

1 **BENNINGTON SELECT BOARD**

2 **BENNINGTON FIRE FACILITY**

3 **130 RIVER STREET**

4 **BENNINGTON, VERMONT 05201**

5 **SEPTEMBER 24, 2018**

6 **MINUTES**

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

9 **SELECT BOARD MEMBERS ABSENT:** Carson Thurber.

10 **ALSO PRESENT:** Stuart Hurd-Town Manager; Daniel Monks-Planning Director; Mary Morrissey-
11 Representative; Martha Wiles-Harwood Hill Motel; Paul Doucette-Police Chief; Forest Weyen-Bennington
12 Rescue Squad Executive Director; Gracie-Police Dog with her handler, Officer Robert Kowalski; Matt Harrington-
13 Chamber of Commerce Executive Director; Jim Sullivan-BCRC Executive Director; Nancy White; Dave Newell;
14 Noah Payne; Wendy Sullivan; 12 citizens; Mike Cutler-CAT-TV and Nancy H. Lively-Secretary.

15 At 6:00pm, 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 10, 2018 AND SEPTEMBER 12, 2018**

20 **B. WARRANTS**

21 *Donald Campbell moved and Jim Carroll seconded to approve the Consent Agenda amended*
22 *as follows:*

23 *Spelling corrections on the September 10, 2018 Minutes wherever they appear -*

24 *Change "O'Dierna" to "Odierna"*

25 *Change "Solierno" to "Salerno"*

26 *Change "Charitan" to "Cheriton"*

27 *Spelling correction on the September 12, 2018 Minutes wherever it appears -*

28 *Change "Meryl" to "Merrill"*

29 *The motion carried with Carson Thurber absent and Thomas Jacobs abstaining from the*
30 *September 12, 2018 Minutes.*

31 **3. PUBLIC COMMENT PERIOD**

32 Mary Morrissey, on behalf of the Harwood Hill residents that did not attend the September 12,
33 2018 Special Meeting on the Chelsea and Related Projects. They said they did not get the notice for
34 the meeting. The Publyk House, Harwood Hill Motel, BPI, and Joe Krawczyk, have been approached by
35 Mr. Wilson to come and take photos of the potential solar projects, and they were wondering why this
36 was happening.

37 As was discussed at the meeting, the Town was to recommend three aesthetic experts for the
38 Developer to choose one from that would determine if the projects were going on a 'Preferred Site'.
39 The recommendations have been made but it is unknown if the Malone's have made their choice yet.
40 Mr. Hurd stated that the three recommended consultants were vetted by our council and include one
41 from Saratoga, Ellen G. Vissory and EHP from Burlington. All of the abutting Harwood Hill residents
42 that had previously been vocal about the projects, were notified of the meeting.

43
44 Martha Wiles, an owner of the Harwood Hill Motel, expressed her disappointment that they
45 had not been contacted about the meeting in time to make arrangements to attend, and hoped that
46 they wouldn't be "blindsided" again in the future. She did say, however, that Mr. Hurd had explained
47 that their interests were being considered. Mr. Campbell was empathetic, and added that the Board
48 was faced with a difficult decision within a short timeframe that required them to not be able to be
49 completely forthcoming to the residents due to the status of the negotiation.

50
51 Nancy White stated that the Grand List no longer shows the last time a property has been sold
52 and what it was sold for, and would like to have those amounts back in. Mr. Hurd said that we use a
53 software program that is used by most of the towns in the State. It must adhere to any law
54 differences, and he doesn't know why anything would have changed. This information is in the Listers
55 Office, but he will follow-up to find out why it is no longer on the Grand List.

56 Ms. White noted that the assessment of the affordable housing projects doesn't change after
57 the renovations have been completed, and Mr. Hurd added that their assessments tend to be lower
58 when renovated with federal or state dollars because their rents are capped. "Then we should have
59 caps on our private homes, too."

60
61 **4. PROSPECT MOUNTAIN COMMUNITY SKI AREA**

62 Donald Campbell recused himself from this agenda item.

63 Noah Payne, a member of the Mount Anthony High School ski team, has been skiing at Prospect
64 Mountain since 2nd grade and spoke to his excitement at keeping Prospect in the community.

65 David Newell did the following presentation on the Prospect Mountain Association:

- After 2 years, the Association, a 501c3, has purchased Prospect Mountain for \$950,000.
- The source of funds were from - Williams College, \$450,000; a mortgage from Steve Whitman, one of the present owners, \$350,000; and a loan from the Vermont Land Trust, \$150,000.
- Future funding may be from a \$285,000 VHCB grant and \$265,000 Capital Campaign (\$160,000 raised so far) for a total of \$550,000. These funds will pay off the Whitman mortgage and the Vermont Land Trust loan with \$50,000 left for working capital and improvements.
- The hospital and Bank of Bennington have been strong supporters and the Town of Woodford will be approached to be tax exempt.
- There are nine board members - 5 from the local area and 4 from Williams College.
- There are 2,500 people that use Prospect Mountain including ski teams, ski races, snowshoe competitions, events, and season pass holders from several surrounding states. Season passes range from \$200-\$500.
- We will be planning summertime activities, as well.
- A conservation easement for 2,200 feet will preserve the mountain from development.
- There are no membership dues, and anyone can become a member of the Prospect Mountain Association.
- US Olympians Jessie Diggins and Sophie Caldwell will be at the Lodge on September 26, 2018 to share their experiences and support of the Mountain.

Mr. Jacobs stated that economic development is a "private/public partnership" where the private sector has already stepped up, and would like to see the Town donate \$10,000 from our Economic Development Fund.

Jeannie Jenkins moved and Chad Gordon seconded for the Town of Bennington to donate \$10,000.00 from the Economic Development Fund to the Prospect Mountain Association.

All board members, as well as, Matt Harrington from the Chamber of Commerce, spoke in support of, and appreciation of, the efforts of the Prospect Mountain Association.

The motion carried with Carson Thurber absent and Donald Campbell recused.

5. OPIOID ISSUES IN BENNINGTON - PART 1

Police Chief, Paul Doucette, shared the following on opioid issues in Bennington:

- The opiate issue is a community problem in Bennington, in Vermont, and in the country.
- To cure this problem will require a lot of funding from the state and federal governments. "It will take a lot of work."
- "We're not going to arrest our way out of this" or continue to use Narcan to bring people back to life. However, we can refer people to United Counseling Service and Turning Point.
- We have several prescription drug take back drops in town, including many doctors' offices.
- Several doctors either do not prescribe opiates for pain, or prescribe a much reduced amount.
- We continue to work on dirty needle disposal sites.

- 102 • Since 12/1/17, every officer has carried the Narcan nasal spray, and there have been 43
103 incidents with 3 fatalities. Narcan EpiPens will be coming in the future.
104 • Addiction crosses all walks of life.
105 • Chief Doucette will be approaching the Board for an officer dedicated to drugs and robberies,
106 as well as, another K-9 unit.

107 Bennington Rescue Squad Executive Director, Forest Weyen, shared the following on opioid
108 issues in Bennington:

- 109 • We can't call to refer a patient to treatment options without their consent due to federal and
110 state privacy regulations.
111 • An overdose that the Rescue Squad responds to doesn't necessarily mean an opioid or heroin.
112 It may be that of a prescription drug.
113 • Overdose responses in 2016 = 53; 2017 = 71; and 2018 YTD = 53 with 73 annualized.
114 • There are increased risks to our crew from agitated and potentially violent patients after
115 receiving naloxone.
116 • Our call volume is up to 2% from 1% plus there are increased costs and possible decrease in the
117 availability of naloxone.
118 • The State has dedicated \$350,000 to pay for the Narcan throughout the State. The cost is
119 ~\$40/dose. The Rescue Squad has both the nasal and injectable Narcan.

120 Officer Robert Kowalski shared the following information on Gracie, the 2-year old German
121 Shepherd from the police K-9 unit:

- 122 • Gracie has been certified in patrol and recovery since November 2017, and drug detection of
123 heroin, crack, coke, meth, ecstasy and it's derivatives since April 2018.
124 • She has seized \$10,000 in currency and several grams of cocaine, crack cocaine and fentanyl.
125 • Training for her to do this was for 6 months, 24/7.
126 • Gracie has also been given Narcan due to inhaling the loose powder when searching for the
127 drugs.
128 • In addition to the Bennington Police Department, she has worked for the Vermont State Police
129 and Sheriff's Department.
130 • Demonstrations are done regularly in all of the schools.

131 Although some may not think it is worth trying to save someone who has overdosed, Wendy
132 Lawrence shared her son's story of addiction that included overdosing and several suicide attempts.
133 He now is reaching out in the community to those that are in the same place he was at a few years ago
134 to help them through their time of need.

135 **6. MUNICIPAL PLANNING GRANT APPLICATION - BYLAW UPDATE - FORM BASED STANDARDS**

136 Dan Monks explained that the Bennington Land Use and Development Regulations (Zoning
137 Bylaw and Subdivision Regulations) haven't been updated since 2004. The Bennington Planning

138 Commission and Bennington County Regional Commissions Staff have prepared and approved an
139 Application for a State of Vermont Municipal Planning Grant to hire consultants to aid the Bennington
140 Planning Commission in the development of a comprehensive update of these Regulations. The Form
141 Based Standards are used nationally and will be new language for what we already have. The
142 requested grant amount is \$17,300 with required matching funds of \$1,730 to be split between the
143 current and next fiscal years. After establishing these changes, the 2-year goal is to make the
144 Regulations web based. Mr. Monks will keep the Board apprised as the process takes place.

145 Jim Sullivan stated that the Form Based Standards are a relatively new approach to be sure to
146 establish the Zoning Bylaws and Regulations reflect the true intent of the Town Plan in a more effective
147 and user-friendly presentation. They are focused more on the mixed uses of the land rather than the
148 segregation of them, such as, a neighborhood with a corner store. There will be a conference at
149 Bennington College, October 17th, on Form Based Standards.

150 *Donald Campbell moved and Jim Carroll seconded to adopt and waive the reading of the FY19*
151 *Municipal Resolution for Municipal Planning Grant. The motion carried with Carson Thurber absent.*
152

153 **7. BOND DOCUMENTS FOR APPROVAL - WASTEWATER TREATMENT FACILITY**

154 *Donald Campbell moved and Jim Carroll seconded to approve the Loan Agreement, Vermont*
155 *State Revolving Fund, Loan #RF1-198-3.0 in the amount of \$6,000,000.00 as presented and to waive*
156 *the reading of the Resolution.*

157 Mr. Hurd stated that all of the Town's facilities have flood insurance, but the flood insurance
158 mentioned in this agreement is only for the areas where improvements have been made.

159 *The motion carried with Carson Thurber absent.*

160 **8. MANAGER'S REPORT**

161 No report.

162 **9. OTHER BUSINESS**

163 Mr. Jacobs noted all of the activities that are taking place in Town with the Splash Pad, the
164 tennis ACE's program recognition at the U.S. Open, and the very successful Food Truck event.

165 Mr. Gordon asked if the Board would receive an update on the RFP's for the garages, and Mr.
166 Hurd answered, yes, that the ones that didn't meet the criteria have been notified and that we're
167 waiting for additional information from one other. Two proposals - one for each property - will be
168 forthcoming.

169 Mr. Gordon also reminded everyone that this weekend there is a triple header for Homecoming
170 of field hockey, soccer, and football.

171 Ms. Conner noted that this Wednesday will be the last movie - Breakfast at Tiffany's - that Ryan
172 Hassett will be putting on. This will probably take place at Merchants Park.

173 Mr. Campbell reiterated the success of the food truck and noted that there will be a
174 Comprehensive Economic Development Strategy Meeting on Wednesday at the Masonic Hall from
175 6:00pm-8:00pm.

176 Mr. Campbell verified that Bill Colvin will be attending the October 8th Board Meeting, the
177 purchasing policies will be moving along, and the BCIC had a great meeting at Catamount Connections.

178 **10. EXECUTIVE SESSION**

179 **A. REAL ESTATE**

180 *At 8:05pm, the meeting was adjourned finding that an Executive Session be held on Real*
181 *Estate as premature public knowledge would place a person involved in the subject matter at a*
182 *substantial disadvantage. The motion carried with Carson Thurber absent.*

183

184

185 Respectfully submitted,

186 Nancy H. Lively

187 Secretary