

1 BENNINGTON CHARTER REVIEW COMMITTEE MEETING
2 TOWN OFFICE – CONFERENCE ROOM
3 205 SOUTH STREET
4 BENNINGTON, VERMONT 05201

5
6 WEDNESDAY, DECEMBER 20, 2017

7
8 MINUTES

9
10 COMMITTEE MEMBERS PRESENT: Robert Plunkett; Lynn Greene; Robert Ebert; Sean-
11 Marie Oller; Jon Cohen; Michael Keane;

12
13 ABSENT: *Dan Malmborg; Jon Cohen*

14
15
16 ALSO PRESENT: Stuart Hurd, Town Manager; Dan Monks-Zoning Administrator & Assistant
17 Town Manager; Jim Therrien, Bennington Banner; Donald Campbell, Select Board Member;
18 Linda E. Bermudez – Recording Secretary;

19
20
21 At 4:35 A.M., meeting called to order.

22
23
24 **1. PUBLIC COMMENTS**

25 Ron Alderman submitted a written comment. There were no additional public comments
26 for consideration.

27
28
29 **2. REVIEW ANY PUBLIC COMMENTS RECEIVED**

30
31
32
33 **3. APPROVE MINUTES OF 12/13/17**

34
35 ***Motion:*** *Robert Plunkett motioned approve December 13th, 2017 meeting*
36 *minutes. Robert Ebert seconded the motion.*

37 ***VOTE:*** *The motion passed unanimously (Dan Malmborg & Jon Cohen absent)*
38

39
40
41 **4. FIRE DEPARTMENT LANGUAGE DISCUSSION:**

42 Robert Ebert read Jim Barlow's suggested language. He then read the Fire Department's
43 response. They approved the language with a small addition. Mr. Ebert felt this was a very big
44 step that were accepting of the idea and suggested they approve they addition. The Manager
45 noted there has to be a transitional plan and it would need to be approved by both the Select
46 Board and the Fire Department.

47
48 ***Motion:*** *Robert Ebert motioned to approve and amend section 303 to include*
49 *language set by Jim Barlow (as recited) with the Fire Department's addition as*
50 *requested. (There was NO second)*
51

52 While the comments were being added to the working document, Ms. Oller continued
53 with the agenda

54
55 Robert Ebert then revised his motion. Again there was no second. Discussion continued
56 modifying the language further.

57
58 A third motion was made.

59
60 **Motion:** Michael Keane motioned to accept and approve statement modified
61 regarding section 303 (as recited) with Fire Department's addition as requested.
62 Robert Ebert seconded the motion.

63
64 **VOTE:** The motion passed unanimously (Dan Malmborg & Jon Cohen absent; Robert
65 Plunkett abstained)

66
67
68
69 **5. DISCUSSION OF COMMENTS FROM JIM BARLOW'S**

70 A) Constable

71 Mr. Plunkett reviewed Mr. Barlows comments on the Constable. A consensus was
72 reached to NOT accept Mr. Barlows comments. There will be no change. It will stay as before
73 last meeting.

74
75
76 B) Size of Board of Listers

77
78 **Motion:** Michael Keane motioned to change Listers to (3) members. Lynn
79 Greene seconded the motion.

80
81 **VOTE:** The motion passed unanimously (Dan Malmborg & Jon Cohen absent)

82
83
84 C) Pet Regulation Ordinance

85
86 **Motion:** Lynne Greene motioned to remove "in settled areas" to 302 Section 4 as
87 suggested by Jim Barlow. Michael Keane seconded the motion.

88
89 **VOTE:** The motion passed unanimously (Dan Malmborg & Jon Cohen absent)

90
91
92 D) Requiring Select Board Rules of Policy & Procedure

93
94 **Motion:** Lynne Greene motioned to approve/add Jim Barlow's language as
95 suggested. Robert Ebert seconded the motion.

96
97 **VOTE:** The motion passed unanimously (Dan Malmborg & Jon Cohen absent)

98
99
100
101 E) "Legislative Body" and "Board of Adjustment" language in section 603

102

103
104 **Motion:** *Robert Plunkett motioned to accept and approve changes to section 603*
105 *as suggested by Jim Barlow. Michael Keane seconded the motion.*
106

107 **VOTE:** *The motion passed unanimously (Dan Malmborg & Jon Cohen absent)*
108

109
110 **6. DISCUSS FINAL REPORT**

111 Robert Plunkett stated he took the draft of the Final Report and modified it. Ms. Oller
112 stated there should be some kind of statement added about why they are not recommending a
113 Mayor. Mr. Ebert again noted there are several towns that have both a Mayor and a Manager. A
114 Mayor on the weaker end of spectrum could be good. However he agrees that a
115 Manager/Council form of government is what is right for Bennington.

116 Discussion continued regarding the timeline and target date of when to present the
117 revised Charter and Final Report to the Select Board. Mr. Ebert suggested sending all the
118 documents to the Select Board electronically. It then could even be sent tonight.

119
120 *(Brief recess Michael Keane left the meeting)*
121

122 Lynne Greene had multiple suggestions to briefly modify the final report. Mr. Plunkett
123 noted that there would not be enough time to complete it this evening.
124

125
126 **Motion:** *Robert Ebert motioned to accept the Final Report as modified by Lynne*
127 *Greene and Sean-Marie Oller with no substantial changes along with all supporting*
128 *documents to be submitted to the Select Board by Friday December 22, 2017. Robert*
129 *Plunkett seconded the motion*
130

131 **VOTE:** *The motion passed unanimously (Dan Malmborg, Michael Keane & Jon Cohen*
132 *absent)*
133

134 The meeting continued by reviewing some of the minor modifications to the report that
135 Ms. Greene & Ms. Oller are suggesting
136

137
138
139 **7. OTHER**

140 There was no "other business" this evening.
141

142
143 **Motion:** *Robert Ebert motioned to close the meeting. Lynne Greene seconded the*
144 *motion*
145

146 **VOTE:** *The motion passed unanimously (Dan Malmborg, Jon Cohen & Michael Keane*
147 *absent)*
148

149 Respectfully submitted,
150

151 Linda E. Bermudez

152 Recording Secretary
153