

**BRATTLEBORO SELECTBOARD
TUESDAY, DECEMBER 18, 2018
EXECUTIVE SESSION – 5:30PM
REGULAR MEETING - 6:15PM
SELECTBOARD MEETING ROOM, MUNICIPAL CENTER
MINUTES**

Selectboard Members Present: Kate O'Connor, Tim Wessel, Shanta Lee Gander, and David Schoales.

Staff Present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Finance Director John O'Connor, Town Assessor Jenepher Burnell.

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

Others Present: Franz Reichsman, Abbe Sweeney, Nunya, Nick Nickerson, Lee Madden, Debra Abel, and others that did not sign the attendance sheet.

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

MOTION BY KATE O'CONNOR TO ENTER INTO EXECUTIVE SESSION TO DISCUSS CONTRACTS, LABOR RELATIONS AGREEMENTS WITH EMPLOYEES, PENDING OR PROBABLE CIVIL LITIGATION OR A PROSECUTION TO WHICH THE PUBLIC IS OR MAY BE A PARTY, 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 (GANDER WAS NOT PRESENT AT THE TIME OF THE VOTE).

CONVENE REGULAR MEETING

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

APPROVE MINUTES

O'Connor asked the Board to approve the minutes from the December 4, 2018, meeting. There was no discussion.

MOTION BY DAVID SCHOALES TO APPROVE THE MINUTES OF DECEMBER 4, 2018. MOTION CARRIED 4-0.

CHAIR'S REMARKS

Chair O'Connor noted that Board Member Brandie Starr was sick this evening. She wished everyone a Happy New Year.

MANAGER'S COMMENTS

None.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS

Schoales mentioned that the Diverse Workforce Committee met a few weeks ago and that the Compassionate Brattleboro committee is working on a series of activities, one is related to arts and the other is a series of speakers at the Library scheduled for March and April.

Wessel reminded the public that there is a Traffic Safety Committee at 8:00am on December 20, 2018.

PUBLIC PARTICIPATION

Nunya expressed sadness over the Cyntoia Brown case. Nunya would like the Brattleboro community to prevent people from being treated like Brown by enforcing the death penalty for rapists and sending the National Guard to evacuate her from prison. Nunya expressed disappointment that there are no signs welcoming the public to participate in meeting and suggested that there be 2 signs placed out front and one in the back of the building. Nunya asked the Selectboard to take more seriously bike lanes and to address the dilapidated buildings on Canal Street. Nunya is disappointed that the Town is investing money in the Transportation Center rather than on people that cannot afford cars.

Nick Nickerson expressed concern about social unrest and impending automation of jobs. He felt that legalizing all drugs could provide additional funding.

Nunya spoke to building an alternative currency, a credit currency, that will release us from dependence on the federal government.

NEW BUSINESS

Errors and Omissions to Grand List – Approval, Assessor’s Office. Jenepher Burnell, Town Assessor, presented the Errors and Omissions to the Grand List. The Grand List was lodged July 2, 2018 and between that date and December 18, 2018 there were 3 real estate re-evaluations, 6 farm stabilization exemptions that were recalculated, and 34 corrections for Business Personal Property (either because the business closed and the Town was not informed, or due to late filings). The State requires that the board signs off on the Errors and Omissions and that it becomes part of the Grand List that is lodged with the Town Clerk

O’Connor confirmed that there was \$914,599 subtracted out from the July 2, 2018 Grand List. Gander asked about the revaluations. Burnell advised that the BCA decided on one property after the Grand List was lodged, the Assessor’s office made an error on a subdivision, and there was one instance where the state method of valuation was not used for a subsidized housing property.

Schoales asked if the Town gets money from the State on the subsidized housing property. Elwell advised that the Town does not get compensation from the State.

MOTION BY TIM WESSEL TO APPROVE CHANGES IN THE 2018 GRAND LIST, AS SET FORTH ON THE ERRORS AND OMISSIONS 2018 GRAND LIST REPORT, DATED DECEMBER 18, 2018, FROM TOWN ASSESSOR JENEPPER BURNELL. MOTION CARRIED 4-0.

Burnell reminded business owners that business licenses are due December 31, 2018. There will be a fee increase after January 1. Questions can be directed to the Assessor’s Department and forms are available online.

Financial Reports – Finance Director John O’Connor

- (i) *Audit and Financial Statements for FY18*
- (ii) *Single Audit for FY18*
- (iii) *Monthly Report for November 2018*

(i) Finance Director John O’Connor noted that the auditors issued an unmodified opinion which is a good thing. He advised that the General Fund closed with a use of \$649,653 in fund balance which was \$450,322 better than expected. The Town closed the year with a fund balance of \$3,508,192, of which \$2,077,299 was unassigned. This was \$301,708 above the target of 10% of FY19 expense. Of the \$301,708, \$295,000 is proposed for use in the FY20 budget.

Nunya hoped that the increase would be reason to not pass the 1% Local Option Sales Tax.

Schoales noted that the audit found that Brattleboro's sub-recipient monitoring practices were not enough to meet national standards for Federal awards. He asked for examples of a recipient that the Town monitors. J. O'Connor noted that KidsPlayce is currently a sub-recipient of a grant that the Town knows very little about their internal controls. O'Connor noted that Brattleboro has increased its monitoring controls on unfamiliar organizations.

(ii) J. O'Connor advised that a Single Audit is a list of all the Federal grants and expenditures against those grants. There were no material weaknesses found in those grants and no adjustments were needed to the financial statement or single audit. The only thing identified was the monitoring practices for organizations that the Town was unfamiliar with their internal controls. K. O'Connor noted that the Town has been using the same practice for some time and asked why this was questioned now. J. O'Connor said that the Town is working on grants with other organizations. Elwell advised that the granting agency monitors the Town closely and that the Town has been found to be in compliance. The auditors are saying that a more robust level of monitoring may be required for these smaller organizations. The Town agreed and has since created a monitoring procedure.

Schoales observed that 46% of taxes collected went to the school. He was curious as to why this was down from previous years. He suggested that if the Selectboard has a chance to talk with legislators they may want to consider asking that they change the way education is funded.

(iii) J. O'Connor presented and discussed the monthly financial report for November. There was some discussion from the board about increased investment income, miscellaneous revenue for the Police Department, expenses for the Municipal Center, the status of required upgrades at the Municipal Center, and auxiliary staff expenditures for the Police Department.

FY20 Proposed Budget

- (i) *Review Current Status*
- (ii) *What Decisions Still Need to be Made?*
- (iii) *What Information is Needed for Decisions that Still Need to be Made?*
- (iv) *Schedule of Meetings for January 2019*

Elwell reviewed the following changes that have been made to the budget: approving a rental housing inspection program involving additional overtime for Fire Department offset by fees charged to owners of rental housing units; staff increased the transfer from Utilities fund to General Fund from \$275,000 to \$290,000 (based on applying the same formula that has been used in past years); adding \$5,000 for BCTV funding; reducing \$10,000 for Brattleboro Climate Protection and leaving that as a separate a question to be posed to Representative Town Meeting; and increasing Downtown Brattleboro Alliance funding from \$78,000 to \$80,000.

The net change is a \$26,250 reduction in the overall expenditures and revenues of the General Fund. If the budget is adopted in this form (separate from Representative Town Meeting decisions on the Brattleboro Climate Protection and the 1% Local Option Sales Tax), the budget that would be sent forward would include a 2.7% or a \$0.0346 increase in property taxes.

Elwell reviewed the items that the Selectboard agreed to put on the warrant for the Representative Town Meeting: 1% Local Option Sales Tax, \$12,200 funding request for from Visiting Nurse and Hospice, \$4,000 funding request from KidsPlayce, \$10,000 for Brattleboro Climate Protection, and funding for SEVEDS at \$25,000 (approximately \$2.00 per resident).

Elwell advised that there is some business to finish up regarding the Police-Fire facilities and bond that will be discussed at the January 8, 2019 meeting. The pending items are Police carport, roof work needed at the Police Department, and equipment needed for the Fire Department alarm system.

Elwell asked if the board needed more information or had topics that should be discussed in January. O'Connor asked when the warning will be voted. Elwell advised that budget work must be completed by January 22 and the warning must be finalized around January 29. O'Connor asked for a complete budget including the modifications and a summary sheet that shows the impact to homeowners. Schoales said that the impact to homeowners should also reflect what taxes would be if the 1% tax passes. Gander said that she wants to revisit bulky item removal in another fiscal year.

Nunya asked if there was consideration for the property tax increase to only apply to property owners that are significantly above poverty level. Elwell explained that the State has an income sensitivity program that considers adjustments based on household income. Schoales added that this program only applies to the education tax.

There was a discussion as to when documents reflecting what was discussed at the meeting would be available to the public. Many will be available January 4, 2019, others may be available earlier.

The Board clarified that the DBA funding is a special assessment tax applied only to property owners in that district. It is approved by the Selectboard, collected by the Town, and given back to DBA. Wessel noted that it does not the broad property tax base to increase DBA funding. Wessel asked that the DBA funds could be shown as both an expense and revenue in the budget, as it currently only shows as an expense.

The Board agreed to hold meetings on January 8, 2019 and January 22, 2019. Elwell advised another meeting will be needed sometime between January 29 and February 2 to approve the warning.

Contract Amendment – Whetstone Brook Hydrology Analysis. Elwell explained that this is a request to extend an agreement already in place with Dubois & King to do some hydrologic and hydraulic modeling to fill in a data gap related to the Whetstone Brook. The results of the work will benefit not only the Tri-Park Master Plan but also downstream properties that are looking to redevelop. The funding will come from contract services in the Planning Services budget.

MOTION BY SHANTA LEE GANDER TO AUTHORIZE TOWN MANAGER ELWELL TO MODIFY A CONTRACT WITH DUBOIS & KING IN AN AMOUNT NOT TO EXCEED \$15,000 FOR ADDITIONAL HYDROLOGIC AND HYDRAULIC MODELING IN CONJUNCTION WITH THE TRI-PARK HOUSING COOPERATIVE MASTER PLAN. MOTION CARRIED 4-0.

Close out CDBG Grant – Public Hearing, Bradley House. O'Connor opened the public hearing. Lee Madden, Holton Home Business Manager, noted that Bradley House and Holton Home are Level 3 Residential Care homes that offer independent living with some assistance with daily living. The \$5 million project was to add a new wing and renovate the Bradley House. All rooms are accessible and energy efficient and significant historic exterior architecture was maintained. Madden thanked the Town for their support of this project and invited people to visit the properties.

The public hearing was closed.

Approve Grant Application – Dry Hydrant Grant. Elwell advised that this is a request to apply for a \$5,000 grant to the Rural Fire Protection Program for a dry hydrant that will be constructed in a private pond on Bonnyvale Road. He noted that the property owners have worked with the Fire Department.

MOTION BY TIM WESSEL TO APPROVE THE RURAL FIRE PROTECTION PROGRAM GRANT APPLICATION IN THE AMOUNT OF \$5,000 FROM THE VERMONT RURAL FIRE PROTECTION TASK FORCE. MOTION CARRIED 3-0 (SCHOALES NOT PRESENT).

Accept and Appropriate Grant – Interlibrary Loan Courier Grant. Elwell said that this is a grant for courier services in the amount of \$292.50 from the Vermont Department of Libraries for costs related to interlibrary loan courier costs.

MOTION BY DAVE SCHOALES TO ACCEPT AND APPROPRIATE THE INTERLIBRARY LOAN COURIER SYSTEM GRANT IN THE AMOUNT OF \$292.50 FROM THE VERMONT DEPARTMENT OF LIBRARIES. MOTION CARRIED 3-0 (GANDER NOT PRESENT).

Accept and Appropriate Grant – Municipal Planning Grant for Downtown Design Plan. Elwell explained that this is a \$22,000 grant from the Municipal Planning Grant program to assist in a Downtown Design Plan. There was board discussion of what the Design Plan would include and whether it would engage artists in the process. Schoales requested that the Planning Director come before the board after Town Meeting to give an update.

MOTION BY DAVE SCHOALES TO ACCEPT AND APPROPRIATE A MUNICIPAL PLANNING GRANT IN THE AMOUNT OF \$22,000 FROM THE VERMONT DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT PROGRAM FOR A DOWNTOWN DESIGN PLAN. MOTION CARRIED 4-0.

Accept and Appropriate Grant – Governor’s Highway Safety Program. Elwell advised that this is a \$31,850 grant from the Governor’s Highway Safety Grant to pay for supplemental traffic enforcement related to occupant protection and impaired driving and for law enforcement support equipment. He advised that the grants for Windham County are coming through the Windham County’s Sheriff Department, so the Town is a subgrantee.

MOTION BY SHANTA LEE GANDER TO ACCEPT AND APPROPRIATE A GOVERNOR’S HIGHWAY SAFETY GRANT IN THE AMOUNT OF \$31,850 FROM THE WINDHAM COUNTY SHERIFF’S DEPARTMENT. MOTION CARRIED 4-0.

Cancel Regular Meeting on January 1, 2019. O’Connor noted that based on the previous discussion, the January 1, 2019 meeting is cancelled.

There was no further business.

MOTION BY SHANTA LEE GANDER TO ADJOURN AT 7:40PM. MOTION CARRIED 4-0.

Tim Wessel, Clerk