

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

***MONDAY, FEBRUARY 23, 2015***

**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; John Broderick, Shires Housing; Keith Whitcomb - Bennington Banner; Linda E. Bermudez – Secretary; (12) 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 – FEBRUARY 09, 2015**

There were no corrections for the minutes of February 09, 2015.

**Motion: Michael Keane motioned and Sharyn Brush seconded to approve the Minutes of February 09, 2015 as submitted. Motion passed unanimously**

**3. WARRANTS**

The next warrants of FY'15 were reviewed. There were no questions regarding the warrants; However Sharyn Brush asked for an update on the Highway Sand/Salt status. The Manager stated we currently have salt in stock. We are now at our budget allotment, which is approximately \$30,000. Hopefully the next few storms shall be minor.

Tom Jacobs again wanted to thank the Highway Department for all their hard work. They continue to do a good job.

Greg Van Houten took this moment to remind people to be aware of their roofs. Please keep an eye on them in relation to snow build up.

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

#### **4. CITIZENS**

No citizens stepped forward to speak this evening.

#### **5. FY 2016 BUDGET PRESENTATION**

Greg Van Houten explained this would be a joint budget presentation by both the School Board and the Bennington Select Board for the Budget FY 2016. Both of these budgets are on the ballot for voting approval on Tuesday March 3, 2015.

Jim Culkeen began the School Budget discussion. He noted this was his first year as Superintendent and it has been a great start. Mr. Culkeen continued by listing all the schools included in the Southwestern Vermont Supervisory Union (SVSU). He spoke of investments made last year that are impacting this year. Student demographics were reviewed. There has been no decline in enrollment as seen in many other areas of Vermont. There are fewer students than 10 years ago but has been flat lined since then.

Donna Leap discussed many aspects of “Collaborative Restructuring” for student’s success. To move forward they must improve models and work with State programs offered. Strategic Investments were also discussed. They look to have the Career Development Center (CDC) align with technical centers and develop a STEM program. Comprehensive Assessment System, Special Education (SpEd) and Instruction and Instrumentation were other aspects of the restructuring Ms. Leap discussed.

Rick Pembroke reviewed the budget highlights. Bennington’s portion is a total of all school budgets combined and is approximately \$33.6 Million dollars. The breakdown is as follows:

SVSU Admin & Services	\$ 2.19 Million
Elementary Schools	\$12.56 Million
MAU	\$16.52 Million
Technical Center	\$ 2.25 Million

Mr. Pembroke then broke out where most of this money comes from. The largest contributors are Real Estate Taxes (both Homestead & Non-Residential) contribute over \$14.0 million dollars. State Education Fund sends approximately \$12.0 Million Dollars. We are referred to as a “receiving Town”. Special Education reimbursement is \$4.2 Million Dollars.

The State of Vermont sets the “base rate” for school taxes. Therefore at this point we can only estimate the school tax rate increase based on approval of all the budgets. The estimated increase shall be \$0.0292 per \$100 of assessed value.

There was further discussion regarding how the State sets the “base school rate” and cost per pupil spending. Mr. Pembroke stated the simplest way to explain is that the budgets, minus any grant money, are then divided by how many students they have. That becomes the “per pupil spending”. The school system can be fined if it is considered too high (over \$17,000).

Currently the per pupil spending is as follows:

BSD	\$13,000
MAU	\$13,500
State Avg	\$14,200

Jim Carroll began discussion regarding graduating students and skills meeting local employers needs. Mr. Culkeen noted they have heard this and are working on improving the match between the two. They are working to make graduating students both “College & Career Ready”.

Tom Jacobs wanted to discuss the significant number of children who qualify for the “Free or Reduced Rate Lunch” program. Mr. Pembroke noted that this number has significantly increased in last 3-4 years. This is mostly funded by Federal Grant money. The State of Vermont also contributes \$400,000 to the program as grant money; therefore this is not a budget item. Mr. Culkeen noted that all across the State of Vermont there have been significant increases in those who qualify for the “Free/Reduced Lunch” program. Everyone is affected by poverty in the community. Tom Jacobs stated we are all in this together. Our entire community needs to invest.

The Town Manager then reviewed the Town’s FY 2016 Budget. This year’s projected increase is 1.03% to approximately \$11.652 Million. The Manager noted the two largest portions of the budget are the Police Department at 29% and Highway, which is 31% of the budget.

Annual Agency stipends included in the budget total \$449,150. These are not the agencies voted upon each year. Some examples of the agencies included in budget are Bennington Free Library, North Bennington Library, Bennington County Regional Commission (BCRC) and Paran Recreation. The Agency requests that are on the ballot for voting approval this year will total an additional \$121,800.

The Manager reviewed the planned Highway projects for this coming year. They are as follows:

Sidewalks (4,000 feet)	\$155,000
Street Paving (9.72 miles)	\$582,200
River Road Rebuild	\$150,000
Capital Purchases	\$164,680
(Machinery/Equipment Purchase & Repairs)	

The Grand List grew last year approximately 1.5%. This will create a positive impact on what will need to be raised. Although it is not a large increase, it may also be a sign of economic improvement.

At this time there can only be an estimated tax rate given. We are still assessing revenue sources and waiting for the results of the ballot voting for agency requests. Therefore the estimated tax rates for FY 2016 for every \$100 of the assessed property value will be:

Town portion	\$0.9903	
School portion	\$1.5378	
Estimated Total	\$2.5281	(per \$100 assessed value)

The Manager then reminded the public that the Annual Town Floor Meeting would be held at the Bennington Firehouse on Monday, March 2, 2015

MAU	6:00pm
CDC	6:15pm
BSD	6:45pm
Town	7:00pm

Election /Voting Day is Tuesday March 3, 2015. The polls will be open from 7:00am to 7:00pm. Those who vote in North Bennington can do so at the North Bennington Train Station. All those who vote in Bennington will vote here at the Bennington Firehouse on River Street. Absentee ballots are available now. Those who still want to register to vote can do so only till 5:00pm on Friday, February 27, 2015.

A short recess was then called by Greg Van Houten.

## **6. PUBLIC HEARING – VCDP IMPLEMENTATION GRANT – SHIRES HOUSING**

John Broderick, Shires Housing, stepped forward to present. He reviewed the project as discussed in the last meeting. He noted the delivery of the Procurement Guidelines to the Select Board as requested at the last meeting. The Board also questioned the impact on the Grand List. After consulting with the Town’s Chief Assessor, it was determined that this project will have little effect on the Grand List. This is because the tax formula for these properties is based on the rental incomes earned. These will all remain “affordable housing”.

The energy standards this project requires is set by the three major funding sources. In order to attain funding we must meet their standards. It will be a “deep energy retro fit”. The work will be done so that it lasts a long time and allows us to manage the properties effectively. This is asset management work. The Town will not have to worry about these units in the future. There are approximately 7,000 rental units in Bennington. Shires are responsible for a total of 240 units right now. We are a small portion of the Bennington housing stock.

Jim Carroll had questions regarding historic registry. Mr. Broderick noted that the Carrigan house is on that registry as it was built in 1880. Others may qualify soon. Discussion continued regarding the guidelines in regard to the registry and window replacements etc. Mr. Broderick stated there could be customizations made to satisfy both efficiency and historic standards. These are often offset by Historic Tax Credits.

Justin Corcoran had questions regarding level of rehabilitation for each unit and if all must be gutted. Mr. Broderick noted they do have the flexibility to go apartment by apartment and where money can be saved they will. Some will need more work than others.

Michael Keane asked who gives the “energy star approval” on the work when finished. Mr. Broderick noted that all agencies involved in the funding would require a full report. Typically an independent audit/inspection is done. Efficiency Vermont will also conduct a blower test etc. Funding is dependent on approval.

Tom Jacobs asked if Mr. Broderick would consider doing a Property Management Seminar for private landlords to provide guidance through such projects. Inform other landlords of the different resources available etc. Mr. Broderick stated he would do that.

John McFadden asked if all of the rents would be the same when the tenants move back in. Mr. Broderick stated that all new leases would begin. Many would stay the same however

each tenant would be re-evaluated (income level, number of people living in the unit etc). They will all remain affordable housing and scaled accordingly.

Mr. McFadden then noted he had requested, separately, additional information from Mr. Broderick but still had not received it. He thinks this is a good project, however, until he has that information he is voting no.

Tom Jacobs stated that if that information was important enough for a vote then it should have been a request by the entire Board not an individual. He questioned when Mr. McFadden would have shared that information with the rest of the board. If there is an important question it should come the Board as whole.

Mr. Broderick noted the information Mr. McFadden requested had been vetted by underwriters very early on in the project. It is an extreme amount of detail; very granular. Additionally, the information cannot be compared with private sector landlords (similar type information). They are apples to oranges.

Justin Corcoran stated that the Board is the caretaker of the money. He may have more questions now than before. Jim Carroll stated that he would now be interested in seeing that information. Michael Keane stated that the Board is simply the vehicle for the money. It comes from the State to/for Shires. We have a fiduciary responsibility but where are the limits?

**Motion: Tom Jacobs motioned to “table” the Shires Housing VCDP Implementation Grant until the next scheduled Select Board Meeting. Michael Keane seconds the motion.**

*Discussion:*

Sharyn Brush asked about the timeline for this grant. Mr. Broderick noted if granted approval tonight he would be able to attend the State’s April meeting. If this were “tabled” this evening they would have to wait until the June/July meeting which is much more competitive.

***VOTE:*** (5) *For* vs. (2) *Against* (Greg Van Houten & Sharyn Brush)

**Motion Passed**

*(Grant discussion shall be “tabled” until next meeting)*

**7. EXPOSITION BENNINGTON 2015 SPONSORSHIP**

Greg Van Houten announced on April 15<sup>th</sup>, 2015 at the Mt. Anthony Country Club a showcase of all the arts and cultural happenings for the upcoming season in Bennington will come together. Each vendor, performer, and/or venue will be able to present pamphlets, flyers etc showing their schedules for the upcoming season.

This event is in need of sponsors. Currently they have commitments from Bank of Bennington and Craft Producers (Craft Fair Planners) as well as two others. Mr. Van Houten asked if the Town of Bennington would be willing to be a sponsor at the cost of \$1,000.

**Motion: Tom Jacobs motioned and John McFadden seconded to sponsor EXPOsion Bennington at the cost of \$1,000 from the Contingency Fund.**

*Discussion:*

Justin Corcoran asked what the status of the Contingency Fund was. The Manager explained \$3,000 was budgeted. This line balance is now at \$2,800.

Greg Van Houten stated that the goal was to have 25 exhibitors roll out their schedules for the year. There will be workshops and collaboration works as well.

John McFadden felt this would be a good time to invite any economic leads to this event. It shows what else Bennington has to offer; what we are about. Greg Van Houten noted that all the local schools would be invited as well. Grade Schools through College will be shown that art is a life-long experience. It can continue as a hobby or a career but spans a lifetime.

**VOTE: Motion passed unanimously**

*At this time Greg Van Houten in full disclosure explained he did not abstain from a vote because he does not directly benefit from this sponsorship; therefore it is not a conflict of interest.*

**8. 2015 LIQUOR LICENSE APPLICATIONS**

The Manager noted all those presented tonight for signatures are renewals.

**9. MANAGER'S REPORT**

The Manager had no formal report this evening. He did briefly ask the Board to review several informational reports that were included in their packet this week. They included drafts of (3) proposed ordinances. They are the "Private Alarm Ordinance", the "Bennington Fire Department Service Reimbursement Ordinance" and the "Municipal Solid Waste Variable Rate Pricing & Hauler Registration/Reporting Ordinance". The Manager also included the draft of the Bennington County Alliance Inter-local Contract. He asked the Board to just review these for now. They will each come before the Board for formal consideration at a later date. The Manager currently looks forward to the Board's feedback and opinion on these drafts.

Greg Van Houten stated he appreciated all the work that's gone into the development of all these documents.

Michael Keane asked if the doubling of fines at a certain level was common practice in other private alarm ordinances. The Manager confirmed this.

**10. OTHER BUSINESS**

John McFadden wanted to address the closing of the last Plasan location in Bennington. It was inevitable when news of the first plant was closing several years ago. We need to continue to push our ear to the door of our large employers. However, it is also very important that the Town has direct contact with every employer in town.

Jim Carroll spoke of a new radio show called "Bennington Area Facebook Talk". He took part recently and several issues came up. Many people asked about the donations to the

different agencies. Where is the money spent and how does someone find out? The Manager explained that is all public information and many times if you contact the agency directly they will provide it to you.

Jim Carroll continued with the next issue. He noted in October 2014 there was a discussion regarding amending the Sign Ordinance. A resident selling vegetables wanted to have signage on a distant, separate, busy (state) roadway to direct them his way. Mr. Carroll asked where we were with those changes.

The Manger stated we have not gone much further. Signage is allowed on the landowner's property, however State Law prohibits any signage on poles etc on separate, distant roadways. Mr. Carroll stated that the Farmer's Market often puts signs out several blocks away. Dan Monks, Zoning Administrator noted that they are a Non-Profit and therefore have exemption from this rule. The landowner in question is conducting "for profit" business and therefore must abide.

The Manager continued by stating that the Town has no authorization to change an ordinance to be "less restrictive" than State Law. If that landowner wanted to purchase a "Travel Information Sign", from the State, they would be happy to work with him on that.

Tom Jacobs suggested that the property owner speak with his legislature. This is a State Law that would need to be changed, not local.

Michael Keane noted that signs started showing four years ago regarding Plasan. They just did not communicate them until they were ready to pull the trigger.

Greg Van Houten again reminded residents to be mindful of their roofs; we still have several weeks of winter and possibility of more snow and melting to go.

Mr. Van Houten also noted that there would be a Spring Select Board workshop in Montpelier on March 23, 2015. He found it very informative and encourages fellow members to attend.

Greg Van Houten lastly addressed some discourse on Facebook. He was approached by several citizens recently about a posting. He asked everyone to please pay attention to what you are posting and think twice before you do. Rise above social media.

Mr. Van Houten reminded the public that the Annual Town Meeting will be next Monday, March 02, 2015 here at the Firehouse. Voting Day is the next day, Tuesday March 3, 2015. The last day to register to vote is Friday, February 27, 2015.

Greg Van Houten noted there was need for Executive Session.

**Motion: Tom Jacobs motioned to close the meeting and move into Executive Session. Michael Keane seconds the motion. Motion passed unanimously**

## 11. EXECUTIVE SESSION

- A. Contract(s)
- B. Real Estate
- C. Personnel

Respectfully submitted,

Linda E. Bermudez  
Secretary