

1 **BENNINGTON SELECT BOARD**

2 **BENNINGTON FIRE FACILITY**

3 **130 RIVER STREET**

4 **BENNINGTON, VERMONT 05201**

5 **JUNE 11, 2018**

6 **MINUTES**

7 **SELECT BOARD MEMBERS PRESENT:** Thomas Jacobs-Chair; Donald Campbell-Vice Chair; Jim Carroll;
8 Carson Thurber; Chad Gordon and Jeannie Jenkins.

9 **SELECT BOARD MEMBERS ABSENT:** Jeanne Conner.

10 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Zoning Administrator and Assistant Town
11 Manager; Zirwat Chowdhury-Community Development Director; Melissa Courier-Finance Director; RJ
12 Joly; Larry Gates; Thomas Dee-SWVT Medical Center CEO; Jason Booth-Aldrich & Elliott; Robert Ebert;
13 Robert Plunkett; Matt Harrington; Chris Bates; 6 citizens; Mike Cutler-CAT-TV and Nancy H. Lively-
14 Secretary.

15 **EXECUTIVE SESSION - BOARDS AND COMMISSIONS**

16 At 6:03pm, Chair Thomas Jacobs called the meeting to order.

17 **1. PLEDGE OF ALLEGIANCE**

18 Recited by all present.

19 Mr. Jacobs announced that the hospital celebrated their 100th anniversary on June 10, 2018
20 with 4,000 people in attendance. Mr. Campbell read the Proclamation - Celebration of the Hospital's
21 100th Anniversary.

22 *Jim Carroll moved and Chad Gordon seconded to accept the Proclamation to Celebrate the*
23 *Hospital's 100th Anniversary as presented. The motion carried with Jeanne Conner absent.*

24 Thomas Dee, CEO of the SWVT Medical Center, stated that the hospital now serves three
25 states and over 100,000 patients. Mr. Dee thanked the Select Board for the proclamation and
26 partnership.

27 Mr. Carroll noted that his mother was a long time director of the hospital and extended kudos
28 to Mr. Dee for his personal visits during his recent hospitalization.

29 **2. CONSENT AGENDA**

30 **A. MINUTES - MAY 21, 2018**

31 **B. WARRANTS**

32 *Jim Carroll moved and Donald Campbell seconded the approval of the Consent Agenda as*
33 *submitted. The motion carried with Jeanne Conner absent.*

34 **3. CITIZENS COMMENTS**

35 Zirwat Chowdhury, Community Development Director, announced that the Pop Up Park at
36 Stark Street will be taking place this weekend - June 16th and June 17th. There will be several activities
37 and feedback is welcomed for what people would like this park to be in the future. To respect the
38 privacy of the Stark Street residents, everyone is encouraged to park at the Elks, at the hospital, or
39 behind the Town Office building.

40 **4. WASTEWATER TREATMENT FACILITY ENGINEERING AGREEMENT AND LOAN APPLICATION**
41 **(PHASE 2)**

42 Jason Booth from Aldrich & Elliott shared the following with the Board:

- 43 • We are seeking approval for the construction loan application for Phase 2 and the engineering
44 service agreement.
- 45 • Phase 2 will include everything except the RBC's - screening building, control building
46 upgrades, primary and secondary digesters, and significant electrical upgrades.
- 47 • The loan application is for \$5,345,000 which includes the contingency of \$217,500 (5% on
48 construction), engineering, and all permit fees associated with the project.
- 49 • The application has been sent to the State for review and approval pending acceptance by the
50 Select Board.
- 51 • The Engineering Service Agreement is in the required EJCDC Agreement format. The scope of
52 services, reimbursable expenses and fee schedule, level of effort and the corresponding
53 amount of each service are listed in a table. The total amount is \$480,500.
- 54 • The Agreement has been reviewed and approved by the State pending acceptance by the
55 Select Board.
- 56 • From a budget perspective, the project is "right where we thought we would be".
- 57 • There are some construction costs and add-ons that have increased the cost by ~\$45,000
58 since October but still well within the bond amount.
- 59 • The next budget update will be after the bids have come in from the contractors sometime in
60 July (RFP's went out on June 6th) with a more comprehensive budget update in December.
- 61 • The Town's Public Works Department - Wastewater Staff, in particular - "is doing an incredible
62 job with the RBC installation". "The Town is fortunate to have them."

63 Mr. Hurd added that we "are better than on budget". The bond is for \$9.8M and we are at
64 \$9.1M.

65 *Donald Campbell moved and Jim Carroll seconded to approve the Loan Application in the*
66 *amount of \$5,345,000.00 and the Wastewater Treatment Facilities (WWTF) Upgrade Project*
67 *Contract #1, RF1-198-3.0, Step III (Construction Phase) Engineering Agreement as presented. The*
68 *motion carried with Jeanne Conner absent.*

69 **5. MANAGER'S REPORT**

70 *Jim Carroll moved and Donald Campbell seconded to approve closing County Street from*
71 *North Street to School Street from 8:00am until 5:30pm on August 4, 2018 for the Annual Home*
72 *Brew Festival 2018. The motion carried with Jeanne Conner absent.*

73 Mr. Hurd reported that staff have installed the second row of RBC's. This portion of the
74 project is moving along on schedule and should be finished before the December 2018 deadline

75 outlined in the Assurance of Discontinuance. We have received State permission to pull the 3rd row
76 off line. The replacements for that row should be delivered in August.

77 Mr. Joly added that there are 8 new ones that are operating very efficiently. "One row of new
78 ones are working like three rows of the old ones." There will not be any odor related to removing the
79 3rd row prior to replacement.

80 Mr. Monks reported that the Kocher Drive Pathway Project is over budget and the Regional
81 Commission will be applying for a grant in the amount of \$150,000 for additional funding which has a
82 20% match requirement. We have received indications that we will be approved for this and it
83 should come through in September 2018. We also have \$55,000 in reserve that we had received
84 from Aldi's for an impact fee that we expect will cover the match.

85 **6. SET WATER AND SEWER RATES**

86 *Donald Campbell moved and Jim Carroll seconded to approve a 2% increase in the FY2019*
87 *Water Rates.*

88 The 2% increase will result in the following amounts:

89 Quarterly Flat Rate - from \$133.11 to \$135.77

90 Quarterly Per 1,000 Gallon Rate - from \$4.93/1,000 gallons to \$5.03/1,000 gallons

91 *The motion carried with Jeanne Conner absent.*

92 *Donald Campbell moved and Jim Carroll seconded to approve a 4% increase in the FY2019*
93 *Sewer Rates.*

94 The 4% increase will result in the following amounts:

95 Quarterly Flat Rate - from \$95.44 to \$99.26

96 Quarterly Per 1,000 Gallon Rate - from \$3.32/1,000 gallons to \$3.45/1,000 gallons

97 Mr. Hurd added that we are probably in the upper third - "higher than midpoint" - for sewer
98 rates in the State due to the level funding that was decided on by Boards several years ago for several
99 consecutive years. With the bond payment beginning next year plus depreciation, "we have our work
100 cut out for us" to try and keep the rate increases as low as we can.

101 *The motion carried with Jeanne Conner absent.*

102 **7. COMMITTEE TO REVIEW PURCHASING POLICY**

103 Mr. Thurber, Mr. Campbell and Mr. Carroll will form the Work Committee to review the
104 Purchasing Policy.

105 **8. GORE ROAD SOLAR**

106 Mr. Monks stated that the Planning Commission recommends that the Select Board support
107 the MHG Solar LLC - Gore Road solar project which is on a preferred solar site and is well screened by
108 existing vegetation. They have called it "a model project". MHG Solar has purchased the entire 83
109 acre lot so all right-of-way accesses went with it. This is the "last push" for solar projects, except for a

110 couple that are already in the works, for quite some time. The State has changed the incentives
111 available for new solar projects as of July 1st.

112 No Board action is required at this time.

113 9. OTHER BUSINESS

114 Mr. Thurber: Thanked everyone that attended Community Day on June 10th and a special
115 thanks to Lindy Lynch, as well as, all of the volunteers that participated in the event.

116 Mr. Carroll: There have been "a rash of complaints" on social media on the condition of the
117 roads, particularly by Park Lawn Cemetery and the deer park. These are not town roads and the State
118 has said that work will begin on them at the end of July.

119 Mr. Carroll: The damage caused to Dermody Road because the State refused to re-route the
120 trucks will be repaired by the contractors.

121 Ms. Jenkins on behalf of Ms. Conner: The Mt. Anthony Music Department visited Cleveland,
122 Ohio on May 24th - May 26th under the direction of Lynn Sweet, the Choral Director, and Margery
123 Rooen, the Instrumental Director. They performed and visited the Rock N' Roll Hall of Fame. A good
124 time was had by all.

125 Ms. Jenkins: On June 18th from 10:00am-12:00pm at the Bennington Fire Facility there will be
126 a Public Hearing for The Comprehensive Economic Development Strategy for Southern Vermont. This
127 is the 1st of 4 hearings - later on June 18th there will be one in Manchester, June 19th "at the crack of
128 dawn" there will be one in Brattleboro, and June 19th at 6:00pm there will be one in Wilmington.
129 Come and share your thoughts.

130 Mr. Gordon: His son was on the trip to Cleveland and thoroughly enjoyed it. Ms. Sweet and
131 Ms. Rooen "go above and beyond". And, congratulations to Ms. Rooen on her retirement this year.

132 Mr. Gordon: Senior Awards night is June 13th at 6:00pm and Graduation is June 15th at 6:00pm
133 at Spinelli Field.

134 10. EXECUTIVE SESSION

135 A. LITIGATION

136 *At 6:52pm, Jim Carroll moved and Chad Gordon seconded finding that an Executive Session*
137 *be held on Litigation as premature public knowledge would place a person involved in the subject*
138 *matter at a substantial disadvantage. The motion carried unanimously.*

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141

142 Respectfully submitted,

143 Nancy H. Lively

144 Secretary