE THE BRATTLEBORO TRANSPORTATION CENTER TO GREEN LANTERN SOLAR. MOTION CARRIED 4-0.**

Award Bid – *Upfit for Police Department Vehicles*. Elwell said that the Board was asked to award a bid to SWNH, of Keene, New Hampshire, in the amount of \$47,088.50, to upfit three new police vehicles with proper emergency equipment, as set forth in a memo dated October 25, 2018, from Police Chief Mike Fitzgerald. He said that three bids were received and SWNH submitted the lowest bid. There was no discussion by the Board.

**MOTION BY BRANDIE STARR TO AWARD A BID TO SWNH IN THE AMOUNT OF \$47,088.50, TO UPFIT THREE NEW POLICE VEHICLES WITH PROPER EMERGENCY EQUIPMENT. MOTION CARRIED 4-0.**

Rename Private Drive – *Tavern Way off of Putney Road on Colonial Motel Complex*. Elwell said that the Board was asked to approve the name of Tavern Way for a private drive in the Colonial Motel complex for the reasons set forth in the memo dated October 12, 2018, from E911 Coordinator Rita Johnson. There was a brief discussion by the Board.

**MOTION BY DAVE SCHOALES TO APPROVE THE NAME OF TAVERN WAY FOR A PRIVATE DRIVE IN THE COLONIAL MOTEL COMPLEX, AS PRESENTED. MOTION CARRIED 4-0.**

Employee Health Insurance Program -- Renewal for Calendar Year 2019. Elwell spoke about the rising costs of the employee health insurance program. He spoke about the changes made last year to the health insurance plan to include a health reimbursement account, along with the existing high deductible plan and health savings accounts for each employee. He said that the Town experienced high claims during the current year and was facing a significant increase in health insurance costs for calendar year 2019. He said that the Board was asked to approve changes to the Employee Health Insurance Program to increase the deductible and the HRA (self-insured) layer in order to slightly reduce the overall impact of what would result in an increase of 12.71% in the overall cost of the program, as set forth in the memo dated October 28, 2018 from Assistant Patrick Moreland. Franz Reichsman inquired about changes anticipated in the health insurance culture. There was some discussion by the Board.

**MOTION BY DAVE SCHOALES TO APPROVE THE TOWN'S CALENDAR YEAR 2019 HEALTH INSURANCE PROGRAM, INCLUDING AN INCREASE IN THE DEDUCTIBLE TO \$4,000 FOR SINGLE COVERAGE AND \$8,000 FOR FAMILY COVERAGE AND AN INCREASE IN THE H.R.A. LAYER TO MAINTAIN MAXIMUM PLAN PARTICIPANT LIABILITY OF \$1,500 FOR SINGLE COVERAGE AND \$3,000 FOR FAMILY COVERAGE. MOTION CARRIED 4-0.**

FY20 Proposed Budget

- (i) *Town Manager's Overview*
- (ii) *Proposed Schedule of Meetings*

Town Manager Elwell provided an overview of staff's proposed FY20 budget with a 3.69 cent increase, mentioned some highlights, and identified some challenges. He proposed a Selectboard meeting schedule through January, 2019, as set forth in his memo dated October 30, 2019. There was some discussion by the Board. O'Connor reviewed the dates of the proposed meeting schedule and the Board agreed to it. Elwell announced to the viewers that the topics to be discussed at the next meeting were revenues, police department, and fire department.

**NO MOTION WAS OFFERED.**

There was no further business.

**MOTION BY BRANDIE STARR TO ADJOURN AT 8:10PM. MOTION CARRIED 4-0.**

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Tim Wessel, Clerk