

1 **BENNINGTON SELECT BOARD MEETING**

2 **BENNINGTON FIRE FACILITY**

3 **130 RIVER STREET**

4 **BENNINGTON, VERMONT 05201**

5 **AUGUST 22, 2016**

6 **MINUTES**

7 **BOARD MEMBERS PRESENT:** Thomas Jacobs-Chair; Michael Keane-Vice Chair; Jim Carroll; Jeanne Conner;  
8 Jeannie Jenkins and Donald Campbell.

9 **BOARD MEMBERS ABSENT:** Justin Corcoran.

10 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Zoning Administrator & Assistant Town Manager;  
11 Michael Harrington-Economic & Community Development Director; Jim Lawton; Jeff Grimshaw; Edie  
12 Szymanski; Jennifer and Dain Krynen; Keith Whitcomb-Bennington Banner; 3 citizens; and Nancy Lively-  
13 Secretary.

14 At 6:03 P.M., Tom Jacobs called the open meeting to order.

15 **1. PLEDGE OF ALLEGIANCE**

16 Recited by all present.

17  
18 **2. CONSENT AGENDA**

19 **A. MINUTES – AUGUST 8, 2016**

20 **B. WARRANTS**

21 *Jim Carroll moved and Don Campbell seconded to accept the Consent Agenda as submitted.*

22 Ms. Conner asked why the electric bill was so high, and Mr. Hurd answered that it was for all of  
23 the Town buildings from mid-June to mid-July.

24 *The motion carried unanimously with Justin Corcoran absent.*

25 **3. CITIZENS**

26 Mr. Jacobs was “surprised and disappointed” about the headline that was in the Bennington Banner  
27 concerning a comment that was made by Michael Keane on his Facebook page to Joey Kulkin. He urged  
28 everyone to use common sense when utilizing all of the forms of social media that we have available to us.

29 Mr. Keane has apologized to Mr. Kulkin personally and now apologizes to the community noting that  
30 he has been married to a Jewish woman for 32 years and does not hold any prejudice against Jewish  
31 people.

32 Jim Lawton thanked all of the Town employees and elected officials for their service. He emotionally  
33 stated that there is bigotry present in Bennington so we must all choose our words carefully.

34 Jim Grimshaw cautioned of the effects of Mr. Keane’s comments and that he should be held to his  
35 apology.

36 Edie Szymanski, Mr. Keane’s Jewish wife, spoke in support of her husband.

38 **4. TIMED LIMIT PARKING EXPANSION – MAIN STREET**

39 Mr. Hurd explained that we currently have a two-hour parking limit in the downtown area that is  
40 sporadically enforced because the primary problem has been with individual businesses employees. The  
41 bakery on the east end has requested a shorter limit, and Mr. Hurd recommends that there not be a lesser  
42 than two-hour limit anywhere on Main Street.

43 Discussion ensued:

- 44 • Mr. Keane – should be consistently throughout at two hours.
- 45 • Mr. Carroll – two hours is too long to promote turnover.
- 46 • Ms. Conner – the bakery has a unique situation in that they only have access to those parking  
47 spaces and are too far away from any other parking options.
- 48 • Mr. Hurd – it is public parking open to all of the public and not earmarked for just the bakery  
49 business.
- 50 • Ms. Jenkins – the two-hour parking doesn't exist in front of the bakery so we should establish a  
51 lesser amount of time for the use of those spaces.
- 52 • Mr. Campbell – suggested that we establish the two hour limit and revisit the decision in a year.
- 53 • Ms. Krynen – added that they are a half mile from any other municipal parking.

54 ***Michael Keane moved and Jim Carroll seconded to put up signage for 30-minute parking in***  
55 ***front of the bakery on Main Street.***

56 Ms. Conner clarified that there are no other businesses around that area that would need  
57 parking on the street. All others are residences that have their own driveways to park their vehicles in.

58 Mr. Jacobs stated that the bakery is at a unique location and we should do what we can do see  
59 that the business is successful.

60 ***The motion carried unanimously with Justin Corcoran absent.***

61 Mr. Hurd will check the Ordinance to see when this can go into effect.

62  
63 **5. CITIZEN SURVEY DISCUSSION**

64 Mr. Harrington explained that there has been discussion on doing a business survey, as well as,  
65 a citizen's survey to get a sense of how each feel about the job that the Town is doing. The survey has  
66 two purposes – one as a strategy plan for the future, and one with comments that require more  
67 immediate attention. The Board was given a "rough first draft" of the survey that they had made  
68 comments on and returned to Mr. Harrington. A little over a year ago, businesses were given a survey  
69 and the hope is to be able to roll a survey out to citizens in October 2016 and to businesses again in the  
70 spring of 2017. The surveys would be online perhaps with a card mailed out to let people know it's  
71 available, as well as, some hard copies in various spots around town, such as the Polls, the Town Office,  
72 the Library, the Recreation Center, etc.. The goal is to do businesses one year and citizens the next.

73 Mr. Keane added that the survey that the Board was given for comment was from a  
74 Midwestern community and quite lengthy. He solicited patience from the community as we realize  
75 areas that can be eliminated in the future.

76 Mr. Carroll feels that the surveys should be done annually, not bi-annually. Mr. Harrington  
77 noted that some people that own a business would be surveyed twice plus if a budgetary action  
78 stemmed from the surveys, it would require time to add to the upcoming budget.

79 Ms. Conner thought that it would be interesting to have a group of “guinea pigs” that you could  
80 survey repeatedly to see how their responses would change survey-to-survey.

81 Mr. Hurd feels that the 3-4 pages of personal information at the end of the survey are  
82 “intrusive’ albeit that analysts find this information useful. Mr. Harrington noted that the survey that  
83 actually goes out will be cut down substantially from the one the Board was given.

84 Mr. Campbell hates surveys and stated that developing different ways to solicit information on  
85 a more frequent basis may be beneficial.

86 Mr. Harrington said that he could bring a revised copy of the survey to the Board in September.  
87

## 88 **6. UPDATED CONFLICT OF INTEREST POLICY**

89 Mr. Hurd stated that the existing Conflict of Interest Policy on the books was adopted in 1993  
90 and is not as comprehensive as the model that the League of Cities and Towns has outlined for us. He  
91 has taken the more comprehensive model and addressed the areas of conflict of interest of elected  
92 and appointed officials. A different Conflict of Interest Policy will be updated for employees, as well.

93 Mr. Keane read his proposed change to Article 4. A. Conflict of Interest: “A conflict of interest  
94 does not advise for decisions on matters in which the public official has personal or financial interest  
95 and whose outcome effects all citizens equally.”

96 Mr. Keane will e-mail this change to Mr. Hurd in addition to that of Ms. Jenkins, and Mr. Jacobs  
97 will propose language for the next meeting concerning recusals.  
98

## 99 **7. BENNINGTON STATION LOT LINE CORRECTION**

100 Mr. Jacobs recused himself from this agenda item.  
101

102 Mr. Monks explained that the Bennington Station parking lot has been leased by the Town from  
103 the State of Vermont for several years. The lease expired in July. Also, during the transfer of the  
104 Bennington Station to the new owner, it was discovered that there is a minor encroachment of the  
105 Bennington Station building on the parking lot property. It has been authorized by the legislation,  
106 subject to Select Board approval, for the State to transfer 2.5 acres to the Town and then for the Town  
107 to transfer 1,409.6 square feet to the new owner of the Bennington Station.  
108

109 ***Don Campbell moved and Jim Carroll seconded for the Town of Bennington to accept the***  
110 ***transfer of 2.5 acres of the Bennington Station Parking Lot from the State of Vermont, and for the***  
111 ***Town of Bennington to subsequently transfer 1,409.6 square feet to the new owners of the***  
112 ***Bennington Station.***  
113

114 Mr. Campbell asked if there was any cost to the Town, and Mr. Monks answered minimal. If  
115 approved, this will be done in 90 days.  
116

117 ***The motion carried with Tom Jacobs abstaining and Justin Corcoran absent.***  
118  
119

## 120 **8. MANAGER’S REPORT**

121 Mr. Hurd circulated a Liquor License Application for signatures to transfer Kevin's to Mike  
122 Greene.

123  
124 ***Michael Keane moved and Jim Carroll seconded to appoint Stuart Hurd as the Town's voting***  
125 ***delegate at the VLCT Annual Meeting in October 2016, and to authorize the Chair to sign the***  
126 ***Designation Form. The motion carried unanimously with Justin Corcoran absent.***

127  
128 Mr. Hurd reported that the State has completed their list of residents by street that may be  
129 effected by PFOA and the Town will finish compiling its list of the responses to the post cards by the  
130 end of August. Also, the State will pay for properties to be connected to Town Water along Northside  
131 Drive, Waite Drive, as well as, other locations where the town water is available but has not been  
132 utilized by the citizens. Hopefully, the connections will be done this fall.

## 133 134 135 **9. OTHER BUSINESS**

136  
137 Mr. Campbell noted that Evans News is closing and there is concern for the vacancies in the  
138 downtown. Mr. Campbell also stated the list of responsibilities that Mr. Harrington has pointing out  
139 that we should invest some dollars at budget time to get some help in our Economic Development  
140 area.

141  
142 Mr. Keane concurred, and referred to St. Albans and a town in Kansas that he is familiar with as  
143 examples to look at.

144  
145 Mr. Carroll, Ms. Jenkins and Mr. Jacobs also agreed on the overload of work that Mr. Harrington  
146 has.

147  
148 Mr. Carroll and Ms. Conner reiterated that words have power and consequences and they must  
149 be chosen carefully.

## 150 151 152 **10. EXECUTIVE SESSION**

153 **A. Contract**

154 **B. Real Estate**

155 **C. Personnel**

156 ***At 7:40 P.M., Jim Carroll moved and Donald Campbell seconded finding that an Executive***  
157 ***Session be held on a Contract, Real Estate and Personnel as premature general public knowledge***  
158 ***would place a person involved in the subject matter at a substantial disadvantage. The motion***  
159 ***carried unanimously with Justin Corcoran absent.***

160  
161 Respectfully submitted,

162  
163 Nancy H. Lively  
164 Secretary