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

Staff Present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Finance Director John O’Connor, Library Director Starr LaTronica, Police Chief Michael Fitzgerald, Fire Chief Mike Bucossi, Assistant Fire Chief Len Howard, Police Captain Mark Carignan, Recreation & Parks Director Carol Lolatte, Public Works Director Steve Barrett, Highway/Utilities Superintendent Hannah Tyler, Planning Director Rod Francis, and Executive Secretary Jan Anderson.

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


Chair O’Connor called the meeting to order at 5:30pm. She confirmed that the meeting was properly warned.

MOTION BY KATE O’CONNOR TO ENTER INTO EXECUTIVE SESSION TO DISCUSS CONTRACTS, LABOR RELATIONS AGREEMENTS WITH EMPLOYEES, MEDIATION, PENDING OR PROBABLE CIVIL LITIGATION TO WHICH THE PUBLIC BODY MAY BE A PARTY, 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 AND THE PEOPLE INVOLVED AT A SUBSTANTIAL DISADVANTAGE. THE TOWN MANAGER, ASSISTANT TOWN MANAGER, AND TOWN ATTORNEY WERE INVITED TO ATTEND. MOTION CARRIED 5-0.

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

APPROVE MINUTES

MOTION BY BRANDIE STARR TO APPROVE THE MINUTES FROM OCTOBER 17, 2017. MOTION CARRIED 5-0.

CHAIR’S REMARKS
None.

MANAGER’S COMMENTS
Town Manager Elwell reminded voters that polls were open in the Selectboard Meeting Room at the Municipal Center and would be open for another 45 minutes.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS
Schoales noted that another pedestrian and vehicular accident occurred last night. He suggested that the Traffic Safety Committee consider implementing a “Wear White at Night” campaign so pedestrians would be more visible.
Wessel agreed that the Traffic Safety Committee could address additional traffic calming measures to help save lives. He noted that both drivers and pedestrians take responsibility for slowing down and sensibly crossing the road.

Elwell thanked Schoales and Wessel for their comments on pedestrian safety and noted that risks were greater this time of year due to the earlier darkness and longer hours of darkness. He encouraged pedestrians and drivers to be more cautious.

**PUBLIC PARTICIPATION**

Library Director Starr LaTronica announced that a panel of Abenaki artists were hosting an event at the Library on Wednesday at 7:00pm and she invited the public to attend.

Sheila Humphreys spoke in support of funding for the acquisition of another sidewalk plow and staff to support pedestrian safety during the winter season.

Scott Smyth, from West Brattleboro, stated that he lived close to where the location of the pedestrian accident and that it was the second such accident in that area within 2-3 months. He discussed the effectiveness of having a speed display device and suggested lowering the speed limit to 25mph to the area near the Chelsea Diner. He also offered to serve on a committee to assist with pedestrian safety.

Barbara Knutson spoke in support of clearing sidewalks and promoting traffic safety issues.

Ewell noted that the Traffic Safety Committee met monthly and that the next meeting was scheduled on Thursday, November 16 at 8:00am in the Selectboard Meeting Room. He said that the public was encouraged to attend and participate.

**UNFINISHED BUSINESS**

Police-Fire Facilities Project – Update. Town Manager Elwell provided a brief update on the status of the project as outlined in his memorandum dated November 1, 2017. He also noted that he had received complaints about noise being emitted from the new equipment at Central Fire Station and that the matter was being researched to find ways to help muffle the noise. He also provided a clarification on the previously reported uncommitted fund balance of the project. He said that the Police-Fire Facilities Building Committee would be reconvened in January to discuss the use of the remaining funds and would provide a recommendation to the Board.

**NO ACTION TAKEN.**

Ordinance to Ban Single-Use Plastic Bags – Second Reading and Public Hearing, Chapter 7 (Ordinance Regulating the Collection and Disposal of Solid Waste), Section 2 (Regulating Single-Use Plastic Bags within the Town), Articles I through VII. O’Connor said that the Board was asked to hold a second reading and public hearing on the proposed ordinance to regulate “single use” plastic bags.

O’Connor opened the public hearing.

Assistant Town Manager Moreland summarized several provisions in the proposed ordinance. He said that the ordinance, as proposed, would define a “single use plastic bag” as one that was manufactured at a thickness of 1 mil or less. Executive Secretary Anderson distributed a copy of a letter submitted to the Board from Nancy Braus from Everyone’s Books. Pal Borofsky, from Sam’s Outdoor Outfitters, provided a sample plastic bag containing 3 bricks that was over a thickness of 1 mil at the bottom of the bag and 2 mils at the top. He suggested that such a bag was sturdy and re-usable to a great degree. He spoke at length about the cost, storage, ordering lead time, and other factors attributed to various types of bags. Tim Maciel, author of the petition to ban single use plastic bags, spoke about several statistics and research on plastic bags, the intent of the voters, other countries’ ban on plastic bags, implementation of the amended ordinance, the deferment option in the ordinance, and stricter enforcement. Michelle Wright provided a demonstration of thicknesses of various bags and spoke of the effects of plastic and toxins in the environment. Several people in attendance – Alice Charkes, Drew Adam, Abby Mnookin, Kit Whalin, Stephanie Bonin, Michelle Wright, Sheila Humphreys, Daniel Quipp, and Brenda Siegel – provided their
opinions and comments about an outright ban on plastic bags, fee-option, grants to purchase reusable bags, and increasing the thickness to at least 3 mils.

O’Connor closed the public hearing.

There was much discussion by the Board about acceptable thicknesses of plastic bags, the voters’ intent, the definition of a “single use plastic bag” and the proposed ordinance.

**MOTION BY DAVE SCHOALES TO AMEND THE CURRENT ORDINANCE (PAGE 3 OF THE PROPOSED ORDINANCE) TO “2.5 MILS OR LESS AND WHICH ARE INTENDED FOR SINGLE USE TRANSPORT OF PURCHASED PRODUCTS.” MOTION FAILED 2-3 (O’CONNOR, WESSEL AND ALLEN OPPOSED).**

There was further discussion about the ordinance and procedure. Elwell clarified that if the ordinance as proposed in the back-up materials was modified at this meeting that another second reading and public hearing would be necessary in order to approve the amended ordinance.

**MOTION BY JOHN ALLEN TO APPROVE THE AMENDMENTS TO CHAPTER 7 AS PRESENTED [A THICKNESS OF 1 MIL]. MOTION FAILED 2-3 (STARR, WESSEL AND SCHOALES OPPOSED).**

**MOTION BY BRANDIE STARR TO CHANGE IT BACK TO THE ORIGINAL STATED 3 MILS AS PROPOSED BY ASSISTANT TOWN MANAGER MORELAND IN THE FIRST DRAFT OF THE ORDINANCE [SO THAT THE DEFINITION OF “THIN-FILM SINGLE-USE PLASTIC BAG” MEANS A BAG WITH A THICKNESS OF 3 MILS OR LESS WHICH ARE INTENDED FOR SINGLE USE TRANSPORT OF PURCHASED PRODUCTS]. MOTION FAILED 2-3 (O’CONNOR, WESSEL AND ALLEN OPPOSED).**

**MOTION BY DAVE SCHOALES TO AMENDMENT THE THICKNESS ON PAGE 3 TO 2.0 MILS [SO THAT THE DEFINITION OF “THIN-FILM SINGLE-USE PLASTIC BAG” MEANS A BAG WITH A THICKNESS OF 2 MILS OR LESS WHICH ARE INTENDED FOR SINGLE USE TRANSPORT OF PURCHASED PRODUCTS]. MOTION FAILED 2-3 (O’CONNOR, WESSEL & ALLEN OPPOSED).**

**MOTION BY TIM WESSEL TO ALIGN WITH CALIFORNIA’S CURRENT SUCCESSFUL SINGLE USE PLASTIC BAG BAN OF 2.25 MILS [ON PAGE 3 SO THAT THE DEFINITION OF “THIN-FILM SINGLE-USE PLASTIC BAG” MEANS A BAG WITH A THICKNESS OF 2.25 MILS OR LESS WHICH ARE INTENDED FOR SINGLE USE TRANSPORT OF PURCHASED PRODUCTS]. MOTION CARRIED 3-2 (O’CONNOR AND ALLEN OPPOSED).**

O’Connor confirmed that with the passage of the modification of the proposed ordinance to 2.25 mils or less that the Board would hold another second reading and public hearing at the November 21 Selectboard meeting. Elwell clarified that a legal process for adoption of an ordinance required that the ordinance be published and that a petition period of 60 days be provided before the ordinance went into effect. However, he said, that the phased implementation date as provided in the ordinance would be July 1, 2018. There was further discussion about the need for merchants to have adequate time to re-order bags that comply with the ordinance and the deferment option in the ordinance.

**NO FURTHER ACTION WAS TAKEN.**

**NEW BUSINESS**

Groundworks Request for $10,000 to Support the Seasonal Overflow Shelter. O’Connor said that the Board was asked to approve a $10,000 Town contribution (from the “Program Income” fund that supported housing and economic development initiatives) to the 2017-2018 operation of Groundworks’ seasonal overflow shelter. Josh Davis, Executive Director of Groundworks, explained that the overflow shelter was being relocated this season from the Baptist Church downtown to a dormitory building on the former Austine School campus (now owned and managed by the Winston Prouty Center). He provided the Board with copies of a revised budget. He spoke about the new facility, his funding request, professional services on-staff, the overall program, the move from a volunteer model to a staffing model, associated costs, and other funding. There was some discussion by the Board.
MOTION BY JOHN ALLEN TO APPROVE EXPENDITURE OF $10,000 FROM PROGRAM INCOME TO SUPPORT GROUNDWORKS COLLABORATIVE’S OPERATION OF THE SEASONAL OVERFLOW SHELTER IN BRATTLEBORO FOR 2017-2018. MOTION CARRIED 5-0.

FY19 Proposed Budget

(i) Town Manager’s Overview
(ii) Schedule Upcoming Meetings for Selectboard Review/Discussion

Town Manager Elwell provided a detailed overview of the staff’s proposed FY19 Budget and he discussed highlights of the budget, including expenditures, revenue, capital needs, and use of fund balance. He said that the proposed budget did not include any costs anticipated for the Municipal Center Upgrade Project but details would be available before Representative Town Meeting. He disclosed the upcoming meeting schedule for the Selectboard to discuss the budget - November 21, Saturday December 2, December 5, December 12, December 19, January 2, and possibly January 9, 16 and 23. Franz Reichsman, from Finance Committee, inquired about the amount determined to be held in the Unassigned Fund Balance. There was some discussion by the Board.

NO ACTION TAKEN.

Town Support for Diversity, Inclusion, and Equity – Status Report. Town Manager Elwell reviewed information in his memorandum dated November 1, 2017, including the list of items approved by the Board on September 19, 2017 and his actions taken in “Supporting Diversity, Inclusion and Equity.” Schoales spoke in support of initiating training within the current fiscal year and he presented a statement from Spoon Agave (a member of the School Board). Jim Levinson, a member of the community Compassion Committee, spoke in support of continuing efforts pertaining to diversity and inclusion. There was some discussion by the Board.

NO ACTION TAKEN.

Community Survey re: Downtown Brattleboro – Status Report. Chair O’Connor spoke as Executive Director of Brattleboro Area Chamber of Commerce. She said that the Chamber and Downtown Brattleboro Alliance recently sent out a downtown Brattleboro community survey. She reviewed the questions on the survey and spoke about some statistics gleaned from the 1,117 responses that had been received to-date, including some of the separate comments. Josh Davis asked about the process and release of the information. Police Chief Fitzgerald spoke about some efforts and actions being taken by the Police Department to address downtown concerns. Brenda Siegel, Stephanie Bonin, Annie Macy, and Cassandra Holloway provided their comments and opinions. There was some discussion by the Board.

NO ACTION TAKEN.

Committee Appointments

(i) Ratify School’s Appointment to Traffic Safety Committee
(ii) Other Town Committees/Boards

O’Connor said that the Board was asked to ratify the School District’s appointment of Alice Charkes to the Traffic Safety Committee as the School Representative for a term ending June 2019.

MOTION BY DAVE SCHOALES TO RATIFY THE SCHOOL DISTRICT’S APPOINTMENT OF ALICE CHARKES TO THE TRAFFIC SAFETY COMMITTEE AS THE SCHOOL REPRESENTATIVE FOR A TERM ENDING JUNE 2019. MOTION CARRIED 5-0.
O’Connor said that the Board was also asked to fill the vacant seat on the Development Review Board for a term ending June 2019.

**BRANDIE STARR NOMINATED IAN KIEHLE TO THE DEVELOPMENT REVIEW BOARD FOR A TERM ENDING JUNE 2019. NOMINATION CARRIED 5-0.**

There was no further business.

**MOTION BY BRANDIE STARR TO ADJOURN AT 9:30PM. MOTION CARRIED 5-0.**

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Tim Wessel, Clerk