

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

MONDAY, MARCH 23, 2015

MINUTES

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

Absent: Justin Corcoran

ALSO PRESENT: Stuart Hurd, Town Manager; Dan Monks, Zoning Administrator & Assistant Town Manager; Mike Harrington, Economic & Community Development Director; Keith Whitcomb - Bennington Banner; Linda E. Bermudez – Secretary; (19) 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.

Mr. Van Houten then recognized this as his last meeting as a Board member and Chair. He thanked everyone for their support and welcomed Donald Campbell as the newly elected Select Board member.

2. MINUTES – MARCH 09, 2015

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

Motion: Sharyn Brush motioned and Michael Keane seconded to approve the Minutes of March 09, 2015 as submitted. Motion passed unanimously (*John McFadden abstained; Justin Corcoran absent*)

3. WARRANTS

The next warrants of FY'15 were reviewed. Tom Jacobs questioned a payment for the Ninja Trail. The Manager noted that this was payment for a consultant regarding a river crossing. There is a grant for the actual crossing work but not the consultant work.

Jim Carroll asked about payment for a Banner Bundle package. The Manager explained this was a shared cost for marketing such things as the new crime tips line etc.

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

4. APPLGATE BLOCK GRANT DEFERRAL REQUEST

Michael Harrington stepped forward to present. He noted this was the second meeting on this deferral and reviewed the request at hand. This is a 30-year deferral request in order to complete the necessary rehabilitation work and efficiency updates. Once approved there will also be a new ownership structure.

John McFadden stated he had sustainability questions. Mr. Harrington and Nancy Owens, Housing Vermont went on to explain further how affordable housing works in Vermont. This included the demands by the Federal government within affordable housing units. After understanding the explanation, Mr. McFadden questioned why it would be called a loan and not a grant. Mr. Harrington and Greg Van Houten then explained that by labeling it a loan it allows for local oversight, involvement and leverage capacity. This ensures the housing units are kept in good condition.

Tom Jacobs discussed 15-year, 20-year and 30-year deferrals. Ms. Owens stated that if the Board wishes for the organization to come before the Board sooner than 30-years, a 20-year deferral worked best.

Jim Carroll wanted assurance that they would use local contractors. Ms. Owens explained that she is held by Federal procurement guidelines and therefore cannot guarantee that. They can strongly encourage local contractors and even reach out to certain ones. However, they must all bid in the same manner and cannot guarantee any contractor.

Motion: Sharyn Brush motioned to approve a 20-year deferral on the Applegate Block Grant. Michael Keane seconds the motion. Motion passed unanimously (Justin Corcoran absent)

Motion: Tom Jacobs motioned to allow the successor organization in ownership when recognized to assume all terms of this loan. Sharyn Brush seconds the motion. Motion passed unanimously (Justin Corcoran absent)

It was noted that Housing Vermont would continue to be a part of the new partnership to be recognized at a later date.

5. ORAL HEALTH – FINAL DISCUSSION

Greg Van Houten noted that the advisory vote for the addition of Fluoride to Bennington's Water was voted down. The Oral Health Coalition has asked to be a part of a conversation for continued oral health improvement. There will be a meeting held on April 22, 2015 at the Bennington Firehouse at 6:00pm to hear more ideas for better oral health. They are also looking for more volunteers to help implementing these ideas. Please R.S.V.P. by calling (802) 447-3700.

Charlie Gingo stepped forward as a member of the Oral Health Coalition. He would like to formally withdraw their recommendation of adding Fluoride to Bennington's water supply. They would like to move forward with tangible steps and as many volunteers as possible. Some ideas for volunteer help would be to assist in the Free Dental Day scheduled for the last Saturday in April. They need people to help with registrations, transportation and even tear downs at the end of the day.

Other ideas for improving oral health where we need assistance are in the formation of smaller programs such as “Re-think Your Drink” campaign at schools; this is where they would like to move students away from sugary drinks and towards actual hydration. Poster campaigns for good dental health with awards and perhaps weekly or monthly trips to Hudson Falls Dental Hygiene clinics are some others.

Michael Keane asked if Oral Health Coalition was reaching out to the people on the other side of the Fluoride debate. Now that issue has been settled you can work together on common solutions. Mr. Gingo stated he hopes to see many of them at the April 22, 2015 meeting.

Mary Lou Albert stated that most residents who were opposed to Fluoride are not against oral care. Ms. Albert referenced a State report on Southern Vermont’s oral care status. She noted that it was not very detailed. It did not contain specifics, i.e. specific age groups, specific problems, reasons – such as lack of dentists etc. Ms. Albert feels it is necessary to have these details so that we can start at the baseline problems and address them properly. It is important to reach out to our delegation and legislature. There are currently (2) bills being discussed related to oral care.

Greg Van Houten thanked all that came this evening and encouraged the public to join further discussion on improving oral health in Bennington at the April 22 meeting at 6:00pm at the Bennington Firehouse.

6. FIRE DEPARTMENT – PRIVATE ALARM ORDINANCE / FIRST READING

The Manager noted this would be an amendment to an existing ordinance. Currently this stands in place for those who do not properly care for their police alarms. This amendment would relate to false/fire alarms as well.

John McFadden stated he thought it was about time. The Manager noted that there is a warning for the first time. If ignored or not addressed/repaired etc then the fines would be issued as stated in the ordinance. This is only the first reading; there will be no vote this evening. This will allow the public to comment if they wish.

7. FIRE DEPARTMENT – SERVICE REIMBURSEMENT ORDINANCE / FIRST READING

The Manager explained this would be to address accidents/negligence that could have been avoided. This would be for damaged materials only, not for manpower. Jim Carroll asked who would be defining the materials needing to be reimbursed. The Manager stated the Fire Chief and the Public Safety Officer would determine this. All requests would be copied to the Manager as well for his/her involvement. The Town already does this for street signs etc.

Michael Keane asked about the Town’s success rate for those reimbursements. The Manager stated they were pretty successful. If the responsible party is not insured we then go after the individual. Greg Van Houten noted that this had been discussed several times at budget meetings over the years.

Tom Jacobs asked if a list has been kept for reference of frequency, materials, cost etc. The Manager stated that the Fire Department has been keeping track of this the last few years. Mr. Jacobs requested to see that list.

John McFadden had concerns regarding the definition of “negligence”. He felt it was too open ended. The Manager explained this is not for the business owner or property owner who

has a fire. This is for malicious intent, i.e. dumpster fire, or non-permitted burns or negligence such as permitted burns left unattended and get out of hand. Reimbursable costs would mostly be for operational supplies. The Fire Chief is expected to attend the next meeting for any further question you may have.

8. MUNICIPAL SOLID WASTE VARIABLE RATE PRICING AND HAULER REGISTRATION REPORTING ORDINANCE / FIRST READING

The Manager noted that this is now mandated by the State of Vermont. They want to know who is hauling, what they are hauling and from where. They must have a per unit (bag or container) price. Haulers will be able to add on some transportation costs but all per unit prices must be the same (bag to bag or container to container) in each town. The State would also like to encourage more recycling. Traditionally, the rate was 30-35% recycle. They would like to increase that number.

All Haulers will be required to be licensed in each town they operate in. Each town in the alliance is attempting to adopt same ordinance. The State will enforce the licensing. Tom Jacobs asked about increased administrative costs. The Manager stated there would be increased costs to the Haulers, however we do not expect to have a large increase to the Town.

9. ALLIANCE AGREEMENT / FIRST READING

The Manager noted there are a few minor revisions that have to still be made. We expect to have the finalized version for all (13) towns at the next meeting. Town Council has reviewed and approved this document.

10. PROCLAMATION – NATIONAL LIBRARY WEEK

Greg Van Houten read the proclamation as presented.

Motion: Sharyn Brush motioned to accept and sign the proclamation as presented. Michael Keane seconds the motion. Motion passed unanimously (*Justin Corcoran absent*)

11. 2015 LIQUOR LICENSE APPLICATIONS

The Manager noted all those presented tonight for signatures are renewals. There are (6) First Class renewals and (4) Second Class renewals. Applications were circulated for signatures.

12. CITIZEN'S

David Crowley stepped forward. He identified himself as a Weeks Street resident and property owner. He would like to see a clear strong pedestrian crossing at the intersection of Weeks Street and Dewey Street. No one seems to pay attention to the speed limit in this area. He also noted that often people coming to or leaving from the Hospital and Doctor's offices are distressed. Small town consideration for pedestrians has also diminished with the increased traffic from the tri-state area.

Mr. Crowley suggested solar flashing lights that require no wiring or trenching. The Manager agreed flashing lights could be appropriate. Although he noted from personal experience they do not always work. The Manager stated they would look into this intersection further.

Tom Jacobs then questioned a 2-way stop instead of a 4-way stop on Weeks Street at Putnam Street. The Manager noted it was designed years ago to slow traffic coming off the crest of the hill. We can work with an engineer for a new traffic study to see what can be done.

13. MANAGER'S REPORT

The Manager had no report this evening.

14. OTHER BUSINESS

Jim Carroll thanked Greg Van Houten for his service. It was great working with someone who was always prepared and held great integrity.

Tom Jacobs noted it was a great privilege to work alongside Greg Van Houten. He was always respectful even when things were not easy. Mr. Van Houten took a lot of flak for the Board. With his deep involvement in the community and the arts, Mr. Jacobs noted this would not be the last we see of Greg Van Houten.

Michael Keane also thanked Mr. Van Houten for his service. Mr. Keane went on to say he had taken several calls of frustration regarding the Benmont Avenue bridgework. The Manager noted this project has been vetted for over 10 years. The fastest way to completion would be to close the bridge entirely and detour everyone. However we did not want to potentially cut off businesses. One lane open all the time was the best compromise. The deck of the bridge may be open sooner than 18 months, however the project remains that defined time so that all smaller details can be completed (grass repairs, striping etc).

Sharyn Brush stated it was a pleasure working with Greg Van Houten.

Greg Van Houten provided some updates regarding the Cultural Planning Committee. He continued by reminding the public that all businesses are open on Benmont Avenue; please do not forget them.

Mr. Van Houten thanked the voters of Bennington, the Town Staff and the recording secretary (Linda E. Bermudez) for enduring some of the longest meetings ever.

Greg Van Houten noted there was need for Executive Session.

Motion: Sharyn Brush motioned to close the meeting and move into Executive Session. Michael Keane seconds the motion. Motion passed unanimously (*Justin Corcoran absent*)

15. EXECUTIVE SESSION

A. Contract

Respectfully submitted,

Linda E. Bermudez
Secretary