

**BENNINGTON SELECT BOARD MEETING
BENNINGTON FIRE FACILITY
130 RIVER STREET
BENNINGTON, VERMONT 05201**

MONDAY, MAY 09, 2016

MINUTES

BOARD MEMBERS PRESENT: Tom Jacobs – Chair; Michael Keane-Vice Chair; Jim Carroll; Donald Campbell; Jeanne Conner; Jeannie Jenkins

Absent: Justin Corcoran

ALSO PRESENT: Stuart Hurd, Town Manager; Dan Monks, Zoning Administrator & Assistant Town Manager; Michael Harrington, Economic & Community Development Director; Keith Whitcomb, Bennington Banner; Linda E. Bermudez – Secretary; (7) Citizens

At 6:00 P.M., **Tom Jacobs** called the meeting to order.

1. PLEDGE OF ALLEGIANCE

2. CONSENT AGENDA (A-B-C)

*A) Minutes – April 25, 2016
Minutes - May 02, 2016*

Name Correction was requested - Jeanne Conner noted the correct spelling of her name.

B) Warrants

There were no questions.

MOTION: Michael Keane motioned and Donald Campbell seconded to accept and approve the minutes of April 25, 2016 and May 02, 2016 (with Name Correction as noted) as well as the warrant as submitted. Motion passed unanimously (*Justin Corcoran absent*)

C) Women's Lung Health Week Proclamation
Michael Keane read the proclamation.

MOTION: Jim Carroll motioned and Jeanne Conner seconded to accept and sign the Women's Lung Health Week Proclamation as presented. Motion passed unanimously (*Justin Corcoran absent*)

3. CITIZENS

Forrest Bird stepped forward to discuss the idea of artists painting murals throughout town. He would like to have this idea placed on a future agenda for discussion. Mr. Bird is anxious to begin fundraising and his goal would be to incorporate businesses in an actual plan.

This would allow for continuous work for artists and hopefully act as an “anti-graffiti” project. Mr. Bird referenced the “Philadelphia Project” within his discussion. Tom Jacobs asked the Manager if there were any restrictions on something like this. The Manager stated there were not as long as the owner of location granted permission and no specific business/product were being advertised. Mr. Bird stated he would like to create a cultural theme through the murals.

Discussion continued between Select Board members and Mr. Bird regarding what costs may be for each mural, designing maps to guide the public and collaborating with students and art programs at our local colleges. Mr. Bird stated he has begun a smaller monthly fundraiser called “Storytime” at Catamount Taproom the 3rd Tuesday of each month. Amateurs and professionals alike are welcome. There are no props or notes. A larger fundraiser will be held at the Masonic Temple on May 24th, 2016.

Most Select Board members supported this idea. Tom Jacobs thanked Mr. Bird and stated he would be placed on a future agenda for further discussion.

4. THE HOUR FOR OUR COMMUNITY – VERMONT RURAL INITIATIVE – 3-YEAR ANNIVERSARY

Rose-Marie Pelletier and Jill Fortney stepped forward to discuss. They wanted to thank the Select Board. It is because of the Select Board they started, and are now celebrating their 3rd Anniversary.

Jill Fortney discussed how this is a “time exchange” program. It is built and based on mutual trust, respect and reciprocity. One hour of service (out) earns one hour in your bank to request service from another. No one service is valued more than any other. All services are of equal value. Some examples of services are cleaning a home, driving someone to appointments or to the airport, computer assistance or yard work. Each member has full control of what they offer and what they request. This program also has an equipment loan program for things like ladders, rototillers or snowplows. The greatest asset however is the people and friendships forged. Community connections are formed with people who you may not have ever met if not for this program.

Rose-Marie Pelletier added that this program is open to anyone in the local area. This now includes New York and Massachusetts. More information can be found by calling the local phone number (802) 379-5951 or visiting hourworld.org. There is also a local Facebook page however it is not updated often. Currently we are in need of someone to assist with that maintenance.

Ms. Pelletier continued by stating hours earned may also be gifted to someone else. They currently have 128 members (locally) who have donated 1,300 hours. Ms. Fortney and Ms. Pelletier shared a story of their own experiences within this program.

There will be an orientation held at the Bennington Free Library on Saturday, May 14th, 2016 between 10:30am – 12:00pm. They encouraged both the Select Board members and the community to attend.

Tom Jacobs asked if they were considered a Non-Profit organization. Ms. Pelletier stated the Unitarian Church in town serves as their fiscal parent. Mr. Jacobs suggested in the near

future they affiliate themselves with a documented Non-profit organization (i.e. United Way). During budget time those organizations are able to request funding if needed.

5. VACANT AND UNMAINTAINED PROPERTY ORDINANCE – 1ST READING

Michael Harrington stepped forward to present. He noted there would be no request for action this evening and reviewed the history of the development of this draft ordinance. The ultimate goal is to fill the empty spaces and buildings. There are many different reasons why a space becomes vacant.

Although this is a townwide ordinance the focus is on the Downtown area. A committee that included BBC members, local business members and property owners were formed in order to make this successful. The Town's Code Enforcement Officer, Zoning Administrator and Town Counsel have all reviewed this document. When a property is neglected it affects the buildings and business around it. Mr. Harrington reads the formal ordinance statement.

Select Board members discuss (and debate) some of the detailed maintenance requirements. Tom Jacobs stated he would like to create something meaningful not something that would collect dust. Donald Campbell stated that to this point this is a great effort. However, this is a delicate matter and it is important we get this right.

Michael Keane asked once the final edition is approved how it would be publicized. The Manager stated it would be posted in three public places and the website. Mr. Harrington suggested placing it on a Select Board Agenda for public comment. Mr. Keane then asked if Mr. Harrington could form a "matrix" of this ordinance for "quick reading" once finalized.

The title was then discussed. Mr. Jacobs thought that the title was a bit confusing; was this a Maintenance Ordinance or a Vacant Building Ordinance.

Jim Carroll was concerned property owners who have made an effort to maintain their properties would be unjustly penalized. Mr. Harrington explained there is some flexibility and considerations can be given as long as there is a willingness to work with the Town.

Jeanne Conner asked if enforcement of this ordinance would increase workload for the Building Inspectors dramatically. Mr. Harrington stated it would. There has been much discussion on the staff level regarding this. The most severe and most complained about would clearly be dealt with first. As those are rectified the Inspectors would move to the next set of "complaints" instead of going out and inspecting every property to find maintenance issues.

Jim Carroll asked if this ordinance would apply to the Old Bennington. Mr. Harrington stated it would not.

Tom Jacobs asked if it were possible to create a PowerPoint visual presentation next time of how properties would be impacted. Mr. Harrington stated if there were property owners willing to allow pictures of their properties as examples, it would be done.

Select Board members then discussed if this ordinance should be applied to only the Downtown area or remain townwide. Dan Monks stated that it could not be for only one section of town. It could however be designed for only commercial areas. If a rundown property is not allowed in the downtown area why would it be allowed on Northside Drive? Right now this ordinance is Townwide. If the Board would like to change this to apply only to the commercial districts, they need to instruct the Staff to do so. The ordinance would then be changed accordingly.

Donald Campbell stated he would like more time to re-read this ordinance. Tom Jacobs asked if it could be placed on the agenda in (2) meetings from tonight (not the next regularly scheduled meeting) for review.

Mr. Harrington asked the Select Board members to send him any grammatical, mechanical corrections and any feedback they may have. He will make those changes and return in (2) meetings for review.

6. FINANCIAL INCENTIVES DISCUSSION

Mr. Harrington presented this discussion as well. He reviewed last meeting and noted that these incentive programs draw on the existing Town loan programs. Mr. Harrington noted he made the edits requested at the last meeting and are included in the draft presented this evening. The Board discussed more word changes they would like to see.

Jeannie Jenkins again asked if wording could be added to ensure applicants are utilizing other existing programs such as Efficiency Vermont etc. Mr. Harrington stated he could not mandate they use those programs but could add something similar to “special considerations will be given” for who do.

Jim Carroll again asked about marketing these new incentives. Mr. Harrington noted that he would use both passive and active measures. Posting to the Town’s website and Facebook pages would be examples of the passive method. Actively he will work with membership organizations such as the Chamber of Commerce, BBC, BCIC etc to inform their members. Also Press Releases and Opt-Ed opportunities will be utilized.

Mr. Carroll stated he thought this was a brilliant idea and a perfect example of the Town and property/business owners working together. Tom Jacobs agreed stating this is an example of the Public-Private partnership we’ve discussed before.

The Manager suggested Mr. Harrington make the edits suggested this evening and adopt at the next meeting. The Board agreed to a 3rd reading before adopting. Jeanne Conner asked if there were any testimony from the existing programs that could be included when marketing. They can be very powerful.

7. 2016 APPOINTEMENTS TO BOARD & COMMISSIONS

The Manager noted there were (2) positions open for Design Review Board (DRB). At this time there is only (1) applicant. One position will remain open.

Motion: **Jeanne Conner moved and Jim Carroll seconded to appoint Dan Malmberg to the DRB. Motion passed unanimously (Justin Corcoran absent)**

The Manager noted there were (3) positions open for the Housing Authority. Currently there are only (2) applicants. One seat will remain open

Motion: **Jim Carroll moved and Donald Campbell seconded to appoint both Sandra Bessette and Kim Livingston to the Housing Authority Board. Motion passed unanimously (Justin Corcoran absent)**

The Manager noted there were (2) positions open on the Board of Listers. Currently there is only (1) applicant. One position will remain open

Motion: **Michael Keane moved and Jim Carroll seconded to appoint Carol Holm to the Board of Listers. Motion passed unanimously** (*Justin Corcoran absent*)

The Manager noted there was (1) position available for the Planning Commission. Donald Campbell recused himself from this motion/vote as he currently is a member.

Motion: **Michael Keane moved and Jim Carroll seconded to appoint Dan Monks to the Planning Commission. Motion passed unanimously** (*Donald Campbell abstained; Justin Corcoran absent*)

The Manger stated once additional applications are received he will notify the Board and schedule the next round of interviews.

8. MANAGER'S REPORT

The Manager stated there was only (1) action item this evening. The BBC (Better Bennington Corporation) is requesting their (2) annual road closures. The first would be for Mayfest. The second is for Fallapalooza. Both would require Main Street to be closed from the Four Corners to the top of Union Street/Pleasant Street as well as Valentine Street and School Street (from Pleasant St to Main St). This request is the same as last year.

Motion: **Jeannie Jenkins moved and Donald Campbell seconded to approve BBC's Road Closure request for Mayfest and Fallapalooza. Motion passed unanimously** (*Justin Corcoran absent*)

The Manager then continued with a PFOA update. The State of Vermont has released the results of (10) wells along Northside Drive. Some are below the state's limit but most are above. They are requesting we aggressively design connections for these locations. If St. Gobain will not fund the costs, the State of Vermont has committed Emergency Funds to complete the work. All of these locations are adjacent to our municipal water system and connections should be able to be done at a reasonable cost.

The State will continue testing. They are currently moving south, testing Jennings Drive and Gypsy Lane area.

9. OTHER BUSINESS

Michael Keane thanked both the Bennington Select Board and the Shaftsbury Select Board for passing the Women's Lung Health Proclamation.

He continued by mentioning an article in the Rutland Herald regarding the revival of rail service between Rutland and Burlington. He is very angry with this. Bennington has been waiting forever for this type of thing.

Mr. Keane also noted that he has been working with Michael Harrington regarding the citizen survey, which will mimic the business survey conducted recently. He hopes to have a draft to the Select Board for review at the first meeting in August, a final draft by the end of September and launched to the public by November.

Donald Campbell would like to see a financial dashboard developed. He is interested in viewing the variations in the budget throughout the year (areas where we are above or below budget numbers).

Tom Jacobs suggested Mr. Campbell meet with the Manager and the Finance Director to discuss this further. The Manager noted currently we are approaching year-end, budgets lines are wrapping up and the final numbers are still being analyzed. Moving forward he suggested quarterly reports for view as many times there is little/slow movement in numbers month to month.

Tom Jacobs noted there was no need for Executive Session

Motion: **Jim Carroll moved and Michael Keane seconded to close this evening's meeting. Motion passed unanimously (*Justin Corcoran absent*)**

Respectfully submitted,

Linda E. Bermudez
Secretary