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

Staff Present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Town Attorney Robert Fisher, Finance Director John O’Connor, Library Director Starr LaTronica, Police Chief Michael Fitzgerald, Fire Chief Mike Bucossi, Assistant Fire Chief Len Howard, Recreation & Parks Director Carol Lolatte, Public Works Director Steve Barrett, Highway/Utilities Superintendent Hannah Tyler, Executive Secretary Jan Anderson, and others who did not sign the attendance sheet.

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

Others present: Howard Fairman, Nick Nickerson, Kit Whallon, Terry A. Carter, Pierre Landry, Cassandra Holloway, Rolf Parker, Tim Maciel, Mollie Burke, Prudence MacKinney, Alice Charkes, Franz Reichsman, ASL interpreters Janet Dickinson and Elizabeth Fox, and others who did not sign the attendance sheet.

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, 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 THE PEOPLE INVOLVED AT A SUBSTANTIAL DISADVANTAGE. THE TOWN MANAGER, ASSISTANT TOWN MANAGER, AND TOWN ATTORNEY WERE INVITED TO ATTEND. MOTION CARRIED 4-0 (WESSEL WAS NOT PRESENT AT THE TIME OF THE VOTE).

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

APPROVE MINUTES

MOTION BY JOHN ALLEN TO APPROVE THE MINUTES FROM NOVEMBER 7, 2017. MOTION CARRIED 4-0 (WESSEL WAS NOT PRESENT AT THE TIME OF THE VOTE).

CHAIR’S REMARKS
Chair O’Connor wished everyone in the public a happy Thanksgiving. She also announced that the lighting of the holiday tree would take place in Pliny Park on Friday, November 24 at 6:00pm with hot chocolate being served at 5:30pm.

MANAGER’S COMMENTS
Town Manager Elwell announced that he had been advised by FEMA through the National Flood Insurance Program that the community flood rating system had improved from Class 9 to Class 8 so any residents with flood insurance policies would pay a decreased rate. The thanked Brian Bannon for his administrative work, and the Planning and Public Works Departments for their work in making the community more prepared and resilient against floods.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS
None.

PUBLIC PARTICIPATION
None.
LIQUOR COMMISSIONERS

MOTION BY BRANDIE STARR TO CONVENE AS LIQUOR COMMISSIONERS. MOTION CARRIED 4-0 (WEISSEL WAS NOT PRESENT AT THE TIME OF THE VOTE).

Addendum to Liquor Application – Requested by Cassandra Holloway of the Brattleboro Area Prevention Coalition. O'Connor said that the Board was asked to approve expansion of the Town’s liquor license application procedure to require that each establishment provide a copy of its written Alcohol Sales Policy when applying for a new or renewal liquor license. Cassandra Holloway, from Brattleboro Area Prevention Coalition (BAPC), provided the Board with several handouts and discussed BAPC’s purpose being to reduce substance abuse in the area and prevent early onset substance abuse. She acknowledged that Brattleboro’s liquor requirements had helped retailers be responsible in serving alcohol. She discussed some information contained in the handouts, including the Responsible Retail Program where establishments participate in a mystery shopping check, and the higher than average ratio of alcohol outlets to residents. She said she could return at a later date to further discuss that information. She said that at this meeting she was asking the Board to require that each liquor establishment submit a complete written Alcohol Sales Policies with every application. She said in 2017, 89 establishments submitted liquor applications and she offered to assist with reviewing each Alcohol Sales Policy for completeness. Howard Fairman suggested that only the Department of Liquor Control had the authority to perform liquor inspections at various establishments and that the Responsible Retail Program may overstep legal boundaries. Holloway clarified that the Responsible Retail Program was not a compliance check but a tool to assist businesses with their policies and there was no consequence to a business that did not pass. Town Clerk Hilary Francis spoke in support of supplying establishments with sample Alcohol Sales Policies and about her concerns that the additional responsibilities and expertise requirements would have on staff. Holloway clarified that BAPC was not suggesting a thorough review of each Alcohol Sales Policy and she reiterated her offered to assist with the application review process. Nick Nickerson spoke against the suggestion to restrict the number of liquor establishments in Town. There was some discussion by the Board.

MOTION BY DAVE SCHOALES TO HAVE LIQUOR LICENSE APPLICANTS IN THEIR INITIAL AND RENEWAL APPLICATIONS SUBMIT AN ALCOHOL SALES POLICY WITH THEIR APPLICATIONS. MOTION CARRIED 5-0.

MOTION BY BRANDIE STARR TO ADJOURN AS LIQUOR COMMISSIONERS. MOTION CARRIED 5-0.

WATER AND SEWER COMMISSIONERS

MOTION BY JOHN ALLEN TO CONVENE AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 5-0.

Abate Past Due Utility Balances – Two Mobile Homes at Tri Park Cooperative Housing. Elwell said that the Board was asked to approve the abatement of past due utility bills for an abandoned mobile home and fire-destroyed mobile home in Tri-Park. Finance Director John O’Connor discussed the Town’s efforts with Tri-Park to abate such past due utilities in an effort to make the spots available for replacement mobile homes. He said that the total amount of the proposed write-off was $750.52. There was a brief discussion by the Board.

MOTION BY DAVE SCHOALES TO APPROVE THE ABATEMENT OF PAST DUE UTILITY BILLS FOR 46 VALLEY ROAD (IN THE AMOUNT OF $266.69) AND 3 RECORD DRIVE (IN THE AMOUNT OF $483.83). MOTION CARRIED 5-0.

MOTION BY DAVE SCHOALES TO ADJOURN AS WATER AND SEWER COMMISSIONERS. MOTION CARRIED 5-0.
UNFINISHED BUSINESS

Police-Fire Facilities Project – Update
Town Manager Elwell provided an update on the final stages of construction at Central Fire Station and the overall project finances, as set forth in his memorandum dated November 16, 2017. There was a brief discussion by the Board.

NO ACTION TAKEN.

Ordinance to Ban Single-Use Plastic Bags – Second Reading of Amended Ordinance 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 another second reading and public hearing on the proposed ordinance with a definition of “single use plastic bag” being a thickness of less than 2.25 mil.

Chair O’Connor called the public hearing to order.

O’Connor summarized that at the last meeting, the Selectboard agreed that the thickness of a “single use plastic bag” would be increased from 1.0 mil to 2.25 mil. She said that if the Board passed the revised ordinance as presented, the ordinance would become effective July 1, 2018.

Kit Whalen spoke in support of reducing the amount of plastic in the environment and encouraged the Board not to reduce the thickness to less than 2.25 mil.

Tim Maciel, author of the voters’ petition, encouraged the Town of Brattleboro to set an example to other communities, and to pass similar ordinances against the use of plastic bottles and styrofoam cups. He said that a state-wide organization was being initiated. He added that the Food Co-Op had an overflow reusable bag donation program. He spoke in favor of shortening the deadline to meet the new requirements to one or two months. Members of the Board suggested that establishments could comply sooner and not wait until the July deadline.

Howard Fairman clarified that the voters approved a non-binding advisory vote and he suggested that it was a “feel good ordinance” with no impact on environmental concerns.

Terry Carter suggested that retailers consider using biodegradable plastic bags.

Chair O’Connor closed the public hearing.

There was some discussion by the Board. Allen and O’Connor spoke against the ordinance as presented stating their belief that the voters’ intent was to eliminate plastic bags at 1 mil. Starr said she could support a shorter timeline and discouraged the overuse of produce bags. Wessel noted that a state-wide initiative was taking place. Pierre Landry inquired why the 2.25 mil was determined and suggested banning use of flimsy produce bags. He suggested letting the voters vote on what they meant. There was no further discussion.

MOTION BY DAVE SCHOALES TO APPROVE AMENDMENTS TO CHAPTER 7, AS PRESENTED [THICKNESS OF 2.25 MIL]. MOTION CARRIED 3-2 (O’CONNOR AND ALLEN OPPOSED).

NEW BUSINESS

Financial Report – Monthly Report, October. Finance Director John O’Connor summarized the status of the FY18 Town Budget through October. There was a brief discussion by the Board.

NO ACTION TAKEN.
Elwell said that the Board would hold several meetings through January to discuss the proposed FY19 Budget. He said that at this meeting the projected revenues and proposed capital expenditures would be discussed, with the exception of the proposed replacement of the Fire Department's aerial ladder truck which would be discussed separately at the December 5, 2017 meeting. He then reviewed the estimated revenue portion of the proposed budget (pages 1-4) and discussed several aspects of it. He said that the library’s revenue included eliminating $16,000 in library fines. Library Director Starr LaTronica reported that the Library Trustees supported a strong national move to move away from punitive library fines and move toward a model where patrons could not check out new items if they had overdue items. She said that such a trend was taking place throughout the country in order to reduce significant barriers that fines posed to many populations and to reduce the sense of shame and embarrassment. She said that one goal contained in the Library’s Strategic Plan was to “institute policies and explore efforts to insure access and diminish barriers.” She said that the Library Trustees agreed to increase its contribution to certain expenses.

Public Works Director Steve Barrett briefly discussed the gasoline sales revenue line item. Town Clerk Hilary Francis spoke about the proposed revenues in her department. Franz Reichsman, from the Finance Committee, inquired about expenses and revenue in connection with the Municipal Building renovations. There were many questions and some discussion by the Board about specific line items.

Elwell then reviewed the four proposed capital projects and the vehicles/equipment replacement schedule as set forth on the Capital Request, Capital Project Plan, and Capital Equipment Plan. Police Chief Fitzgerald answered questions about the option of using electric vehicles for police cruisers and the need to replace the 2005 Suburban. Public Works Director Barrett spoke about the need to purchase an excavator. There were many questions and some discussion by the Board about the various capital items.

Elwell discussed a request from the members of the public to purchase and staff a second sidewalk plow in order to clear greater amounts of sidewalks through the winter. He said that the cost of the plow was $139,000 plus the cost of personnel to operate it. He said that if the Board was inclined to approve such a request that he would provide additional information about staffing costs. Public Works Director Barrett said that the Town currently plowed about 14 miles of sidewalk, and he spoke about the history of equipment and amounts of sidewalk cleared, critical sidewalk points that were addressed immediately following a storm, and the time and planning required to complete the sidewalk plowing. He answered many questions posed by members of the Board. Several members in the audience spoke in support of adding another sidewalk plow. Alice Charkes read a letter from Louise Zak with concerns about sidewalk safety during the winter. She also spoke about the Safe Streets Program at the schools where walking to school was encouraged to promote good health, the unsafe sidewalks around some schools, and school children having to walk in the road and climb over mounds of snow and ice at intersections. Prudence MacKinney, Director of the State Public Health Office, spoke in favor of adding another sidewalk plow, improving safety for pedestrians, and the benefits of physical activity. Mollie Burke, State Representative, spoke in support of purchasing an additional sidewalk plow. She commended the Board members for their interactions with and respect for the public. Terry Carter indicated her agreement with the other speakers and for promoting healthy lifestyles. Franz Reichsman spoke about the capital equipment inventory and how it was addressed in the Town’s Long Term Financial Plan.

There were many questions and much discussion by the Board about various items on the Capital Plan. The Board asked for additional information from the Town Manager about the cost to staff another sidewalk plow operator. O’Connor announced that the next budget meeting would take place on Saturday, December 2, starting at 9:00am in the Selectboard Meeting Room. Elwell reviewed the upcoming budget meeting schedule.

NO ACTION TAKEN.
Committee Vacancies and Appointments
(a) Appointment to the Recreation & Parks Board
(b) Announce Committee Vacancies

O’Connor said that the Board was asked to fill a vacant seat on the Recreation and Parks Board.

JOHN ALLEN NOMINATED TODD FONTAINE TO THE RECREATION AND PARKS BOARD. NOMINATION CARRIED 5-0.


There was no further business.

MOTION BY BRANDIE STARR TO ADJOURN AT 8:45PM. MOTION CARRIED 5-0.

Tim Wessel, Clerk