

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

MONDAY, DECEMBER 22, 2014

MINUTES

BOARD MEMBERS PRESENT: Greg Van Houten- Chair; Sharyn Brush-Vice Chair; Tom Jacobs; Michael Keane; John McFadden; Justin Corcoran; Jim Carroll

Absent: None

ALSO PRESENT: Stuart Hurd, Town Manager; Dan Monks, Zoning Administrator & Assistant Town Manager; Mike Harrington, Economic & Community Development Director; Patrick McArdle – Rutland Herald; Keith Witcomb - Bennington Banner; Linda E. Bermudez – Secretary; (52) Citizens.

At 6:00 P.M., **Greg Van Houten** called the meeting to order.

1. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Greg Van Houten, recited by all.

At this time Greg Van Houten introduced each member of the Board, the Town Manager and the Recording Secretary.

2. MINUTES – DECEMBER 08, 2014

There were no corrections for the minutes of December 08, 2014

Motion: Sharyn Brush motioned and Michael Keane seconded to approve the Minutes of December 08, 2014 as submitted. Motion passed unanimously (*Jim Carroll abstained*)

3. WARRANTS

The next warrants of FY'15 were reviewed. Sharyn Brush questioned a payment for a truck body. The Manager explained the new dump truck body for the Highway Department must be built. We borrow from the State Highway Fund to pay for this.

There were no further questions. Warrants were then circulated for signatures.

4. CITIZENS

Mary Lou Albert stepped forward. She identified herself as a Bennington resident and is against fluoridating the water system. Tom Jacobs asked for a point of order. Discussion continued between Mr. Jacobs and Greg Van Houten regarding the appropriateness of these comments when the Oral Health Committee has not yet made their presentation. It was determined no action would be taken this evening; therefore Ms. Albert was allowed to finish her statement. She noted that she personally has witnessed the adverse effects of fluoride in three of her four children. The three that took fluoride vitamins experienced delayed baby teeth, extensive dental and orthodontic problems and experienced a lot of pain. Ms. Albert explained that she then refused to administer the vitamin to the fourth child. This child experienced none of what the others had.

Ms. Albert went on to list other cities within Vermont and across the nation as well as British Columbia where they had added fluoride to their system to only remove it later on. She continued with a list of questions including what the Board would do about those allergic to the additive, how they would approach any lawsuits and compensation for those who don't want it in their water.

Matthew, another resident of Bennington discussed how fluoride has been shown to increase the uptake of aluminum into the brain. This increases the development of Alzheimer's.

Connor Bowen stepped forward and discussed the multiple organizations that support and endorse the addition of fluoride. He listed such organizations as the Environmental Protection Agency, the American Medical Association, Delta Dental Plan, March of Dimes, World Health Organization and several others.

Roger Bowen noted that it is important to consider sources of information when doing research. He feels there is a consensus in the scientific community in favor of fluoride

Chris Wright stepped forward and asked several questions regarding the Encore Solar Farm project.

Nan Lowlry identified herself as a North Bennington resident. She wanted to speak in favor of fluoride. She discussed her history growing up in a Town without fluoride and the dental problems she experienced. Ms. Lowlry then compared it to when she raised her children in a different Town that had fluoridated water. Her children have one cavity.

Abbey Shapiro discussed the cost of fluoridating the water. She feels fluoride is a hazardous material. There is a difference between rinsing and ingesting fluoride. This would only benefit a portion of the population. The ratepayers are not up for another increase.

Dr. Dundas stated he felt many of those who spoke are making false statements about the dangers of fluoride.

Grace Winslow spoke about the public health benefits and read the American Dental Association's statement regarding fluoride. She feels decay is a disease. It has a great impact on children and adult lives. Fluoride is a natural substance already found in all water sources.

Dr. Alex Tennentes stated he was an optometrist in downtown Bennington. He stated he disagrees with the addition of fluoride to the Bennington Water system. It is not a healthy choice, it is a toxin. He noted he grew up in New York City where they fluoridate the water. He still had many cavities. When taken orally, fluoride must be prescribed. He read a toothpaste label that stated if ingested, poison control must be contacted. Dr. Tennentes continued by reading many of the adverse effects, where fluoride is stored in the body etc.

Robert Ebert asked the Board to take a step back and reconsider the reduction of late real estate tax penalty. The issue needs more deliberation.

At this time Greg Van Houten moved item #6 Oral Health Committee Presentation up on the agenda.

6. ORAL HEALTH COMMITTEE PRESENTATION

Greg Van Houten gave some background on how the Oral Health Committee came to form.

Charlie Gingo who serves on this committee stepped forward to overview their presentation and listed those who would speak. He noted that better dental health for kids, teens and adults was a large concern for those who participated in the numerous meetings over the last two years. They feel a need to move away from treating pain and move towards prevention. Fluoride has been noted as the single best way to change that. Mr. Gingo noted life is better with teeth.

Mary Lou Chicote stated she was a Dental Hygienist and works the front line on this issue. She has witnessed many children and adults cry when they have to have teeth removed because they cannot afford dental work. She recited statistics within the State of Vermont stating that two schools in Bennington had the highest rate of decay and unmet needs. Fluoride is for the public good.

Ms. Chicote continued by sharing the costs for Bennington's Free Dental Day. The average per person cost of dental work performed on that day was \$800 per person. The day's total was over \$112,000.

Dr. Rob Hauley stated he was a Bennington native and recently returned to Bennington to open a practice. He had many dental issues growing up and wants to work to prevent others from experiencing that. Dr. Hauley explained how fluoride is naturally present in all water sources. We would simply be adjusting the water system's amount. He read a statement from the E.P.A. that stated there were no significant adverse effects for the environment (gardens, plants etc).

Carol Conrow stated she works at Southern Vermont Medical Center. She is the Clinical Leader of Nurses. She hears and sees firsthand the effects of poor oral hygiene, the ongoing effects in adults and understands the impact cost /value of care. In 2014 the Bright Smiles program saw 147 kids between the ages of 2 and 11 years old. That is approximately 30 more than the previous year. Emergency Room nurses reported 95 patients went to the E.R. for oral care. Ms. Conrow stated that \$1 of preventative care (cost of fluoride) eliminates \$38 of dental care costs. She suggests the Select Board support the fluoridation of our water.

Sue Andrews introduced herself as the Director of the Interfaith Council. Her organization works with those near or in poverty. They run such programs as the Food Pantry and the Food and Fuel program among many others. Ms. Andrews stated that the burden of poor oral health is on the children. Some examples of the cost to the children is that it can be difficult to eat and/or they cannot concentrate at school because of the pain. In the first six months of 2014, (180) State dental vouchers were handed out for tooth extractions. This was at a total cost of \$22,000.

Ms. Andrews continued by discussing the social costs for adults who also experience pain. It is not normal to lose teeth. Some employers are less likely to hire someone without teeth. Also they may be more likely to call in sick due to the oral pain. She asked the Board to become more familiar with the research. Ms. Andrews stated there were more than 200 million people living in communities with fluoridated water. A reduction of cavities by 15-40% within one generation was the prediction.

Liz Caderian read the petition being circulated for advisory vote only.

Greg Van Houten thanked all those who volunteered their time on the committee and those who spoke this evening. There are a lot of issues within this subject. What also must be thought about is if this is voted down what else can be done.

Tom Jacobs asked what the natural level of fluoride was in Bennington's water. It was noted that Bennington naturally has approximately 0.11 ppm. Mr. Jacobs then asked what were the steps needed to bring it to the recommended level. The Manager stated he believed it would be an additional \$10-15,000 per year in addition to the mechanical costs, which they do not have yet.

Michael Keane noted that some of the cities listed earlier by Mary Lou Albert had removed Fluoride due to costs. For some cities it is an expense issue.

Sharyn Brush stated she wanted to continue her research before she spoke on this subject. Jim Carroll asked what the recommended level was. That was noted as 0.72 – 1.20. The toxic level determined by World Health Organization was 1.50. Toothpaste is at 2.0 (2%).

Justin Corcoran thanked everyone on both sides for all their work. John McFadden stated he did a lot of research since last meeting. He would like to see what all the costs look like. It seems as though health care nationally is moving towards everyone paying for their neighbor.

Greg Van Houten noted that budgets are ready for review. There is no time to add these costs to this year. This will be an advisory vote only this year. He would like to set up a forum for both sides to make their case. This will be announced as soon as a date has been determined.

5. ENCORE REDEVELOPMENT – BARNEY ROAD SOLAR FARM CONTRACT

Dan Monks noted they now had a solid estimate for the waterline work. Engineers stated a conservative (high side) estimate of \$101,000 plus a 15% contingency. That brings the total to \$116,000. Terry Morse, Water Resources Superintendent reviewed this and stated it was accurate for this type of work. Mr. Monks also noted that if we could have this project as an “add on” to the contractor who would be working on the new water tank the cost would significantly be reduced.

River access was discussed. It was at the State's direction that vehicular access be discontinued. Pedestrian access will not be affected by this project. It will be completely unrestricted.

Tom Jacobs noted that the contract stated Encore would cover cost “up to \$110,000”. He would like to see them contribute \$110,000 (firm) to the project.

Motion: Tom Jacobs motioned to counter offer the amendment and have Encore contribute \$110,000 to cost of the waterline relocation. Sharyn Brush seconds the motion. The motion passed unanimously.

Greg Van Houten asked if there were any other issues regarding the amendment to the original contract. There were no other issues.

Motion: Justin Corcoran motioned to accept the rest of the amendment with the addition of the waterline contribution counter-amendment noted above. Tom Jacobs seconds the motion.

Discussion:

John McFadden asked some additional questions regarding costs, credits, fixed credits and pay rates to Green Mountain Power.

VOTE: The motion passed unanimously.
(The amendment was approved with the amendment added).

7. CHARTER CHANGE BALLOT QUESTION

Greg Van Houten reviewed the issue and showed how this differs from Brattleboro's charter.

Justin Corcoran stated he was intrigued by the idea and like giving people more power. He feels this would not be abused.

Jim Carroll, Justin Corcoran and the Manager discussed the process changing the Town's Charter.

Sharyn Brush stated that if the Board moved forward with this they would need to be very careful in the wording. She can see where this could be abused and is leaning towards not in favor.

Michael Keane stated he is not in favor of this. This will always be a "1-issue" approach. The Select Board looks at the whole town and all issues. If people are unhappy with how a member votes, then they can vote them out.

Tom Jacobs also stated he is not in favor of this. It is a back door approach. Select Board members are held accountable when they are up for re-election.

Greg Van Houten stated he was against this as well. He read a formal statement and stated he feels it would be detrimental to the Town. Select Board members represent all individuals in town non-voters and voters alike. All citizens have equal weight.

John McFadden stated he has given this a lot of thought. At first he was supportive; however he now feels if voters do not like a decision they can just vote a member out. A re-vote could cost the Town a project. The additional time (3-6 months) to call a vote on a project could turn the developer away. Additionally, there is a cost to every vote. The cost range can be approximately \$3,000-4,000 depending several factors.

Greg Van Houten stated the proposal was very vague and not well written. Select Board members agreed to table this issue.

8. MANAGER'S REPORT

The Manager noted that this evening he is looking for final approval for the increased cost to utilize the Firehouse. Again these increases are to simply recover the costs to run the facility. The Town is not interested in making a profit.

Motion: Justin Corcoran motioned to approve the increased costs to utilize the River Street Firehouse as presented. John McFadden seconds the motion. Motion passed unanimously

The Manager continued by noting during the construction of Route 279 the State took (temporary) easements to several roads including East Road and Chapel Road. These roads and easements have now been altered to accommodate the new highway. They are now returning them back to the Town formally. The Manager circulated the return for signatures.

9. OTHER BUSINESS

Tom Jacobs stated he would like to look again at the reduction of the Late Payment Penalty for Real Estate taxes. The Manager stated there was still time to review this before the

required warning at the second meeting in January. Mr. Jacobs asked for it to then be on the next scheduled agenda.

Michael Keane noted that this evening's agenda was quite full. Therefore the final draft of the Town Manager's job description and review process shall be pushed to the next agenda. Mr. Keane continued by stating he enjoyed a very valuable day spent with the City Developer team in St. Alban's. He along with Dan Monks, John Shannahan (BBC) and several others learned what St. Alban's was doing to add jobs, businesses etc. He plans to discuss this further at another time.

Sharyn Brush wished everyone a Happy Holiday and a Safe & Prosperous New Year. Justin Corcoran and Jim Carroll echoed her sentiment.

Greg Van Houten wished everyone safe travels and a Happy Holiday season.

Greg Van Houten noted there was a need for Executive Session.

Motion: Michael Keane motioned to close the meeting. Justin Corcoran seconds the motion. Motion passed unanimously

10. EXECUTIVE SESSION

- A. Real Estate
- B. Contracts

Respectfully submitted,

Linda E. Bermudez
Secretary