

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

MONDAY, JULY 27, 2015

MINUTES

BOARD MEMBERS PRESENT: Tom Jacobs – Chair; John McFadden -Vice Chair; Michael Keane; Jim Carroll; Justin Corcoran; Donald Campbell

Absent: Sharyn Brush

ALSO PRESENT: Stuart Hurd, Town Manager; Dan Monks, Zoning Administrator & Assistant Town Manager; Michael Harrington, Economic & Community Development Director; Keith Whitcomb - Bennington Banner; Bennington News Network (BNN); Linda E. Bermudez – Secretary; (21) Citizens

1. Executive Session – Interviews Bennington Historic Preservation Commission

At 6:05 P.M., **Tom Jacobs** called the meeting to order. He apologized for the delayed start. The Select Board members held an interview session prior to this meeting and it ran slightly over.

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA (A-B)

A) Minutes – JULY 13, 2015

Tom Jacobs requested a correction to the Minutes of July 13, 2015 and for all future minutes to state the following when Executive Session is found necessary.

“Tom Jacobs advised the board that there was a need to go into Executive Session to discuss a contract matter and request that the board find that premature general public knowledge would place a person involved at a substantial disadvantage and move into Executive Session”

Mr. Jacobs request for a correction continued with the final motion be worded as such:

“Motion: Michael Keane moved and Sharyn brush seconded a motion and finding that an Executive Session be held on a contract matter as premature general public knowledge would place a person involved in the subject matter at a substantial disadvantage.”

Donald Campbell also requested a correction to the minutes of July 13, 2015. The minutes stated the Board would like the Better Bennington Corporation (BBC)'s Budget Work Plan earlier, when the Town is reviewing their own budgets. Mr. Campbell would like that to be corrected to *prior* to the Town reviewing their own budgets so as to not rush through.

B) Warrants

There were no questions.

Motion: Michael Keane motioned and Justin Corcoran seconded to accept and approve the minutes of July 13th, 2015 with corrections as noted and the warrant as submitted. Motion passed unanimously (*Sharyn Brush absent*)

4. CITIZENS

Loyal Wescott stepped forward. He again wanted to address the speed limit on South Street. Mr. Wescott also discussed an incident on Union Street over the weekend. Mr. Jacobs stated the Police Chief has been invited to attend a future meeting to discuss if what they are doing is enough. There is no perfect scenario however.

Jeanne McKenna stepped forward to discuss the public warning of the Neighborhood Works grant application. Ms. McKenna stated that although it was warned that the application was available as of July 11th, she did not receive any information until July 24th. She is a taxpayer and is supposed to have two weeks to review this item and be able to question it. She asked the Board to *not* vote on this item this evening. Tom Jacobs stated this item would be addressed as an agenda item later in this meeting. Mr. Jacobs stated if the Board does not feel they have all the information to satisfy then they will not vote.

Sam Restino reminded the Board he spoke at the last Select Board meeting about Bennington's image. In lieu of recent events over the weekend he is not comfortable with Bennington's image. Mr. Restino also wanted to discuss downtown's boundaries. There is a new event that will be held on North Street not Main Street. It was noted that North Street is part of the "downtown area".

Kiah Morris stepped forward. She identified herself as the Director of the Alliance for Community Transformations. She invited the Board and the public to attend a special event Wednesday, July 29, 2015 at the Bennington Free Library at 6:00pm. It is a free workshop designed to address protecting housing investments. They will address the damages of smoking to an investment property, the costs, and how to effectively clean-up etc.

Jill Davis stepped forward as one of the BMX Track organizers. She noted a fund has been set up through the Town of Bennington to help with the costs of clean up & repairs from the vandalism this weekend. The Manager noted there have already been several donations made. Ms. Davis stated there will be some big events coming to the track and would like to return to discuss them with the Board.

It was asked if the vandals were apprehended. The Manager stated two juveniles were apprehended. These vandals also hit the Town's Willow Park Pavilion and two pump stations. Justin Corcoran asked what the Town's relationship with the BMX track was. The Manager stated the Town leases the land to the BMX organization at no cost! This is so they may build and maintain the park on their own. It has been quite successful so far.

5. DIMITRI GARDER

Dimitri Garder introduced himself as the President and Co-founder of a local business called Global Z. He was here this evening to discuss the Lightening Jar program at Vermont State Employees Credit Union (VSECU). This is a co-working space within the VSECU's new location on North Street. It is a shared work environment. This is ideal for home-workers, traveling remote workers and independent workers. It fosters networking and collaboration. Mr. Garder discussed the growing need for co-working environments and the trend of "solo-preneurs".

Pictures of the current space and how it will look when complete were shared. It will have 4-6 dedicated workspaces and an additional 15 open spaces. This location will also have a meeting room, Wi-fi and print, scan and faxing capabilities. There will be both professional and social events held here. They include workshops, mixers etc. These will further networking, collaboration, business connections, entrepreneurial culture, and mentoring culture and support.

Mr. Garder discussed "Economic Hunting vs. Economic Gardening". Hunting means you go outside the community after "big game", offer incentives, tax breaks etc. It sends a message that the community is deficient and must attract outside talent and industry. Economic Gardening is to grow from within your community. It nurtures small businesses where many communities already have the tools, assets and resources.

Lightening Jar is an economic pilot. There are similar spaces within Vermont as well as other states. Mr. Garder stated there would be a mixer held on Thursday July 30th, 2015 from 5:30-7:30 at the new VESCU location at 194 North Street. More information can be found on the Lightening Jar website: lighteningjarvt.com

John McFadden asked if there were time limits on the workstation seats. Mr. Garder explained this is a paid membership. Members may buy one month at a time or receive a discount when buying (6) months or more at one time. The current membership rate is \$150 per month for access to all the resources. Albany, NY charges \$500-600 per month for a similar setup.

Justin Corcoran stated this was a great concept. Tom Jacobs asked what the Select Board could do to assist. Mr. Garder asked that they spread the word. They would like to sell more memberships to make this a success. The Select Board could also create traffic for the special events so that more people know about this opportunity.

At this time Tom Jacobs altered the agenda in order to address time issues. The agenda then followed as such:

7. PARKS DESIGN – BETTER BENNINGTON COPORATION

Mike McDonough stepped forward to present. He is a member of the BBC Design Committee who has worked on two park designs for Downtown Bennington. He noted they would like to create active and passive, open and intimate green spaces in Downtown. Tonight they would present some of these designs and discuss how to move forward.

Mr. McDonough noted that the proposed park at 336 Main Street was a donation from Heather Maneely. It is a small space lacking human scale. The design concept was discussed in great detail creating that scale. It would include a green space, walking path, multiple seating areas and a water feature.

Merchants Park was the second space discussed. This was a gift from Merchants Bank. It too has great proximity to downtown businesses and restaurants. It is a blank space with some noise and safety constraints (i.e. traffic). This space shall be a multi-use location and adapt to the community's needs. It can serve as a location for Farmer's Markets, vending, live music events etc. In its proposed design, mostly enhancements would be made to the existing property; no large construction projects. The design proposes to keep the drive-thru canopy and driveway along with the Locust trees but remove several of the pine trees. Walkways would be created and planting beds to create a barrier between the park and traffic areas. A water feature would also be included in this design.

Tom Jacobs stated these were two great ideas for two great spaces. He then asked what the next steps were. Mr. McDonough mentioned several of them, beginning with final design approvals and cost estimates. Project funding would then need to be addressed. This can be met several ways including fundraising, grants, municipal support with "in-kind" services and community donations (materials, services etc).

Design modifications made to 336 Main Street were discussed to accommodate the neighboring properties. At this time the neighbors seem satisfied. Donald Campbell discussed the issue of public restrooms. Mr. McDonough stated that was not addressed in their designs. Mr. Jacobs stated this is an item he would like to discuss in the future. John McFadden stated these were nicely done and good taste. Jim Carroll stated he is excited for both these projects. Justin Corcoran stated they were beautiful designs and will be an asset to the downtown area.

Tom Jacobs asked that the necessary information regarding costs and timelines be gathered. He would like to see this on an upcoming agenda to discuss further.

9. VERIZON CELL TOWER CONTRACT AMENDMENT

Dan Monks stated this was pretty straightforward. This is an amendment to an existing contract with Verizon. They are requesting an additional array of antennas be added. Verizon would then increase their monthly payment to the Town by \$400 per month. This still needs to go through the permitting process and go before the Design Review Board (DRB) for approval. Affidavits have been provided that the additional array of antennas will remain at or below the existing allowable levels.

Motion: Justin Corcoran motioned and Jim Carroll seconded to authorize the Town Manager to sign the new lease agreement.

Discussion:

Tom Jacobs asked if the agreement can be made contingent on all permits being in place. Mr. Monks confirmed this.

Mr. Monks then explained that this would increase broadband in the area. All of the money received by Verizon for their monthly rent, which would now total \$3,000 per month, goes into a capital fund to maintain the Town's South Street properties. Improvements and repairs have been made to the Police Department steps, Town Office steps and the Blacksmith Shop at no cost to the taxpayers.

VOTE: Motion passed unanimously (Sharyn Brush absent)

8. NEIGHBORHOOD WORKS CDBG GRANT REQUEST – 2ND MEETING

Michael Harrington stepped forward and introduced Greg Overland, representative and Construction Manager for Neighborhood Works. He noted that there are still many questions to be answered in the application, which is due by September 11, 2015. Their organization has provided services to Bennington but from afar. This would allow them to set-up shop in Bennington and serve from within the community.

There was discussion regarding how this organization works with and alongside lending institutions and real estate agencies. Neighborhood Works programs primarily focus on first time homebuyers.

Troy Richardson introduced himself as the owner of Maple Leaf Realty in Bennington. He read a statement supporting Neighborhood Works organization. Mr. Richardson praised the organization by stating they provide a wide spectrum of buyer education workshops, classes and even on-going support after the purchase has been completed. He believes both lenders and real estate agents alike recognize their value. Participants are better informed about what to expect when shopping, purchasing and/or owning a home. This is a great opportunity for hundreds of Bennington area residents to learn more about homeownership. Maple Leaf Realty has 15 employees; the entire office supports this venture.

Michael Keane noted this was a great endorsement. Tom Jacobs stated this would continue at the next meeting so that citizens may review the application further and ask questions.

6. TOWN PLAN – FIRST PUBLIC HEARING

Dan Monks reviewed the Town Plan process. By statute the Town is required to review & update its Town Plan every (5) years. Mr. Monks stated there were no major changes this time around only some updates. The Planning Commission submitted both the plan and an Executive Summary for the Board's review. Tom Jacobs stated that the Board and the public should review the Executive Summary to understand better the goals and expectations for the Community moving forward.

Justin Corcoran stated he would like to use this review process to again address a zoning change to the former Johnson Controls property. He has not changed his position and still feels this should be zoned differently. Mr. Corcoran discussed the possibility of a sales tax option in the future. This would help recoup costs for others using our infrastructure.

Tom Jacobs stated he would like to continue this dialogue but at another meeting. Donald Campbell stated as a former member of the Planning Commission he believes focus should be on the final (2) pages of the Executive Summary. This approaches both short term and long-term goals.

The former Johnson Controls zoning status discussion continued. Mr. Monks noted that the existing contamination would halt any and all development until cleaned-up. At this time the owner still refuses to do so. Mr. Jacobs again noted this was to be a separate, yet on-going discussion.

Michael Keane stated he would like to see more about the economic drivers of arts, culture and outdoor activities addressed.

Sam Restino stated he felt that the owners of the former Johnson Controls are much like the owners of the empty property (former mill site) on Benmont Avenue. They are holding this town hostage by not doing what they must to make them developable again. Mr. Restino thinks the Town should put pressure on them.

Tom Jacobs stated this agenda item would be continued at the next meeting.

Justin Corcoran suggested that when a hearing is announced on an agenda that a specific start time should be made. Citizens then would know exactly when they could come and speak on a matter.

10. MANAGER'S REPORT

The Manager had no report this evening. However, he did note the actual appointment to the HPC (Historic Preservation Commission) was left off the agenda. The Board met with the applicants prior to this evening's meeting.

John McFadden stated he would like to suggest rearranging the interview process. He does not feel a brief meeting prior to a regular Select Board meeting provides ample time for a thorough interview.

Motion: Jim Carroll motioned and Donald Campbell seconded to appoint Mike McDonough to the Historic Preservation Commission (HPC). Motion passed unanimously (John McFadden abstained; Sharyn Brush absent)

11. OTHER BUSINESS

There was no other business to address this evening.

Tom Jacobs advised the board that there was a need to go into Executive Session to discuss a contract matter. Mr. Jacobs requested the board find that premature general public knowledge would place a person involved at a substantial disadvantage and move into Executive Session for further discussion.

Motion: Michael Keane moved and Justin Corcoran seconded, finding that an Executive Session be held on a contract matter, as premature general public knowledge would place a person involved in the subject matter at a substantial disadvantage. Motion passed unanimously (Sharyn Brush absent)

12. Executive Session

A. Contract

Respectfully submitted,

Linda E. Bermudez
Secretary