

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

MONDAY, OCTOBER 12, 2015

MINUTES

BOARD MEMBERS PRESENT: Tom Jacobs – Chair; Sharyn Brush; Michael Keane; Jim Carroll; Donald Campbell

Absent: Justin Corcoran; John McFadden;

ALSO PRESENT: Stuart Hurd, Town Manager; Dan Monks, Zoning Administrator & Assistant Town Manager; Michael Harrington, Economic & Community Development Director; Patrick McArdle, Rutland Herald; Keith Whitcomb, Bennington Banner; Linda E. Bermudez – Secretary; (5) Citizens

At 6:00 P.M., **Tom Jacobs** called the meeting to order.

1. PLEDGE OF ALLEGIANCE

2. CONSENT AGENDA (A-B)

A) Minutes – SEPTEMBER 28, 2015

B) Warrants

There were no questions.

Motion: Michael Keane motioned and Jim Carroll seconded to accept and approve the minutes of September 28, 2015 as well as the warrant as submitted.
Motion passed (*Justin Corcoran & John McFadden absent*)

3. CITIZENS

Mary Morrissey and Rick Carroll stepped forward. They requested the Select Board write a letter to the Public Service Board (PSB) opposing the Chelsea Solar Project as they did with the Apple Hill Solar Project. The deadline is tomorrow. All letters will be read and considered in their deliberative discussion.

Tom Jacobs stated the Select Board should do this by consensus or by motion.

Motion: Michael Keane motioned and Sharyn Brush seconded to write a letter of opposition to the Vermont Public Service Board regarding the Chelsea Solar Project. The letter shall state the following verbiage in addition to the exact verbiage sent regarding the Apple Hill Project in September 2015.

“We the Bennington Select Board, the elected representatives of the Town of Bennington, most strenuously reiterate our opposition to the Chelsea & Apple Hill Solar array as currently planned, and we state our displeasure that the Public Service Board’s decisions appear to ride roughshod over the opinion of the citizens and the Town of Bennington”

Discussion:

Jim Carroll would like to add “irreparable harm” to the above statement. He feels there would be long-term economic impact. Donald Campbell stated he felt it unlikely to be able to stop this now. Ms. Morrissey stated that it wasn’t over till the “fat lady sang”.

Tom Jacobs reminded the Board that he would be recusing himself from the vote. Donald Campbell stated he would like to have the screen plan before the permit was issued.

VOTE: Motion passed (Tom Jacobs recused; Justin Corcoran & John McFadden absent)

Michael Keane asked how the letter would be sent since the deadline was tomorrow. The Manager stated he would e-mail it to Town Counsel in the morning and he would forward it electronically to the proper authorities.

Loyal Wescott stated in the information he received traffic citations are separate from the arrest numbers. Last month Bennington was at almost 700 arrests. Tom Jacobs stated we should be proud of our law enforcement. We live in a safe town.

Mr. Jacobs continued by stating that in early November the Police Chief would be on the agenda for his annual update. Mr. Wescott is welcome to attend and question these issues. Mr. Jacobs also noted a recent newspaper article that stated landlords would now be more involved and furthering background checks before renting to citizens.

Mr. Jacobs then thanked all who spoke this evening.

4. 2015 LIQUOR LICENSE / STEWART’S

The Manager stated this was simply a change in location. On November 18, 2015 the “new” Stewart’s is expected to be open. They would like to move their current license to the new location at 636 Main Street as the old location will be closing at the end of the day of November 17, 2015.

As this is not a normal liquor license, and just a transfer, it can be submitted with only the Chair’s signature; it is simply a formality.

Motion: Michael Keane motioned and Donald Campbell seconded to approve the Stewart's Liquor License transfer to 636 Main Street as of November 18, 2015 and to allow the Select Board Chair to sign that approval. Motion passed (*Justin Corcoran & John McFadden absent*)

5. MANAGER'S REPORT

The Manager had one "action item" for the Board. The event "Fallapalooza" is requesting as they have in the past for a road closure during the event. They are requesting Main Street be closed on October 24, 2015 from 6:00am to 5:00pm between the "Four Corners" and top of Union Street. They are also requesting Valentine Street between Main Street and Pleasant Street and School Street between Pleasant Street and Main Street also be closed for the event. By consensus the Board approved this request.

The Manager stated there were 7 or 8 applicants for the Oral Health Commission. There are however, no applicants so far for the recent Housing Authority opening. Several members of the Board began suggesting times/days available for the Oral Health interviews. It was determined that the missing members this evening should be involved as well when choosing a date. Tom Jacobs asked each member to e-mail him what days they would be available and he will be in touch with the decision.

6. OTHER BUSINESS

Michael Keane stated he recently attended an Open House for Church Insurance at 210 South Street. They did a very nice remodel of their location and currently employ 38 people.

Mr. Keane also noted the recent Octoberfest was a great success.

Donald Campbell also stated Octoberfest seemed well attended. Everyone he spoke with seemed to be from somewhere else.

Tom Jacobs stated there seemed to be a lot of traffic downtown on Sunday night. He asked where we were with a landlord ordinance regarding empty storefronts etc. Michael Harrington stated there were initially (2) different types of ordinances being developed. They are working on transferring some language from one to the other where it would be more effective and appropriate. The "Vacant Property" ordinance is almost complete.

Mr. Jacobs suggested property owners pair up with schools or local artists for display to at least make the empty stores look more like something than nothing. Mr. Harrington stated the BBC (Better Bennington Corp) was working with that. He will follow up to see where they are.

Tom Jacobs advised the board that there was a need to go into Executive Session to discuss a personnel 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.

Dan Monks asked if the Board would give a few moments to discuss a small contract matter as well.

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

7. Executive Session

- A. Personnel**
- B. Contract** (*if any*)

Respectfully submitted,

Linda E. Bermudez
Secretary