

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

***MONDAY, SEPTEMBER 11, 2017***

**MINUTES**

**BOARD MEMBERS PRESENT:** Tom Jacobs-Chair; Donald Campbell-Vice Chair; Jim Carroll; Jeanne Conner; Chad Gordon; Carson Thurber; Jeannie Jenkins

*Absent: None*

**ALSO PRESENT:** Stuart Hurd, Town Manager; Dan Monks, Zoning Administrator & Assistant Town Manager; Zirwat Chowdhury, Community Development Director; Linda E. Bermudez – Secretary; (15) Citizens

At 6:00 P.M., **Tom Jacobs** called the meeting to order. He asked for a moment of silence in recognition of the 16<sup>th</sup> Anniversary of the 9/11 tragedy.

**1. PLEDGE OF ALLEGIANCE**

**2. CONSENT AGENDA (A-B)**

*A) Minutes – August 28, 2017*

*B) Warrants*

**MOTION: Carson Thurber motioned and Jim Carroll seconded to accept and approve the Minutes of August 28, 2017 as well as the warrants as submitted. Motion passed unanimously**

**3. CITIZENS**

Tom Jacobs reminded the public that Citizen's portion of the meeting is for subjects not on this evening's agenda and for items not previously discussed.

Dr. Tenentes stepped forward and wanted to speak about fluoride and the July 11<sup>th</sup>, 2017. He felt there was a mistaken impression given to the public that the Select Board supports fluoridation of the municipal water. He also is distressed and feels he is being censored not being able to speak against fluoridation when a pro-fluoridation group was allowed (35) minutes at the July 11<sup>th</sup>, 2017 to speak.

Tom Jacobs stated the voters of Bennington voted down fluoridation of the municipal water system. The Select Board has no intention of bringing this issue to light again. However, if a petition is brought before the Board, they would acknowledge the proper process.

Jim Carroll reminded the public this issue was voted down twice.

Joel Lentzner, resident acknowledged the town's excitement regarding the Putnam Redevelopment project. Although he is excited as well, he expressed some concerns at the recent Design Review Board (DRB) and wanted to bring them to the Select Board as well.

Mr. Lentzner went on to briefly describe his concerns which focused on the environmental cleanup and the procedures in the Corrective Action issued. He feels the surrounding area was not properly identified and did not take into account area residents, including his family. If the area had been properly labeled as "residential/commercial/industrial" the corrective action may have been more stringent.

Dan Monks stated he has contacted VT Agency of Natural Resources (ANR) regarding his concerns. They will be addressed with the DRB. Bill Colvin, BCRC stated he contacted VT DEC and has received a response to the concerns. Tom Jacobs stated he should take that up with the DRB at their next meeting.

Dr. Dundas didn't want to get into a debate regarding fluoridation, however he stands behind the support of it.

No other citizens spoke this evening.

#### **4. BENNINGTON TIF DISTRICT PLAN**

Dan Monks stated tonight the TIF District plan would be presented by Stephanie Hainley & Gail Henderson King of White & Burke. All that is being asked of the Board is to approve the proposed plan and authorize the staff to submit the application to the State of Vermont VEPC which would simply make the town eligible for TIF funding. This does not commit or obligate the Town of Bennington and no money could be spent without voters' approval.

Ms. Hainley and Ms. King stepped forward to present an overview of TIF District program and its history. The State of Vermont approves small district infrastructure improvements that would be beyond normal budget capacities and if improved, could bring additional private projects. Such infrastructure improvements could include cleaning up Brownfield properties, increase parking, streetscapes, utility upgrades etc. The Town would bond for those infrastructure improvements in that district. When private development happens, the increase in value of those properties within the district generate extra tax revenues. That new/additional tax revenues are what is sent to pay down the bond for the infrastructure improvements within that district. This includes up to 70% of the new/additional education tax generated. Existing property taxes both in and outside of the district are not affected. No property tax money outside the district will pay for the bond.

Tom Jacobs opened the discussion for comment. Jeanne Conner had questions within the document regarding what type of infrastructure improvements within the district we could see. Ms. Conner also asked if the feeling is the State would approve Bennington. Ms. Hainley stated it is a new legislature, she is not sure.

Carson Thurber asked if this plan is available on-line for the public to read. He feels there are a lot of potential projects and encourage the public to read it. Mr. Monks stated it is on-line for review.

Jim Carroll emphasized the benefit and value of designating a district. It will make Bennington more attractive to developers. He then asked Bill Colvin, BCRC how the word was

getting out. Mr. Colvin stated we are now linked into the Agency of Commerce, it is advertised through BCIC and of course commercial real estate agents.

Stephanie Hainley stated she has been very impressed with the knowledge of the Town's staff and the participation of the local business and property owners. Lastly, she again wanted to reiterate simply having a TIF District does not raise property taxes.

Donald Campbell wanted it noted that there are (9) successful TIF districts in Vermont and (6) of them are in Chittenden County. He believes this is our time.

Mr. Campbell wanted to look at the numbers. St. Alban's created (288) new jobs and their vacancy rate was reduced by 70%. Ms. Hainley stated a key to success is everyone being on board. She sees that here. There actually has been better participation in Bennington and the Staff is extremely knowledgeable. She has been very impressed.

Chad Gordon asked if Ms. Hainley has seen any of the TIF Districts fail and the burden be put back on the tax payers. Ms. Hainley stated although they are all still "on-going" she has not seen any failures. She has seen one town decide not to use the designation and close it and another decide to only do smaller projects so as to not overspend.

Tom Jacobs stated this is an important tool. The benefits will be felt outside of just the designated district.

Sheila Harding, Bennington Potters, stated she would not be in the designated district but she supports it.

John Shannahan stated he had additional letters of support for this and thinks the Town should go through with the application. He feels the hardest part will be informing the public. He then read an additional letter of support from Michael Keane, member of the VEPC Council.

Eric Peterson, Old Castle Theatre, stated they moved downtown in 2012 and have invested approximately \$1 Million dollars to be there. They would only be able to stay if this goes through. It is a fantastic tool and urges the Board to make it happen.

## **5. SELECT BOARD RESOLUTION TO CREATE TIF DISTRICT, TO ADOPT A FINDING OF PUBLIC PURPOSE, TO APPROVE TIF DISTRICT PLAN, TO SUBMIT TIF APPLICATION TO VEPC, AND TO PLEDGE 100% OF MUNICIPAL PROPERTY TAX INCREMENT TO SERVICE TIF DISTRICT DEBT AND RELATED COSTS.**

**MOTION:** Carson Thurber motioned and Jim Carroll seconded to accept and adopt the resolution to *Create a TIF District, Adopt a Finding of Public Purpose, to Approve the TIF District Plan, Submit TIF application to VEPC and to pledge 100% of Municipal Property Tax Increment to service TIF District debt and related costs.*  
**Motion passed unanimously.**

The resolution was then circulated for signatures.

## **6. SEWER BOND UPDATE**

The Manager stated there were several questions left unanswered at the last Select Board meeting. He wanted to follow-up with the Board on those answers. Several sections of the Wastewater Plant will not be updated within the cost of the proposed bond. They are as follows:

- 1) Effluent Building – This is only used two weeks per year. It is not essential in the process and is in good shape right now.
- 2) Septage Receiving Station – Was last updated in 1983. Any mechanical deficiencies can be addressed within the regular annual budgeting process.
- 3) Influent Pump Station – These are still in good condition and parts are still available. The Town however, should begin building reserves to replace them when needed as the pumps are very expensive.
- 4) Primary & Secondary Clarifiers – These have a 50-yr life span and are housed in concrete structures. Any maintenance issues can be addressed within regular budget process.
- 5) Disinfection System – This too is in good operating condition and can be addressed within regular budgeting process when needed.
- 6) Sludge Dewatering – is in good operating condition. We do not currently use this facility due to dry dust concerns. It had been rebuilt in recent years with insurance money after a fire. Currently the Town is considering lease options for this portion of facility.

The Manager continued by stating if we had included these portions in the bond the total would have been approximately \$17 Million. We have prioritized and can do some of the work ourselves. Therefore, the bond proposed for October will be \$9.5 Million. We would not expect to bond again in five or six years.

Tom Jacobs asked when the first payment would be due. The Manager stated the first payment would not be due until two years after completion. If the bond passes in October 2017 construction should be complete within 2019 making the first payment due in 2021. Annual sewer costs would rise \$160 per year. That equates to just \$0.44 per day. In the meantime, we could build some reserves to lessen that payment.

There will be a special meeting for discussion on the Sewer Bond on October 02, 2017. The bond vote will be October 10, 2017.

Donald Campbell stated at first, he was concerned that we were going too cheap. However, after reading the update he feels good about the decision. We are selling ourselves “smart” not short.

Jeanne Conner asked if the plant upgrade could extend the life of some of the equipment we are not replacing with the bond. The Manager stated it could.

Jeannie Jenkins noted that these upgrades are essential and required by the State. If we do not complete them will have to pay fines to the State of Vermont and still need the upgrades.

## **7. MANAGER’S REPORT**

The Manager wanted to update the Board and the public regarding PFOA. Area (1) has had (4) contracts awarded to extend the water lines. One award was given to Gallo Construction, two were awarded to Shultz Construction and the last one was awarded to Beldon Construction. All four of these came in at or less than the estimated costs.

Area (2) East of Route 7 is still being investigated. Boring sites have been approved.

Regarding Abbey Shapiro’s request to read the water meters each month, the Manager stated the Staff is still working on a resolution. Our current billing software, NEMRC does not

allow for monthly readings for data/comparison purposes. Staff is working to see if the information can be transferred to an excel format without compromising the billing process.

Carson Thurber noted that property owners can read their own meters without special equipment. They have the capability to read them weekly or monthly and keep track themselves.

## 8. OTHER BUSINESS

Jeanne Conner stated she recently read an article comparing how New York and Vermont both handled the PFOA crisis. Vermont did great. We came out on top.

Carson Thurber asked Dan Monks for an update on the NINJA trail. Mr. Monks stated he is preparing an update of all the trails for an upcoming meeting. In the meantime, the portion between Bennington College to Hannaford is complete. The next portion's conceptual design has been submitted to VTrans. Although not officially open pedestrians can walk from Hannaford's to Walmart. We have completed the two bridges required to do so, thanks to donations and in-kind services.

Donald Campbell stated the Act 46 vote has been put off till November 07, 2017.

Chad Gordon asked if the Select Board had a policy for the Citizen's portion. The BSD currently utilizes a policy to help organize that portion of the meeting. Tom Jacobs thought it was a good suggestion.

There was no other business this evening

Tom Jacobs stated there was a need for Executive Session.

**Motion: Donald Campbell moved and Jim Carroll seconded a motion finding that an Executive Session be held on a contracts matter and that premature general public knowledge of this matter would place person(s) involved at a substantial disadvantage. Motion passed unanimously**

## 9. OTHER BUSINESS

A) Contracts

Respectfully submitted,

Linda E. Bermudez  
Secretary