

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

MONDAY, OCTOBER 24, 2016

MINUTES

BOARD MEMBERS PRESENT: Tom Jacobs – Chair; Michael Keane-Vice Chair; Jim Carroll; Jeanne Conner; Jeannie Jenkins; Donald Campbell; Justin Corcoran

Absent: None

ALSO PRESENT: Stuart Hurd, Town Manager; Dan Monks, Zoning Administrator & Assistant Town Manager; Michael Harrington, Economic & Community Development Director; Keith Whitcomb, Bennington Banner; Linda E. Bermudez – Secretary; (11) Citizens

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

1. PLEDGE OF ALLEGIANCE

2. CONSENT AGENDA (A-B)

*A) Minutes – October 10, 2016
October 12, 2016*

Jeanne Conner noted a spelling correction of “Sperber” for the October 12, 2016 minutes. Tom Jacobs and Donald Campbell recused themselves from the October 12, 2016 minutes vote.

B) Warrants

There were no questions.

MOTION: Jeanne Conner motioned and Donald Campbell seconded to accept and approve the minutes of October 10 and October 12, 2016 as presented, as well as the warrants as submitted.

VOTE: Motion passed (*Justin Corcoran abstained from both Minutes Vote only; Tom Jacobs & Donald Campbell recused from October 12, 2016 minutes vote ONLY*)

3. CITIZENS

Steve Smith Bennington resident stepped forward. He wanted to speak about the recently posted Senior Center Fee Schedule. The Manager noted it has been preliminarily posted at the Senior Center to allow for public response before given to the Select Board for consideration. Tom Jacobs asked when this would be before the Board. The Manager stated it is expected at the first meeting in November. Mr. Jacobs then asked Mr. Smith to return at that time for comment. Additional written comments would be accepted for those who could not return.

No other citizens stepped forward.

4. SIDEWALK SEATING POLICY

Dan Monks stepped forward and gave a briefing on this policy. Temporary sidewalk seating is already allowed. This policy has expanded on this to allow for permanent (year-round) seating. It addresses such things as allowable distances from curbing and concerns such as case-by-case specifications, cost to remove the seating structure and charges for a license.

Tom Jacobs noted that as experience comes with each of these types of seatings the policy could be modified to reflect that.

Michael Keane questioned what a reasonable timeframe for removal would be. Mr. Monks suggested if the location was unused for 30 days between May and October it could be considered abandoned.

Donald Campbell was concerned with possibility of disruption and disorderly conduct. Mr. Monks stated that in their license they must adhere to all laws and regulations. This includes noise ordinances etc. Tom Jacobs suggested more specific references to the laws and regulations be made.

Jeanne Conner questioned the potential increase in garbage generation. She suggested requiring the owners to provide additional garbage receptacles (and disposal of) to handle this.

Jeannie Jenkins questioned the purpose of the annual licensing fee. Mr. Monks stated it was not designed to be a moneymaker. Its purpose is to take the licensing seriously and so applicants do not enter into the agreement lightly.

Tom Jacobs asked Mr. Monks if he has spoken with Tom Hubbell (State Health Inspector) yet. Mr. Monks stated he had not but will shortly. Mr. Jacobs then stated the next reading would be at the next regularly scheduled meeting on November 14, 2016. Mr. Monks asked any additional comments or suggestions from the Board be forwarded to him.

5. CITIZEN SURVEY REVIEW

Michael Harrington stepped forward to present. Tom Jacobs noted that the release is expected within this next month. We hope the results can be calculated within a reasonable amount of time so that they may be useful during budget discussion in January.

Mr. Harrington reviewed briefly the many subjects it will cover. The goal is to launch the survey on Voting Day – November 8th, at the polls. At this time we hope to have four laptops available at the polls for people to begin. It will also be available on-line for others to do on their own. The survey will predominantly be electronic but paper version will be made available through the Town Office for those unable to or don't have access to computers. The surveys will be anonymous however there will be a few requirements. The person must be 18 years or older, live in Bennington, North Bennington or Old Bennington and will be asked to name the street they live on. This is to better understand the "neighborhood" questions asked within the survey. No other personal information will be asked.

Mr. Jacobs asked about a closure date. Mr. Harrington stated he expects November 30th, 2016 to be the closing date in order to have the results ready for January (budget discussions). The next survey release will be the Business survey in February/March. The surveys will alternate years in order to allow for proper response and progress from the results of each.

Michael Keane asked how citizens would receive the results. Mr. Harrington noted there will be a summary provided to the Select Board and then the results will be posted on-line and given to other organizations such as the Chamber of Commerce.

Jeanne Conner stated she still had many questions. She will send those to Mr. Harrington separately for discussion.

6. HOTEL FEASIBILITY STUDY DISCUSSION

The Manager stated after the last meeting he and his staff discussed the Board's idea of tabling this issue. The goal of the feasibility study is simply to determine whether Downtown Bennington has sustain a hotel and what the impact would be on the existing hotel/motels. If the answer is "no" then we have our answer. If the answer is "yes", then what is the impact. The Board could then discuss any pursuance if any.

Motion: Donald Campbell moved and Michael Keane seconded a motion to authorize a sub-committee of Select Board Members to work with the Town Manager on a feasibility proposal with Pinnacle with a price cap of fifteen thousand dollars (\$15,000)

Discussion:

Michael Keane would like to see financial projections added to the proposal.

Tom Jacobs nominated Michael Keane, Jeannie Jenkins and Donald Campbell to the sub-committee. All three accepted.

Jeanne Conner was very concerned keeping the negotiations to only Pinnacle. She was uneasy with this idea. If they were working with particular hotel developers it would behoove them to say "yes". Mr. Jacobs countered by stating that would put their reputation on the line with all developers if they could in turn not make the profits they were told they could with the development.

Discussion continued on Pinnacle's history. They work with small boutique hotels as well as chains. They have done approximately (30) projects in Vermont and conduct between 200-300 studies per year.

Jeannie Jenkins would like the answers to *why* if it is "no". Mr. Harrington stated that could be put in the proposal. He also noted that again this feasibility study is just to gather the data. It is not a developmental plan. It is information only.

REVISED MOTION: Donald Campbell moved and Michael Keane seconded a motion to authorize a sub-committee of Select Board Members to work with the Town Manager on a feasibility proposal with Pinnacle with a price cap of fifteen thousand dollars (\$15,000) and to include the following components: 1) The preliminary research of the market area; 2) A comprehensive analysis of market demand and assessment of feasibility; and 3) An assessment of impact on existing hospitality market

VOTE: Motion Passed Unanimously

7. MANAGER'S REPORT

The Manager reminded the Board that at budget time (January 2016) discussion had been around the recording device that was failing at the Police Department. The Chief has now reported this very important piece of equipment has insufficient capacity and must be replaced. It was installed approximately (15) years ago and has outlived its life.

The Chief has obtained a quote for a new system to be installed at the total cost of \$20,000. The Manager suggested this be funded from the Capital Facility Reserve Fund as this would be a capital purchase. The fund grows each year with the addition of monthly payments from Verizon to locate their tower on Town property as well as any money earned from logging. If this were to be budgeted for next Fiscal Year it would have a substantial impact on the budget, however more importantly the existing equipment may not last until July when the new Fiscal Year begins. This piece is in constant use as it records all phone conversations and dispatch calls. The Town of Bennington handles not only our own emergency dispatch but the surrounding towns as well. We receive many, many calls.

Motion: Michael Keane moved and Donald Campbell seconded a motion to allow the purchase of a new recording device for the Police Department from the Capital Facility Reserve Fund. Motion passed unanimously

The Manager announced that there are now 23 (of the required 24) RBC up and running at the Wastewater Treatment Plant. We anticipate the remaining RBC to be on-line and running by the end of this week.

Tom Jacobs asked the Manager to send the Board's great appreciation to the work force for all their hard work and dedication.

8. OTHER BUSINESS

Michael Keane stated the previous weekend was a very active one as Senator Sanders was in town and over 700 people attended to hear him speak.

Mr. Keane reminded the public that voting day is on November 8th, however Vermonters can vote now. Contact the Town Clerk for absentee voting.

Mr. Keane continued by asking the Manager on behalf of he and Mary Morrissey (who was present) about the rumors of Solar Energy companies that are proposing projects in town moving forward with clear-cutting to prepare for their projects. The Manager stated he is working with the Town's lawyer regarding filing a brief. Vermont's Agency of Natural Resource (ANR) is strongly opposed to this.

An update on the audit was requested. The Manager stated the Audit is complete. The results will be presented to the Select Board in November or early December. He suggested the Chair and Vice-Chair meet with Steve Love (auditor) on developing a more comprehensive presentation; perhaps with graphs or a power point presentation. Mr. Jacobs agreed. He would like to see something with more meaning.

The Balance Scorecard will have its first draft available shortly. Michael Harrington has been focusing on an excel spreadsheet type presentation. The Manager suggested they also meet with Mr. Harrington to see this format and finalize it. In the Annual Report it can bring together the results of both the Citizen survey and the Business survey.

Jeannie Jenkins wanted to acknowledge and thank Dr. George Glanzberg who works at the Free Clinic in the “Help a Pet” program. Dr. Glanzberg takes care of pets free of charge. The program runs solely on donations. This is a great example of how just one program can make such a difference in the community.

Ms. Jenkins continued by discussing the most recent school test results. She is extremely disheartened by Bennington’s results. We are some of the lowest in the State. The demographics explain much of this as according to the 2014-15 school year more than half of the students qualified for the “Free or Reduced Lunch” program. Just because we have a high poverty rate within the school system doesn’t mean we have to have poor test scores.

Our schools need to be strong. This is a bigger issue than just the schools; the Town as a whole needs to be involved. We need to address this. Tom Jacobs agreed. He would like to have a further discussion on a future agenda. He asked Ms. Jenkins to invite the appropriate people to further this discussion.

Donald Campbell liked this idea. It is a complicated issue and we must keep trying. Mr. Campbell continued by reminding and inviting the public to Fallapalooza this coming weekend. Everyone please come downtown and enjoy the events.

It was announced there would be forum at the Bennington College CAPA building Thursday October 27, 2016 at 7:00pm regarding “Building a Healthy Bennington”.

The Town Manager announced on Friday October 28, 2016 the official naming of the Senator James Jeffords Welcome Center on Route 279 is at 1:00pm. All are invited.

Michael Keane announced the Police Community Relations forum at the Bennington Fire House Tuesday October 25, 2016 at 5:30pm.

Tom Jacobs stated there was a need for Executive Session.

Motion: Michael Keane moved and Jim Carroll seconded a motion finding that an Executive Session be held on a contract matter and that premature general public knowledge of that matter would place persons involved at a substantial disadvantage. Motion passed unanimously

9. Executive Session

A. Contracts

Respectfully submitted,

Linda E. Bermudez
Secretary