Selectboard members present: David Gartenstein, Kate O’Connor, David Schoales, Richard DeGray, and John Allen

Staff present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Town Attorney Robert Fisher, Fire Chief Mike Bucossi, Assistant Fire Chief Len Howard, Police Chief Mike Fitzgerald, Police Captain Mark Carignan, Library Director Starr LaTronica, and Executive Secretary Jan Anderson.

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

Others present: William Isch, Terry A. Carter, Michael Bosworth, Lester Humphreys, Robert Stack, Franz Reichsman, ASL interpreters Karen Todd and Christine Bricault, and others who did not sign the attendance sheet.

Chair Gartenstein called the meeting to order at 5:30pm. He confirmed that the meeting was officially warned.

CHAIR’S REMARKS
None.

MANAGER’S COMMENTS
None.

SELECTBOARD COMMENTS AND COMMITTEE REPORTS
DeGray announced that he would not be seeking re-election for the Selectboard. He encouraged citizens to get involved in local government and take out a petition and run for open seats in municipal government.

PUBLIC PARTICIPATION
None.

UNFINISHED BUSINESS
FY18 Budget - Review of Current Budget Status and Unfinished Budget Decisions. Gartenstein made a list on a flip chart of nine outstanding budget matters to be decided by the Board and he made references to a memo from Town Manager Elwell, dated January 5, and separate handout entitled "FY18 Budget, Fact Sheet re: Pending Decisions for the Selectboard Meeting on January 10, 2017." The list of nine outstanding matters were: buy pellet boiler (shared by Library and Municipal Center), leave Library energy savings measures in the budget, Municipal Center energy measures, swimming pool hours, use of the Creamery Bridge, proposed cuts to the Fire Department budget, Energy Coordinator position, and whether to purchase the pumper/rescue vehicle and, if so, how to fund it. He said that he met with Town Manager Elwell earlier in the day in order to ascertain how the nine outstanding matters to be decided would affect the tax rate and unassigned fund balance. He said that following that meeting, Elwell prepared the FY18 Budget handout with possible scenarios. Gartenstein and Elwell both spoke in detail about the matters contained in the FY18 Budget handout. After some questions and discussion by Board members, Elwell spoke at length about open budget matters contained in his January 5, 2017 memo, including the impact on future tax rates if the FY18 tax rate was reduced lower than $0.048 increased being proposed by staff. He spoke in strong support of adopting the budget with a tax rate increase of $0.048 in order to avoid substantial future tax rate increases, as forecasted in the graph contained on page 2 of his memo. Michael Bosworth asked several clarifying questions. There was much discussion by the Board, including the Library’s urgent need for a new boiler, the surplus one-year-old boiler at the Fire Station, and a future capital plan as set forth on the Long Term Financial Plan that Elwell prepared in September, 2016.
Gartenstein asked Board members to focus its discussion and make a decision on whether to purchase a pellet boiler to be shared by the Municipal Center and Library. Lester Humphreys encouraged the Board to think about places that investments could be made now in order to save money over the long term. Franz Reichsman, from the Finance Committee, provided comments about making decisions with financial savings and inquired whether a pellet boiler could be installed solely for the Library’s use. Elwell responded that the Library site may be too tight for such an installation. There was much discussion by the Board. Schoales acknowledged the opportunity to re-use the boiler from the Fire Department to the Library, but encouraged investing in the pellet boiler that would pay for itself soon and save additional money over its lifespan. He suggested making energy savings investments when possible in order to follow the recommendations in the energy savings audit performed last year.

**MOTION BY RICHARD DEGRAY TO REMOVE THE PELLET BOILER FROM THE FY18 BUDGET.**

Gartenstein offered a friendly amendment to include the funding to move the Fire Department’s one-year-old boiler to the Library and outfit it. DeGray accepted the friendly amendment.

**AMENDED MOTION BY RICHARD DEGRAY TO REMOVE THE PELLET BOILER FROM THE FY18 BUDGET AND TO INCLUDE THE FUNDING TO MOVE THE FIRE DEPARTMENT’S ONE-YEAR-OLD BOILER TO THE LIBRARY AND OUTFIT IT. MOTION CARRIED 4-1 (SCHOALES OPPOSED).**

Gartenstein asked the Board members to indicate whether they were in favor of funding additional energy saving measures at the Library for a cost of $192,238, which included the air handler, glass upgrade, and roof insulation, as set forth on page 4 in Elwell’s January 5 memo. There was no discussion, Gartenstein asked if there was a motion to remove the items from the budget.

**NO MOTION WAS OFFERED.**

Gartenstein confirmed that those expenditures would remain in the FY18 budget.

Gartenstein asked Board members to decide whether they were in favor of funding energy saving measures at the Municipal Center for a cost of $70,929, which included ceiling plane insulation, air source heat pump, and replacement of heating system valves, as set forth on page 4 in Elwell’s January 5 memo. Michael Bosworth spoke in favor of taking this opportunity to implement energy saving measures. There was some discussion by the Board. Gartenstein spoke in favor of keeping the funds in the budget in the event that town offices remained in the Municipal Center and recognizing that funds would not have to be spent if town offices moved out.

**MOTION BY RICHARD DEGRAY TO REMOVE $70,929 FROM THE BUDGET RELATING TO THE MUNICIPAL CENTER ENERGY COST-SAVINGS MEASURES. MOTION FAILED 2-3 (GARTENSTEIN, O’CONNOR AND SCHOALES OPPOSED).**

Gartenstein confirmed that $70,929 would remain in the budget.

Gartenstein said that the Board previously discussed extending the season by one week for the swimming pool at Living Memorial Park. Elwell discussed the memo provided by Recreation & Parks Director Carol Lolatte, dated January 5, 2017. He explained that the use of the pool was substantially less during the evening hours in the first weeks of the season, so in order to increase the season by one week in the most cost-effective manner staff recommended adding one week to the season and reducing the evening hours during the last two weeks, which would add approximately $1,750 to the budget. There was a brief discussion by the Board.

**MOTION BY RICHARD DEGRAY TO MODIFY THE POOL HOURS TO EXTEND THE OPERATION BY A WEEK AS PROPOSED BY MS. LOLATTE AND INCREASE THE POOL EXPENSES BY $1,750. MOTION CARRIED 5-0.**

Gartenstein asked Board members to decide whether to improve the Creamery Bridge and use it as a rental event space. Elwell spoke about the required upgrades and operating costs in order to open the bridge as a venue for weddings or other gatherings. As outlined in Lolatte’s January 5, 2017 memo, he
said that annual operating costs would be approximately $1,380 and upgrade costs to make the facility a safe public space would be approximately $6,800. Schoales offered that the Farmer’s Market, who owns the adjacent property, offered to make parking available on its property. DeGray said that he suggested this item because the bridge was one of the most photographed spots in town and that it would generate money and offset any costs. He said that the bridge was published in the December/January issue of Country Magazine in the “Winter in Vermont” article. O’Connor spoke of concerns of the clean-up that would be required after events as happens downtown in Pliny Park. Allen spoke of wear-and-tear concerns that large groups of people would have on the bridge.

**MOTION BY RICHARD DEGRAY THAT THE TOWN SPEND $8,180 TO CONVERT THE CREAMERY BRIDGE INTO AN EVENTS VENUE. MOTION FAILED 2-3 (GARTENSTEIN, O’CONNOR AND ALLEN OPPOSED).**

Gartenstein asked Board members to decide whether they were in favor of cutting $65,000 from the Fire Department’s budget to offset the purchase of the pumper/rescue vehicle, as set forth in Elwell’s January 5 memo. He noted that staff strongly opposed those cuts. O’Connor asked why the cuts were offered, and Elwell responded that staff reluctantly made the offer to help offset the $550,000 request to purchase the vehicle and reduce the impact on the budget. He said that the items that would be cut were much needed items but could be postponed for a year, if necessary. Chief Bucossi said that he reluctantly agreed to offer the cuts because of the emergency need for the vehicle. He stated that the thermal imaging camera that would be cut was a pre-2000 vintage and such cameras were essential to operations and of great assistance during search and rescue operations. There was much discussion about the Fire Department’s offer to reduce its budget and the needs of the department. Gartenstein asked if there was a motion to reduce the Fire Department’s budget.

**NO MOTION WAS OFFERED.**

Gartenstein asked the Board to decide whether to add an Energy Coordinator position and whether to add funds to the budget to support it. Elwell said that after Paul Cameron’s departure and the closing of the non-profit Brattleboro Climate Protection, no specific plan had been developed to move forward. He suggested giving the Energy Committee and staff time during the months ahead to develop a plan and then possibly fund it in FY19, all as set forth in his memo of January 5. Schoales spoke in favor of funding the position now in order to avoid a 1-1/2 year delay. O’Connor and Allen spoke in favor of developing a plan before approving funding. DeGray spoke in support of Cameron’s past efforts, said that no one was ready to assume the position, and noted that the Energy Committee could have offered a plan to move forward. Michael Bosworth responded that the Committee wanted to hear whether there was support from the Board before making plans. He and Lester Humphreys spoke in favor of the funding. Gartenstein suggested that in the future the Town continue to find ways to capture energy savings and efficiencies.

**MOTION BY DAVID SCHOALES TO HAVE A $10,000 SEPARATE ARTICLE FOR TOWN COORDINATOR ON THE WARNING AND LET THE TOWN DECIDE. MOTION FAILED 1-4 (GARTENSTEIN, O’CONNOR, ALLEN AND DEGRAY OPPOSED.)**

Elwell noted that $10,000 was included in the proposed budget for that position. There was no further discussion.

**MOTION BY DAVID GARTENSTEIN TO STRIKE THE $10,000 FROM THE BUDGET RELATING TO THE ENERGY COORDINATOR POSITION. MOTION CARRIED 4-1 (SCHOALES OPPOSED).**

Gartenstein asked if the Board was in favor of purchasing the pumper/rescue vehicle for the Fire Department as previously recommended. There was no discussion.

**MOTION BY DAVID GARTENSTEIN TO SPEND $550,000 FROM FUND BALANCE TO PURCHASE A PUMPER/RESCUE TRUCK AS RECOMMENDED BY THE TOWN MANAGER AND FIRE DEPARTMENT. MOTION CARRIED 5-0.**
Gartenstein noted that the nine items had been decided and then asked the Board to discuss the proposed tax rate increases and use of fund balance as set forth in Elwell’s Fact Sheet. DeGray indicated his preference to keep the tax increase at $0.03. Other Board members and staff spoke in support of an increase of at least $0.035, other investments being made in infrastructures, appropriate use of the fund balance, the 10% guideline, commitment to the Long Term Financial Plan, and the fact that the Police-Fire project itself required a tax increase of $0.035. There was a lengthy discussion by the Board.

**MOTION BY DAVID GARTENSTEIN TO INSTRUCT THE TOWN MANAGER TO PREPARE A BUDGET THAT PROVIDES FOR A THREE AND ONE-HALF CENT TAX INCREASE NEXT YEAR. MOTION CARRIED 4-1 (DEGRAY OPPOSED).**

Gartenstein asked if there was further discussion on budget matters. Terry Carter appeared and spoke at length of increasing funding for sidewalks, line-striping and traffic safety. Elwell and Gartenstein spoke about the ongoing support and increased funding for traffic safety and improved sidewalks included in the FY18 budget. Carter continued to advocate for additional traffic safety measures for Putney Road around the Harris Avenue intersection. She asked members of the public who shared her concerns to contact her.

**NEW BUSINESS**

**Solar Net Metering Agreements**

(i) Settlement of Litigation with NextSun

(ii) Proposed Agreement with Sky Solar for Participation in the Project at the Windham Solid Waste Management District

Town Attorney Fisher briefly summarized the lawsuit and proposed settlement agreement with NextSun. He said the Board was asked to authorize the Town Manager to execute the General Release that was provided to the Board in its packets. There was a brief discussion about the lawsuit and the proposed settlement agreement. Elwell said that if the Board agreed to resolve the suit, the settlement would free up three largest accounts that could then make available receipt of additional net metering credits from the Windham Solid Waste Management District’s solar project. Gartenstein provided Fisher with minor changes and asked that he revise the Release. There was no discussion by the Board.

**MOTION BY DAVID GARTENSTEIN THAT THE TOWN OF BRATTLEBORO APPROVE THE SETTLEMENT AND DISMISSAL OF THE LAWSUIT, TOWN OF BRATTLEBORO V. NEXTSUN, AND TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE SETTLEMENT DOCUMENTS AND THE GENERAL RELEASE. MOTION CARRIED 4-0 (SCHOALES WAS NOT PRESENT AT THE TIME OF THE VOTE).**

Gartenstein said that the Board was asked to decide whether to enter into a proposed agreement with Sky Solar for participation in the solar array project at the Windham Solid Waste Management District (WSWMD), as set forth in the memo from Assistant Town Manager Moreland dated January 5. Elwell summarized the proposed project and estimated that the Town may save approximately $85,000 per year once the solar array was fully constructed and operational. He said that the Town would also receive tax revenue from the project in the approximate amount of $60,000 per year. He said that in addition the WSWMD would receive lease revenue from other towns and Brattleboro would benefit from a lower assessment (approximately $40,000) as a member town in the District. He said there were some risks and uncertainties but the benefits could be significant. He asked the Board to authorize him to finalize an agreement with Sky Solar. Fisher spoke about the differences between the contracts with this project and the previous project with NextSun and said that the current contract was much better. Lester Humphreys spoke in favor of the solar project and potential savings with no financial investment. There was some discussion by the Board about the negative past experience with NextSun and the proposed agreement with Sky Solar, lessons learned, and potential risks. Gartenstein confirmed that the Board would have an opportunity to review any contract before it was signed.

**MOTION BY JOHN ALLEN THAT THE BOARD AUTHORIZE TOWN MANAGER AND TOWN ATTORNEY TO CONTINUE NEGOTIATIONS WITH SKY SOLAR WITH THE GOAL OF PRESENTING**
TO THE SELECTBOARD A CONTRACT FOR APPROVAL TO ENTER INTO A NET METERING CREDIT AGREEMENT AND PARTICIPATING IN THE WINDHAM SOLID WASTE MANAGEMENT DISTRICT’S SOLAR ARRAY SPONSORED BY SKY SOLAR. MOTION CARRIED 5-0.

There was no further business.

MOTION BY RICHARD DEGRAY AT 8:25PM TO ADJOURN. MOTION CARRIED 5-0.

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David Schoales, Clerk