

**BRATTLEBORO SELECTBOARD  
TUESDAY, JANUARY 12, 2016  
SPECIAL MEETING – 6:15PM  
MINUTES**

Selectboard members present: David Gartenstein, David Schoales, Kate O'Connor, Donna Macomber, and John Allen.

Staff present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Finance Director John O'Connor, Fire Chief Mike Bucossi, Assistant Fire Chief Peter Lynch, Police Chief Mike Fitzgerald, Police Captain Mark Carignan, Public Works Director Steve Barrett, Town Attorney Robert Fisher, and Executive Secretary Jan Anderson.

Media present: Tim Johnson representing WTSA and Chris Mays representing the Brattleboro Reformer.

Others present: James Banslaben, Lester Humphreys, Dick DeGray, Michelle Siegel, Franz Reichsman, Greg Worden, Steve Horton, Tad Montgomery, Eli Gould, Paul Cameron, ASL interpreters Janet Dickinson and Elizabeth Bjerke, BCTV staff and volunteers, and others who did not sign the attendance sheet.

Chair Gartenstein called the meeting to order at 6:18pm in the Selectboard meeting room in the Municipal Center. He confirmed that the meeting was officially warned.

**CHAIR'S REMARKS**

Chair Gartenstein noted that the Retreat Meadows were frozen over and there was good skating there.

**MANAGER'S COMMENTS**

Town Manager Elwell asked the Board to consider an executive session at the end of the business meeting to discuss collective bargaining with employees, probable or potential civil litigation and contracts.

**SELECTBOARD COMMENTS AND COMMITTEE REPORTS**

None.

**PUBLIC PARTICIPATION**

None.

**UNFINISHED BUSINESS**

Downtown Brattleboro Alliance (f/k/a Downtown Alliance and Building a Better Brattleboro (BaBB)) –

- (i) *Annual Work Plan and Budget*
- (ii) *Representative Town Meeting Article*

Gartenstein noted that members from the Downtown Brattleboro Alliance (DBA) met with the Board previously to discuss its annual work plan and proposed FY17 budget, and that the Board had questions regarding the source of a surplus fund balance and DBA's plans to use the funds. He said that the Board asked the Town Manager to coordinate with DBA to review financial documents in order to define the source of the surplus funds. Elwell reviewed and discussed his memo in the Board's packets, dated January 8. He said that DBA's predecessor (Building a Better Brattleboro (BaBB)) owned, operated and sold the River Garden and that BaBB's financial records around the sale of the property were complicated so that he was unable to determine the source of surplus funds around that time. Elwell stated, however, that since the sale of the property, DBA's financial records were clear and the organization had accumulated surplus funds through an underexpenditure of its staffing budget and a combination of other factors. Members from DBA were present – Dick DeGray, Michele Siegel and Greg Worden. DeGray thanked Elwell for his efforts in trying to resolve the questions about the fund balance. Siegel reviewed the work of the DBA, saying it was the marketing and beautification organization for the Town's Downtown Improvement District. There was a brief discussion by the Board. The Board agreed to accept

the proposed budget and work plan, and asked administration to provide language at the next Selectboard meeting in order to place an article on the Town Meeting Warning.

**MOTION BY DAVID GARTENSTEIN TO APPROVE THE DOWNTOWN BRATTLEBORO ALLIANCE FY17 BUDGET AND WORK PLAN AS PRESENTED. MOTION CARRIED 5-0.**

Police-Fire Facilities Project

- (i) *Debt Service, Operating Budget Forecast, Property Tax Impacts*
- (ii) *Life Cycle Cost Analysis Between Black Mountain Road and Municipal Center Alternatives*
- (iii) *Preliminary Results from Questionnaire*

(i) *Debt Service, Operating Budget Forecast, Property Tax Impacts.* Elwell said that the Board received documents in its packets regarding the financial impact of the proposed improvements to the Police and Fire facilities. However, he said that after speaking with the Chair over the weekend, who asked for additional information, Elwell provided updated materials for the Board's review. Gartenstein discussed the changes to the documents. There was much discussion about the debt service, impact on the tax rate, and borrowing alternatives. Dick DeGray inquired about the number of dwellings that would be impacted by the new tax rate.

(ii) *Life Cycle Cost Analysis Between Black Mountain Road and Municipal Center Alternatives.* Elwell spoke about the life cycle cost comparison between improving the Police Department at the Municipal Center and moving it to the proposed Black Mountain Road property, as set forth in his memo dated January 6, 2016. There was some discussion by the Board and it was generally agreed that use of the Municipal Center would require a more thorough analysis if it was decided to move the Police Department to an outside location.

(iii) *Preliminary Results from Questionnaire.* Elwell said that a questionnaire had been made available to the public in order to obtain the public's opinion about project alternatives. He provided information with preliminary survey results, and said that the survey period would continue through Monday, January 18 and final survey results would be provided to the Board at its January 19 Selectboard meeting. There was some discussion by the Board about the preliminary survey results.

Gartenstein said that the Board would need to make a decision and endorse a specific project alternative soon so that if a special Representative Town Meeting was necessary, it could be scheduled on March 12 and the Warning finalized and posted by February 11. Dick DeGray addressed the previously approved bond for the Project. Lester Humphreys suggested a borrowing option to borrow more funds in order to smooth out payment spikes over the life of loan. Town Attorney Robert Fisher said that he would be speaking with the bond counsel after the Board decided on a specific project alternative. Gartenstein spoke about his concerns that the \$2.5 million alternative may not be adequate to provide a reasonable project alternative. Macomber said that after touring the Police Department and seeing the many inadequacies that she was in support of providing adequate facilities to emergency personnel. Gartenstein said that the Board would continue to discuss the project at the January 19 Selectboard meeting, and possibly later meetings if necessary.

FY17 Budget – Use of Fund Balance. Elwell spoke about his January 7, 2016 memo where he discussed possible uses of the Unassigned Fund Balance in excess over the 10% annual operating expenditures guideline. There was some discussion by the Board and a majority appeared to be in favor of using one-half of the excess fund balance in FY17 and one-half in FY18. Gartenstein asked staff to prepare a revised FY17 budget for the January 19 Selectboard meeting that contained all of the changes agreed upon by the Board throughout the budget discussions and using one-half of the excess unassigned fund balance in FY17.

Gartenstein announced that the Board would enter into executive session, that no decisions would be made while in executive session, and that it would reconvene in public only to adjourn. He thanked the viewers and attendees.

**MOTION BY DAVID GARTENSTEIN TO ENTER INTO EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING AGREEMENTS, CONTRACTS, AND PROBABLE LITIGATION, WHERE PREMATURE GENERAL PUBLIC KNOWLEDGE WOULD PLACE THE MUNICIPALITY, PEOPLE AND PARTIES INVOLVED, AND THE TOWN AT A SUBSTANTIAL DISADVANTAGE. THE TOWN MANAGER, TOWN ATTORNEY, ASSISTANT TOWN MANAGER, AND PUBLIC WORKS DIRECTOR WERE INVITED TO ATTEND. MOTION CARRIED 4-0 (SCHOALES WAS NOT PRESENT AT THE TIME OF THE VOTE).**

Gartenstein reconvened the meeting at 8:15pm. There was no further business.

**MOTION BY DONNA MACOMBER TO ADJOURN AT 8:15PM. MOTION CARRIED 4-0 (SCHOALES WAS NOT PRESENT AT THE TIME OF THE VOTE).**

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David Schoales, Clerk