

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

***MONDAY, JUNE 27, 2016***

**MINUTES**

**BOARD MEMBERS PRESENT:** Tom Jacobs – Chair; Michael Keane-Vice Chair; Jim Carroll; Jeanne Conner; Jeannie Jenkins;

*Absent: Donald Campbell; Justin Corcoran*

**ALSO PRESENT:** Stuart Hurd, Town Manager; Dan Monks, Zoning Administrator & Assistant Town Manager; Michael Harrington, Economic & Community Development Director; Patrick McArdle, Rutland Herald; Linda E. Bermudez – Secretary; (9) Citizens

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

**1. PLEDGE OF ALLEGIANCE**

**2. CONSENT AGENDA (A-B)**

*A) Minutes – June 13, 2016  
June 20, 2016*

*B) Warrants*

There were no questions.

**MOTION:** Michael Keane motioned and Jim Carroll seconded to accept and approve the minutes of June 13, 2016 & June 20<sup>th</sup>, 2016 as well as the warrant as submitted. Motion passed (*Michael Keane abstained from the June 20<sup>th</sup>, 2016 minutes vote ONLY; Donald Campbell & Justin Corcoran absent*)

**3. CITIZENS**

There were no citizen comments this evening.

#### **4. VT DEPARTMENT OF ENVIRONMENTAL CONSERVATION – PFOA PRESENTATION**

The Manager introduced Chuck Schwer and Richard Spiese from the VT Department of Environmental Conservation (VTDEC). They announced there would be an additional meeting Wednesday June 29, 2016 at 5:30pm at Bennington College. All are welcome to attend.

The presentation continued by noting for three months they have been testing and sampling wells, sewers, surface waters, fish, sludge and septic systems. Approximately 460 samples were taken. Of these 164 were Non-detectable (ND), 53 were between 0-20 ppt (parts per trillion) and 243 were greater than 20 ppt (20ppt is the standard). All of the information gathered can be viewed on their website. They reviewed a map of the area showing where samples were taken, color-coded by results and where the suspected sources are/were located.

Tom Jacobs and Jeanne Conner asked if there were any re-samples taken. Mr. Schwer stated they are currently working on that plan. Some have been taken already. Of those, some results were the same and some were not. In addition, an audit program is being developed to compare labs where results were determined.

St. Gobain has hired Culligan to place filters on the wells with contamination. They will be tested once a month for (3) months to monitor the effects of filtering.

The DEC representatives continued by discussing the results from the surface water sampling as well as the fish tissue sampling. They have determined the results of these tests show no risk to human health or sensitive aquatic species. Additionally, soil samples results showed soil remediation was not necessary. Lastly measurable levels are not expected to be present in produce if “clean water” is used to feed produce and animals. Samples of Maple Syrup were also taken and all have shown to be PFOA free.

Mr. Schwer then described how the POET (Point of Entry Treatment) filters work. They are a (3) phase system and tests are done at each phase to show their effectiveness. Unfortunately carbon filters have naturally occurring arsenic present. These must be fully flushed before human consumption is advised. The run time is typically 1,000 gallons. After 1,000 gallons have flushed through the filters, the arsenic is no longer at levels of concern.

Jason Dolmetsch, MSK Engineering stepped forward to discuss briefly the municipal water line extension project. Questions followed regarding who should take the lead (Town or State) and how to find out who is interested in connecting. Additionally, the Select Board should consider if they want to allow (in this case) a property owner to “opt-out” of connecting. If they do not want to connect at time of construction, but wish to later on who would then be responsible for that cost?

Mr. Dolmetsch stated Town of Bennington can serve most of the areas in concern. He reviewed the color-coded maps of pressure zones and how many would be looped to maintain proper pressure and quality. The north zone is the only area where an additional booster pump and tank would be needed. This project would add an additional 20 miles of pipe. The “conservative cost” is approximately \$25,900,000. Construction would need to be done in (4) phases and more than one construction season. Michael Keane asked about any Federal funding. Mr. Dolmetsch stated there were loan programs available, however the State feels the source of contamination should pay.

Jeanne Conner asked about the Town’s infrastructure. Mr. Dolmetsch stated the Town’s system is capable of processing 3.9 million gallons per day. Currently the max was 2.7 million per day (in 2015). The additional properties added to the system are only expected to add approximately 150,000 gallons per day of demand.

Jeannie Jenkins stated she feels the line extensions are necessary and properties should connect if it is run past their property. A “Class 4” designation by the State for this area would

relieve the need for the Select Board to create an ordinance. She would like to think more about this however.

Michael Keane would like to encourage these property owners to connect to the system. Extending the system could make for a more robust opportunity for growth as well.

Patrick McArdle stepped forward with questions on a second report filed by Otter Creek Engineering. Mr. Dolmetsch stated that report was for the North Bennington portion of the project. Both reports are available on the State's website for viewing.

Tom Jacobs thanked the VT DEC representatives for their presentation and stated the community should feel comfortable, as the State has really stepped up in this situation.

## **5. ARTICLE 30. PROPERTY MAINTENANCE ORDINANCE - DISCUSSION**

Tom Jacobs reviewed briefly this history of this ordinance's development. Michael Harrington stated he was merely looking for additional feedback this evening. He continued by reviewing the three major changes based on the previous feedback received.

Dan Monks noted there have been lengthy conversations with both of the Town's Building Inspectors. They agree the biggest problems are with the vacant properties. Over the last 1.3 years they have worked closely with realtors, property owners, focus groups and business owners for their input. They feel this is needed.

Michael Keane asked about the impact on Town Staff. Mr. Harrington stated the initial impact would be the registration of vacant properties. Then it will be regarding concerns from the general public. The most egregious will be addressed first and work backwards from that point.

Tom Jacobs stated he would like to see a "good version" ready for the second meeting in July to be the first hearing. Mr. Harrington stated this version shall be posted on the Town's website for public viewing.

## **6. BORROWINGS**

- A) RECREATION CENTER NOTE**
- B) HIGHWAY DUMP TRUCK NOTE**

**Motion: Jim Carroll moved and Michael Keane seconded to wave the reading of both the Recreation Center Note and the Highway Dump Truck Note and approve both borrowings. Motion passed Unanimously (Donald Campbell & Justin Corcoran absent)**

## **7. MANAGER'S REPORT**

The Manager stated he anticipated the PFOA presentation to be much longer; therefore he did not prepare a report. It was a great session however.

## 8. OTHER BUSINESS

Jeanne Conner reminded the public that Downtown “First Friday” begins this week, July 1, 2016. There will be various Downtown events, the museum is open from 5:00pm-8:00pm; everyone get out and enjoy.

The Manager reminded the public the Town’s fireworks display will be on Monday, July 4<sup>th</sup>, 2016 at 9:30pm

Tom Jacobs asked about the White Rocks trailhead parking. Dan Monks stated he has been working with the Green Mountain Club (GMC) and Green Mountain Power (GMP) and attending pre-construction meetings with them. This is because a portion of it will be under power lines. Easements are in place and they are scheduling the work now. August is the tentative start date with belief it will be in place for the Fall.

Mr. Jacobs then asked about the “Pedestrian Crossing” signs for the BBC corner. Mr. Monks stated he hopes to have those in place soon. There are some concerns however regarding the turns at Elm Street and Hillside Street. RJ Joly, Highway Superintendent will be looking into this further.

Lastly, Mr. Jacobs asked the Town Manager about the end of year Town budgets. The Manager stated that they do not have the final numbers yet. The Auditors have begun and so far the numbers look good.

Michael Keane stated he attended the Cooking Challenge that Chris Bates and Stephanie Calabro organized. Half of the proceeds benefited the Coalition for the Homeless. It was well attended and a good time for a good cause. Congratulations.

Jennie Jenkins announced the Gift Basket raffle to benefit the Park at 336. The drawing will be at Ramuntos on Wednesday June 29, 2016. Also on Wednesday night is movie night across the street at the Nichols lot. It is free. Bring a chair and enjoy.

Tom Jacobs noted there was no need for Executive Session

**Motion:**        **Jim Carroll moved and Jeanne Conner seconded to close this evening’s meeting. Motion passed unanimously (*Donald Campbell & Justin Corcoran absent*)**

Respectfully submitted,

Linda E. Bermudez  
Secretary