

1 **BENNINGTON SELECT BOARD**
2 **BENNINGTON FIRE FACILITY**
3 **130 RIVER STREET**
4 **BENNINGTON, VERMONT 05201**
5 **OCTOBER 8, 2018**
6 **MINUTES**

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

9 **SELECT BOARD MEMBERS ABSENT:** None.

10 **ALSO PRESENT:** Stuart Hurd-Town Manager; Daniel Monks-Planning Director; Zirwat Chowdhury-
11 Community Development Director; Seth Gabriel and Sandy Foster-Bennington Tennis Center; William Colvin and
12 Bob Stevens-Bennington Redevelopment Group; Reuben Harrington-SVT Masonry; Mell and Mike Madison-
13 Madison Brewery; Matt Harrington-Chamber of Commerce Executive Director; Rose Talbert; 9 citizens; Mike
14 Cutler-CAT-TV; Jim Therrien-Bennington Banner and Nancy H. Lively-Secretary.

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

16 **1. PLEDGE OF ALLEGIANCE**

17 Recited by all present.

18 **2. CONSENT AGENDA**

19 **A. MINUTES - SEPTEMBER 24, 2018**

20 **B. WARRANTS**

21 **C. ROTARY WEEK RESOLUTION**

22 *Donald Campbell moved and Jim Carroll seconded to approve Consent Agenda items A.*
23 *MINUTES-SEPTEMBER 24, 2018 amended as follows and B. WARRANTS:*

24 *Line 14, change "Wendy Sullivan" to "Wendy Lawrence"*

25 *Line 66, change "\$950,000" to "\$900,000"*

26 *The motion carried with Carson Thurber abstaining.*

27 _____
28 *It was moved and seconded to approve Consent Agenda C. Rotary Week Resolution as*
29 *presented. The motion carried unanimously.*

30 **3. CITIZEN PUBLIC COMMENTS**

31 Rose Talbert asked if anyone had been hired to replace Tracy Knights at the Rec Center, and Mr.
32 Hurd answered, no, that staff were in the process of reorganizing the Rec Center which included
33 discussions with the YMCA. Additional staff at the Senior Center will also be part of the upcoming
34 budget.

35 **4. BENNINGTON TENNIS CENTER - CLASSROOM STRUCTURE PROPOSAL**

36 Seth Gabriel and Sandy Foster shared the following with the Board:

- 37 • The Southwest Vermont Supervisory Union participates in a free after school program where
38 education continues both on and off the court through the National Junior Tennis and Learning
39 (NJTL) organization.
- 40 • There were an average of 25 students/week in the program throughout the summer.
- 41 • Conducting the academic portion of the program within the tennis court area is not conducive
42 to learning.
- 43 • The request is to put a 700 square foot building, 12-month facility, dedicated to only academics,
44 outside the back of the tennis bubble within the footprint of the land that is leased from the
45 Town.
- 46 • Rest rooms in the bubble will be able to be accessed with a boardwalk between the two
47 structures.
- 48 • The structure will be able to house 8-12 students at a time.
- 49 • Following Board approval, the plans will be presented to the Development Review Board.

50 *Jim Carroll moved and Donald Campbell seconded to accept the Bennington Tennis Center*
51 *Classroom Structure Proposal subject to final plan design. The motion carried unanimously.*

52 **5. BENNINGTON REDEVELOPMENT GROUP - WITH BCIC UPDATE**

53 William Colvin and Bob Stevens shared the following information with the Board on the Putnam
54 Block Redevelopment - Pre-Closing Remediation:

- 55 • On October 4, 2018, the pre-closing process began with the project's 17 funding sources.
- 56 • On December 1, 2018, or early December, the financial closings will be complete and
57 construction will formally begin on the project.
- 58 • The asbestos removal was done September 24th through October 5th, and will be totally
59 completed within a few days, at a cost of \$125,000.
- 60 • A 10,000 gallon fuel oil tank and PAH soil will be removed, and soil restored between October
61 22nd and October 31st. This must be done before the financial closing.
- 62 • The PAH soil will be stored at the Greenberg site and then buried deeper and capped at the
63 same site under the supervision of the EPA. There are some funding sources to help pay for the
64 EPA required excavation.
- 65 • The Greenberg building will be demolished between November 1st and November 30th, also to
66 be done before the financial closing. The total pre-financial closing costs will be \$1.5M.

- 67 • The public is very enthusiastic about the project with 64 entities having donated \$3.6M.
- 68 • The project will add 105 new units of housing to the 160 that already exist downtown.
- 69 • The 105 units created will be 36 upper end (single annual income=\$60,480), 39 workforce
- 70 (single annual income=\$40,250), and 30 affordable (single annual income=\$25,200).
- 71 • The additional units will provide homes to about 150 residents and contribute \$4.2M annually
- 72 to the local economy, as well as, a \$6.8M increase in property value on the Grand List.
- 73 • Phase 1 = 10 upper end and 20 workforce units; Phase 2 = 19 upper end and 26 workforce
- 74 units; and Phase 3 = 30 affordable units.
- 75 • Over 50% of 63 young professionals surveyed indicated that they would like to live downtown
- 76 around their current rent, and 25% indicated that they would pay higher rent.
- 77 • 33% of the young professionals are in the upper end income bracket; 37% in the workforce
- 78 income bracket; and 30% in the affordable income bracket.
- 79 • Of the units in Phase 1 the one bedroom units have a waiting list, there is one 2-bedroom
- 80 available and the efficiency apartments have not been marketed yet.
- 81 • The one bedroom units rent is \$1,100-\$1,300 and the 2 bedroom units rent is \$1,600-\$1,700.
- 82 • Phase 1 will be completed in 15-18 months; Phase 2 is expected to close in a year; and Phase 3
- 83 is expected to close in two years.
- 84 • A 90-day notice was given to existing tenants of the Putnam Block on October 1, 2018, and we
- 85 are providing significant assistance with relocating them during construction.
- 86 • The tariffs and trade wars are not expected to impact the cost of Phase 1 but may impact the
- 87 Phase 2 new construction cost.
- 88 • Old Castle Theatre will be purchasing their building.
- 89 • Breadloaf will be in charge of construction and is expected to outsource some work to local
- 90 contractors.
- 91 • There are five use restrictions on the building due to federal funding, such as, not being able to
- 92 sell liquor, no massage parlors, and no sale of any federally prohibited substance.
- 93 • This project was instrumental in allowing TIF to become possible. There is no bonding involved
- 94 in Phase 1, however, an evaluation will need to be done upon the completion of Phase 2 and
- 95 Phase 3.
- 96 • Further soil removal and storage will be part of Phase 2.

97 The Board was appreciative of the work done on the project and hoped for the future success
98 of it.

99 **6. REPORT ON RFP FOR FORMER HIGHWAY GARAGES**

100 Chad Gordon recused himself from this agenda item.

101 Ms. Chowdhury reported that the two Town garages - one on Orchard Road and one on Depot
102 Street - had RFP's sent out in June with a required response by August 6, 2018. Each location had two
103 proposals as follows:

104 Orchard Road - SVT Masonry proposed purchasing property for \$40,000 to use as storage space
105 related to the masonry business, and to explore educating youth in the masonry trade. Reuben
106 Harrington, owner of SVT Masonry, stated the following:

- 107 • We are only going to store equipment related to masonry and not large excavators or cranes.
- 108 • We are out 99% of the time so all of our equipment would not be there most of the time.
- 109 • We would gladly work with the school as far as parking or the salt shed. We would need 50% of
110 the building and could lease the other half to the school.
- 111 • There would not be any inappropriate language or behavior around the children.
- 112 • We would also like to improve the building - "dress it up" - to potentially compliment the
113 aesthetics of the school.
- 114 • We have 35 employees and are turning down work all the time.

115 Orchard Road - Bennington School District (BSD) proposed a 2-year lease with annual payments
116 of \$4,000 and the right of first refusal to purchase the property. The property would be used to store
117 supplies for the BSD, middle school and high school, as well as, maintenance equipment, and provide
118 space for additional parking for Molly Stark. No one came on behalf of the BSD.

119 Depot Street - Green Mountain Lines proposed storing tour busses at the facility. This proposal
120 was declined. No one came on behalf of the Green Mountain Lines.

121 Depot Street - Madison Brewery proposed purchasing or leasing the building to be used for a
122 brewing, kegging and tap room business. Mel and Mike Madison, owners of Madison Brewery, stated
123 the following:

- 124 ➤ We have formed a new corporation and are in the process of getting our distribution license for
125 Vermont and New York with Massachusetts to follow soon.
- 126 ➤ We need to expand our operation and have dozens of customers waiting for this to happen.
- 127 ➤ Old garages are noted for being ideal for breweries.
- 128 ➤ We would do a Phase 1 analysis of the building before considering purchasing it. There may be
129 funds for the analysis through the BCRC.
- 130 ➤ The business would start in 3-5 months following the purchase with full operation expected in 1
131 ½ - 2 years.
- 132 ➤ The brewery, itself, would take around 2,500 square feet of the 5,400 square foot building. The
133 rest would be for tasting, events, etc.

134 Further discussion will take place on these proposals at a later date.

135 **7. PERMISSION TO SELL PROPERTY TAKEN AT TAX SALE (2017) - 209 PLEASANT VALLEY ROAD**

136 Mr. Hurd explained that the Town took the 209 Pleasant Valley Road property at the tax sale on
137 October 3, 2017. The one year redemption period ended October 3, 2018 and the property has not
138 been redeemed. The amount due at the sale was \$59,920.25 with the current amount due to be
139 \$79,413.20 which includes taxes, penalties and 1% interest/month for a year. There is more than an

140 acre of land, the cabins and mobilehome will probably be removed and the building is in "rough
141 shape". Annual real estate taxes are ~\$6,000.

142 ***Carson Thurber moved and Donald Campbell seconded to approve selling 209 Pleasant Valley***
143 ***Road by public bid for \$79,413.30.***

144 Mr. Hurd stated that this would either be taken to an auctioneer or have a sealed bid
145 requested. The matter should be closed before winter.

146 ***The motion carried unanimously.***

147 **8. ERRORS AND OMISSIONS**

148 ***Carson Thurber moved and Donald Campbell seconded to approve the Errors and Omissions***
149 ***for the Teru Simon Trust Dated 7/13/16, House, Garage & 35.90 Acres, 2509 Skiparee Road,***
150 ***Bennington, Vermont as follows:***

151 ***Parcel 10013001 - Before \$66,500; After \$0.00; Difference (\$66,500)***

152 ***Parcel 10013005 - Before \$195,500; After \$227,900; Difference \$32,400***

153 ***The motion carried unanimously.***

154 **9. MANAGER'S REPORT**

155 Mr. Hurd reported that last year the agencies that had requested <\$7,500.00 were asked to
156 submit several documents plus a letter explaining what they do, as well as, being able to address the
157 public at the Town Meeting in March. In exchange for that, they would not be required to petition.
158 There were 13 agencies on the ballot last year.

159 Ms. Jenkins remembered the decision of last year to not require the agencies to petition if they
160 were seeking the same amount or less. In exchange for that, they would get information to the voters
161 in a timely fashion so the voters could make an informed decision, as well as, being able to address the
162 public at the Town Meeting in March. The intent was to lessen the burden of petitioning for the
163 already understaffed non-profits while getting more information to the voters. Last year the decision
164 was rushed and wasn't as successful as we had hoped. It is important to get the information of what is
165 expected out to the agencies relatively soon.

166 Mr. Hurd clarified that BCIC and BCRC are under contract and their contract amounts will be
167 known when he presents his budget to the Board.

168 Mr. Jacobs added that they also must get their financials to the Board for review during budget
169 discussions.

170 Ms. Conner agreed with the comments and noted that a new agency would still need to
171 petition to get on the ballot. Because of the timeliness of last year's decision, she feels that we should
172 count this year as Year 1.

173 Mr. Campbell certainly agrees with timely information to the voters, but struggles with the idea
174 that once an agency is on the ballot, they always are. He would also like to revisit this next year.

175 It was the consensus of the Board to require agencies that are increasing their amounts, or are
176 new, to petition, and to request the following from the agencies that are not increasing their amounts:

- 177 1. A short description of their services.
178 2. A short description of their budget.
179 3. A presentation at the Floor Meeting in March.

180 A letter will be going out to the agencies this week advising them of what is required of them.
181

182 Mr. Hurd reported that the State is planning a public meeting on PFOA on October 17, 2018 at
183 6:00pm at the Middle School.
184

185 Mr. Hurd reported that Town staff have completed the installations of the RBC's at the WWTF
186 which has saved us approximately \$1M based on the estimate. This will allow us to perform work on
187 other systems we had set aside.

188 **10. OTHER BUSINESS**

189 Ms. Conner reminded everyone that there will be a Fire Department Open House on October
190 10th from 5:00pm-7:00pm.

191 Mr. Jacobs extended condolences to Pearl Burpee for the passing of her husband.

192 Mr. Jacobs also noted that there will be a Small Business Round Table series on October 10th at
193 the Bennington Museum from 8:00am-9:30am.

194 Mr. Campbell welcomed the Tristate Federal Credit Union to town and stated what a special
195 treat it was to have U.S. Olympian Jessie Diggins and Sophie Caldwell at Prospect Mountain on
196 September 26th.

197 Mr. Campbell also stated that BCIC will be having their meeting at Cappa on October 17th from
198 5:00pm-7:00pm.

199 Ms. Jenkins noted that on October 16th at the middle school the high school and Supervisory
200 Union are holding a session to talk about Act 77 and Flexible Pathways with a move away from grading
201 to a more proficiency based assessment. There will be 4 sessions from 7:00pm-8:30pm. Also, on
202 October 24th at 6:15pm in the CCV Community Room, Start Up 802 is having a showcase. These are a
203 group of local entrepreneurs that have spent the last 7 weeks flushing out business ideas. They have
204 also invited Innovate 518 which is the Albany area equivalent.

205 Mr. Gordon stated that there will be a MAYAA Semi-Final game - the first in a long time - under
206 the lights on October 13th.

207 **11. EXECUTIVE SESSION**

208 **A. LITIGATION**

209 **B. REAL ESTATE**

210 *At 8:15pm, the meeting was adjourned finding that an Executive Session be held on Litigation*
211 *and Real Estate as premature public knowledge would place a person involved in the subject matter*
212 *at a substantial disadvantage. The motion carried unanimously.*

213

214

215 Respectfully submitted,

216 Nancy H. Lively

217 Secretary