

**BRATTLEBORO SELECTBOARD
TUESDAY, DECEMBER 11, 2018
EXECUTIVE SESSION – 5:30PM
SPECIAL MEETING – 6:15PM
SELECTBOARD MEETING ROOM, MUNICIPAL CENTER
MINUTES**

Selectboard members present: Kate O'Connor, Brandie, Starr, Tim Wessel, David Schoales, and Shanta Lee Gander.

Staff Present: Town Manager Peter Elwell, Assistant Town Manager Patrick Moreland, Finance Director John O'Connor, Planning Director Sue Fillion, Fire Chief Mike Bucossi, Assistant Fire Chief Leonard Howard, Library Director Starr LaTronica, and Executive Secretary Jan Anderson.

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

Others present: Michael Bosworth, Chloe Leary, Tom Franks, Kathleen Whallon, Kathleen White, Cor Trowbridge, Jason Cooper, Gershon Moore, RoseAnn Grimes, Daniel Quipp, Franz Reichsman, Mack Gander, ASL interpreters Janet Dickinson and Karen Todd, 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, NEGOTIATING OR SECURING 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 TO ATTEND. MOTION CARRIED 3-0 (STARR AND GANDER WERE NOT PRESENT AT THE TIME OF THE VOTE.)

Chair O'Connor reconvened the meeting at 6:24pm.

PUBLIC PARTICIPATION

None.

NEW BUSINESS

Brattleboro Community Television (BCTV)

(i) *Letter to FCC in Support of BCTV*

(ii) *Request for \$5,000 Contribution*

O'Connor said that the Board was asked to consider sending a letter to the Federal Communications Commission (FCC) in support of BCTV and to address a financial request made by BCTV. Cor Trowbridge, Executive Director of BCTV, said that the FCC was proposing a change to the 1984 Cable Act which would threaten funding for BCTV. She said that BCTV and all public access stations were funded through a 5% pass-through fee from local cable subscribers. She said that under Vermont and Federal law, cable operators were required to pass through the funding in order to fund local public access stations. She said that cable companies were also required to provide in-kind services, such as bandwidth on their channel and connections to public access stations. She said that the rule change would allow the cable operators to assign value to in-kind services and deduct value from amount they owe which could zero out the funding for BCTV. She added that on-line services and viewers had increased but on-line viewers did not pay for that service. She requested that the Board provide a letter to FCC in support of BCTV. Trowbridge then spoke about the history of BCTV and its relationship with the Town. She said that BCTV was not previously supported by funds from the Town's budget, but in light of the potential FCC rule change, she requested funding from the Town in the amount of \$5,000 as set forth in her letter to the Board dated December 6, 2018. Chair O'Connor said that she had prepared a draft letter

of support which was in the Board's packets for consideration. Trowbridge asked that the letter be amended to add BCTV's identifiers in the first paragraph. Schoales asked that Town Manager Elwell contact the Vermont League of Cities and Towns (VLCT) and ask that the letter of support be submitted to other VLCT members. Wessel and Schoales spoke in support of BCTV. Wessel asked Trowbridge whether the expansion of subscriber models had been investigated, as suggested when he was on the BCTV Board. There was some discussion by the Board.

MOTION BY DAVE SCHOALES THAT THE BOARD SEND A LETTER TO THE FEDERAL COMMUNICATIONS COMMISSION IN SUPPORT OF BRATTLEBORO COMMUNITY TELEVISION, SUBJECT TO THE CORRECTIONS THAT COR TROWBRIDGE WILL PROVIDE. MOTION CARRIED 5-0.

There was further discussion about BCTV's funding request and whether to add it as a separate item to the Representative Town Meeting Warning or add it to the Selectboard's FY20 budget under Auxiliary Services.

MOTION BY BRANDIE STARR TO APPROVE BCTV'S REQUEST FOR A \$5,000 CONTRIBUTION WHICH WOULD BE ADDED TO THE AUXILIARY SERVICES PORTION OF THE SELECTBOARD'S FY20 BUDGET. MOTION CARRIED 5-0.

EPA Brownfields Assessment Grant -- Recommendation to De-Obligate Petroleum Assessment Funds and to Apply for More Hazardous Assessment Funds. Planning Director Sue Fillion said that the Town was awarded a \$400,000 grant in 2015 by the U.S. Environmental Protection Agency for environmental assessment which had to be expended by September 30, 2019. She said that half of the funds were earmarked for hazardous substance sites and half for petroleum site assessments. She said there was less demand and more requirements to utilize petroleum funds (\$164,961.63 remaining in that fund) than for hazardous sites (only \$60,149.39 remaining in that fund). She said that the Board was asked to de-obligate \$115,000 from the petroleum assessment funds so the Town would be eligible to apply for additional hazardous site assessment funding in January, 2019, as set forth in her memo dated December 6, 2018. There was a brief discussion by the Board.

MOTION BY SHANTA LEE GANDER TO DE-OBLIGATE \$150,000 IN THE EPA PETROLEUM ASSESSMENT FUNDING. MOTION CARRIED 5-0.

FY20 Proposed Budget –

- (i) *Proposed Sustainability Officer – Tom Franks*
- (ii) *Town Manager's Office*
- (iii) *Finance Department*
- (iv) *Town Attorney*
- (v) *Town Clerk's Office*
- (vi) *General Services*
- (vii) *Risk Management*
- (viii) *Employee Benefits*
- (ix) *Bonds/Notes*
- (x) *Human Services*
- (xi) *Auxiliary Services*
- (xii) *Brooks Memorial Library*
- (xiii) *Facilities Maintenance*
- (xiv) *Municipal Center*
- (xv) *Regional*
- (xvi) *Solid Waste (Including Discussion of Bulky Item Pick-up)*
- (xvii) *Proposed Rental Housing Registration and Inspection Program*
- (xviii) *Other Topics*

(i) Tom Franks, from the Energy Committee, spoke at length about his suggestion that the Town consider hiring a Sustainability Officer. He provided a PowerPoint presentation in support of the suggestion. He said that sustainability involved matters such as energy, environment, "meeting needs of the present

without compromising the future,” resilience, grant writing, and balanced relationships. He spoke about sustainability programs adopted by other towns and cities throughout the nation. Chloe Leary, from the Winston Prouty Center, spoke in support of “collective impact” and collaborative services that such a position could provide. Town Manager Elwell spoke to the proposal and said that start-up funds would need to be approved and added to the budget. Kit Whallon, Jason Cooper, and RoseAnn Grimes spoke in support of creating the position. Gershom Moore inquired whether social inclusion would be included in the proposed job description. There was substantial discussion by the Board. It was generally agreed that the conversation could continue between the interested parties and Town Management so that a more complete proposal could be presented to the Board prior to FY21 budget discussions.

(ii - x) Town Manager Elwell reviewed the budget proposals for the Town Manager’s Office (page 5 under “Operating Budget” in the budget notebooks), Finance Department, Town Attorney, Town Clerk’s Office, General Services, Risk Management, Employee Benefits (page 9), Bonds and Notes, and Human Services. Board members asked several questions and had discussions about specific line items.

(xi) Elwell discussed the proposed Auxiliary Services budget (page 10). There was some discussion about the Climate Protection line item (\$10,000). Elwell said that the funds were previously used to partially fund an Energy Coordinator position, but that position had been vacated. The Board agreed to remove the \$10,000 line item from the proposed budget and add it as a separate article on the Representative Town Meeting Warning. Elwell also noted that \$5,000 for funding to BCTV as agreed upon earlier in the meeting would be added to the Auxiliary Services budget.

(xii) Library Director Starr LaTronica presented and discussed the proposed budget for the Brooks Memorial Library (page 11). There was a brief discussion by the Board.

(xiii) Elwell spoke about the Facilities Maintenance portion of the budget (page 13). He said it was a new category that was created when the maintenance division was consolidated into one category rather than contained in certain departmental budgets. Franz Reichsman inquired about the slight increase. Elwell answered that the only change over last year’s budget was the 2% for employee raises. There was a brief discussion by the Board.

(xiv - xv) Elwell spoke about the changes in the Municipal Center budget (page 13) which was down over last year due largely to the removal of staff salaries, which had been added to the new Facilities Maintenance category as previously discussed. He then reviewed the Regional portion of the budget (page 18). Franz Reichsman inquired about the County Tax line item. There was a brief discussion by the Board.

(xvi) Assistant Town Manager Patrick Moreland discussed the separate Solid Waste Fund budget revenues and expenses, as set forth in his memo dated December 5, 2018. Wessel inquired about the Town subsidizing the cost of the Pay-As-You-Throw (PAYT) trash bags. Elwell said that the revenue split was 38.8% funded by bag revenue and 61.2% funded by the transfer from the General Fund to the Solid Waste Fund. Starr clarified that the cost of the PAYT bags covered the tipping and collection fees for trash, while the cost of recycling and compost were included in the taxes. There was some discussion by the Board. Moreland then discussed a previous inquiry about the Town providing a large item collection program, as set forth in his December 5 memo. He said that after discussions with the hauler Triple T Trucking (TTT) about various scenarios, TTT declined to participate in such a program. He said that TTT did not have the proper equipment to pick up heavy appliances and furniture and had safety concerns for the employees who would be required to lift heavy objects. He said that smaller sole proprietors may be interested and asked if the Board wanted him to pursue such a program with other operators. There was some discussion by the Board. It was generally agreed not to pursue such a program at this time.

(xvii) Elwell said that the Board was asked to consider a new rental housing inspection proposal, as set forth in the memorandum from Assistant Fire Chief Leonard Howard dated December 5, 2018. He said that the Town did not currently have the capacity to timely inspect the approximately 3,000 rental housing units within the town and to enforce the rental housing code. He said that AC Howard was proposing that certain firefighters trained in inspections could work overtime to perform inspections when not on shift. He said that would be much more cost efficient than creating a new position and would utilize the

expertise of the firefighters while protecting the public. He said that landlords would be charged \$75 per unit during the year in which the units were inspected. He said that the inspection team could complete inspections on a 4-year rotation, rather than the 10-year rotation currently in effect. He said that the fee of \$75 per unit would essentially pay for the program and not impact taxpayers. There was much discussion by the Board. It was generally agreed by the Board to adopt the program. Elwell said that pertinent revenue and expense line items would be added to the FY20 budget and that ordinance amendments would be presented to the Board at a later time to initiate the program. Fire Chief Mike Bucossi said that the program would provide a level of safety to tenants and to firefighters. He commended Assistant Fire Chief Howard for the substantial amount of work that he provided to formulate this proposal.

(xviii) Elwell passed out a handout entitled "List of Remaining Topics for the Selectboard's FY20 Budget Decisions." Under the "New Topics" heading, he noted that two agencies – KidsPLAYce and Visiting Nurse and Hospice for Vermont and New Hampshire – had submitted late applications to the Human Services Review Committee and the Committee consequently chose to follow its established process and did not consider the late applications. He said that the two agencies asked the Board to include their requests in the FY20 budget or to present the requests to Representative Town Meeting (RTM) for consideration. Franz Reichsman noted that the Committee's recommendations were outside of the Selectboard's purview. The Board generally agreed to add the two requests as separate articles on the RTM Warning.

Under "Unfinished Topics," the Board agreed to increase Downtown Brattleboro Alliance's request to \$80,000 and to recommend to RTM a \$25,000 allocation to Southeastern Vermont Economic Development Strategies (SeVEDS). The Board agreed to leave the amount of \$250,000 for Rescue in the proposed budget. The next three items - Sustainability Officer, Bulky Item Collection, and Proposed Rental Housing Inspection Program - were agreed upon earlier in the meeting and the Board instructed staff to adjust the proposed budget accordingly. The Board agreed that the final item – Childcare for RTM's Information Meeting and Town Meeting – should be provided but not added to the budget. O'Connor voiced her opinion that the School Board should also contribute to childcare at the meetings.

Elwell summarized that the entire proposed FY20 had been presented to the Board and that no matters were pending. He asked the Board to provide staff with any other unresolved matters for additional consideration at the next meeting. There was additional discussion about how to present the Local Option Sales Tax to Representative Town Meeting.

NO MOTIONS WERE OFFERED ON ANY OF THE ITEMS UNDER FY20 PROPOSED BUDGET.

There was no further business.

MOTION BY DAVE SCHOALES TO ADJOURN AT 9:39PM. MOTION CARRIED 5-0.

Tim Wessel, Clerk