

1 **BENNINGTON SELECT BOARD**

2 **BENNINGTON FIRE FACILITY**

3 **130 RIVER STREET**

4 **BENNINGTON, VERMONT 05201**

5 **JUNE 10, 2019**

6 **MINUTES**

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

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

10 **ALSO PRESENT:** Stuart Hurd-Town Manager; Daniel Monks-Assistant Town Manager and Planning Director;
11 Shannon Barsotti-Community Development Director; Jason Dolmetsch-MSK Engineering & Design; Logan Snow;
12 Sam Restino; Greg Van Houten; Alexina Jones; R.J. Joly; 15 citizens; Mike Cutler-CAT-TV; Jim Therrien-
13 Bennington Banner and Nancy H. Lively-Secretary.

14 At 6:04pm, Chair Donald Campbell called the meeting to order.

15 **1. PLEDGE OF ALLEGIANCE**

16 The Pledge of Allegiance was recited by all present.

17 **2. CONSENT AGENDA**

18 **A. MINUTES - MAY 28, 2019**

19 **B. WARRANTS**

20 *Jim Carroll moved and Bill Scully seconded to approve the Consent Agenda as submitted. The*
21 *motion carried unanimously.*

22 **3. PUBLIC COMMENTS**

23 Logan Snow, accompanied by 8 other citizens, spoke to ensure that there would be
24 transparency with the investigation of the Bennington Police Department with full public awareness of
25 the outcomes. Mr. Campbell stated that Curtis Reed, a consultant in Brattleboro, has been hired by
26 the Town to lead us through this process. Mr. Hurd added that the RFP's are out nationwide and due
27 to the Town's Counsel, Rob Woolmington, by June 14, 2019. The public was made aware of this
28 process through discussion at previous Select Board meeting(s), and/or coverage from CAT-TV and the
29 Banner. With the RFP's not yet due, we are just beginning the process, and Mr. Campbell assured Ms.
30 Snow that the Board has heard her concerns.

32 Sam Restino verified that the Town would be buying the Scarfoni property for ~\$70,000 and
33 that the cost of the project would be ~\$400,000. Mr. Hurd stated that the closing on the land will be
34 June 22nd and the funding for the project is unknown at this time. Mr. Campbell added that we are
35 looking into all aspects of the potential move and there will be more information on it in the Manager's
36 Report. Mr. Restino is concerned about the cost and that the Town will be moving the location
37 because "one person complained on a less busy street to a busier street".

38 Mr. Restino also noted that he is concerned about the "image of Bennington" and that we need
39 to be sure that we put our best foot forward at all times.

40 And, Mr. Restino feels that we need to adopt an Ordinance for the Right to Protest similar to
41 the one that Manchester has. We have been fortunate that there have not been any incidents at the
42 Four Corners when there have been protests that most of the public were not aware were taking place.

43

44 A citizen was concerned that Meals On Wheels had cut their meal delivery from two to one,
45 and Mr. Campbell stated that they are a non-profit organization that the Town will work with them to
46 help deliver good services to the extent that we possibly can.

47 **4. CULTURAL PLAN PRESENTATION**

48 Shannon Barsotti, Community Development Director, did the following presentation on our
49 Cultural Plan:

- 50 • The Cultural Plan will create jobs, encourage tourism, and promote education.
- 51 • Bennington County has been named in the top ten for a number of years for cultural arts in a
52 small community by the National Center for Arts Research.
- 53 • In 2012, a Cultural Planning Committee was formed which is what lead to this plan.
- 54 • Several people were engaged in the process that was spearheaded by the 19 member Steering
55 Committee.
- 56 • 540 individuals completed an online Public Survey where 90% agree that investment in
57 Bennington County's creative and cultural assets is important; 87% were interested in engaging
58 with arts and culture in Bennington County; and 86% supported the idea of a Bennington
59 County Cultural Plan.
- 60 • The biggest artistic or cultural demand in Bennington County is music, or more broadly,
61 performing arts.
- 62 • The Six Strategies of what approach to take in order to achieve a goal are:
 - 63 ✓ 1. Establish a toolkit for local creative producers
 - 64 ✓ 2. Establish a toolkit for local creative consumers
 - 65 ✓ 3. Create an internal cultural advocacy message
 - 66 ✓ 4. Create an external cultural tourism message
 - 67 ✓ 5. Develop innovative art-making, programming, and engagement activities
 - ✓ 6. Create a mechanism for shared leadership within the arts and cultural sector

69 Greg Van Houten added:

- 70 • The Bennington Area Arts Council is the officially designated Arts Council for the Town of
71 Bennington.
- 72 • Since 2013, the Council has received financial support from many entities - including the Select
73 Board - and several individuals. In turn, they have provided many events and support to the
74 arts in the community.

75 Alexina Jones, President of the Arts Council, added:

- 76 • The Cultural Plan is meant to encourage creativity.
- 77 • We are in the process of networking with creatives across media, industry, and geography to
78 expand training programs, create a career pipeline program for youth, and create and expand
79 our existing communication tools.
- 80 • Strengthen relationships with local and regional tourism and hospitality businesses and
81 organizations.
- 82 • The Bennington Arts Weekend is August 2-4, 2019 and will integrate the Southern Vermont
83 Craft Fair, a Meet and Greet, the Homebrew Festival, and a free concert.
- 84 • The Arts Council has requested that the Town again sponsor them for \$1,000.00.

85 *Board questions/comments:*

86 Mr. Campbell: Kudos to the 106 people that have created the Cultural Plan, as well as, the 500 people
87 whose input was included in it, and noted that the Town is only listed to participate in the expected
88 areas such as signage, Town Plan inclusion, etc., none of which are a financial burden on the taxpayers.

89 Mr. Carroll: Asked if Ms. Barsotti had discussed the Plan with Wendy Knight and how this could tie into
90 our Marketing Plan. Ms. Barsotti stated that she had been in e-mail communication with Ms. Knight's
91 staff to see how other communities had been successful and noted that culture and recreation are the
92 two major driving forces for tourism. Eight Oh Two Marketing has been hired to implement a digital
93 marketing campaign with a proposed launch in mid-August. Arts and culture will be a significant part
94 of the campaign.

95 Ms. Conner: Kudos to those that developed the comprehensive Cultural Plan. How can the Board help
96 communicate the Plan to the public, and Ms. Barsotti answered through press releases, Instagram, and
97 posting a calendar in the weekend Bennington Banner publications. Mr. Van Houten added individual
98 social media platforms, eventually within the Town Plan, and making it a "road show" to educate
99 throughout the region.

100 Mr. Scully: Commented that Bennington College was the first college to add Visual Arts as a major, "so
101 if not here, where"?

102 Ms. Jenkins: What collaborations can we build this on in the community, and Ms. Jones responded that
103 continued collaborative efforts such as the Bennington Arts Weekend.

104 Mr. Thurber: Commented that the \$1,000 requested is the “best deal” the Town has.

105 *Ms. Barsotti and Mr. Hurd will discuss the \$1,000 donation request and bring back a proposal to*
106 *the Board.*

107 5. MSK ENGINEERING LEAD LINE REMOVAL PRESENTATION

108 Bill Scully recused himself from this agenda item.

109 Jason Dolmetsch, MSK Engineering & Design, did the following lead line removal presentation:

- 110 ➤ The State of Vermont Drinking Water Revolving Loan Fund’s Intended Use Plan has allocated to
111 give up to \$2.2M in 100% reimbursable funds on a first come/first serve basis for the
112 replacement of lead containing water infrastructure.
- 113 ➤ This would include lead containing mains, private and publicly owned lead service lines and lead
114 containing fixtures inside dwellings. Faucets constructed prior to 2012 are not considered lead
115 free, however, the main focus of the project is to replace the service lines.
- 116 ➤ In general, the Town of Bennington does not have lead mains, however, from last year’s
117 mapping project, several potential lead service lines were identified on both the public and
118 private side of the water.
- 119 ➤ An additional subsidy of \$3.8M is also available to communities identified as disadvantaged,
120 and Bennington may also qualify for those funds, as well, based on below average household
121 income with user costs >1%.
- 122 ➤ The lead lines are located primarily in the oldest part of the community which is downtown and
123 the surrounding areas constructed prior to 1924. There is a map on the Town website
124 indicating where these lines are, as well as, how to reduce your exposure to lead. And, if
125 individuals send in their water samples to MSK, they will do the testing for them. Mr. Hurd
126 added that the Town tests low flow areas/homes every 3-4 years.
- 127 ➤ The current estimated number of either partial or fully lead service lines in Bennington are
128 between 780 and 1,580 and will cost between \$6M and \$11M to replace.
- 129 ➤ The State has indicated that these funds will be available in future years, however, there is no
130 guarantee.
- 131 ➤ Upon completion of the mapping, a mailing was done with only a 5% response rate. We will
132 resend letters with the hope that there will be a better response “by dangling free money out
133 there”.
- 134 ➤ The timeline deadlines are as follows:
 - 135 ❖ Planning Loan - 0% interest non-repayable for 5 years - 12/31/19 (First come/First serve)
 - 136 ❖ 100% Reimbursable Loan - bond vote is still required - 4/30/20 (Communication to the
 - 137 voters prior to the vote that this is 100% reimbursable is paramount)
 - 138 ❖ Construction Loan Application - 6/30/20

139 Mr. Hurd explained that “there is really very little risk” because, even if a bond vote passed for
140 \$11M, we are only responsible for the dollars that we spend, and we could only spend what the State

141 is reimbursing us for. The slightly greater risk is if we take the Planning Loan and don't complete the
142 project.

143 Mr. Hurd also noted that the State is working on a policy where, if lead is found in the Town's
144 part of the line, the Town will have to replace the entire line. There will be no more partial
145 replacements.

146 *It was the consensus of the Board to not require RFP's on the lead line removal project and to*
147 *continue going forward with MSK Engineering & Design given the work that they have already done on*
148 *it, and to have them return to the Board to approve the application for the Planning Loan as presented.*

149 **6. APPOINTMENTS TO BOARD & COMMISSIONS**

150 *Jim Carroll moved and Carson Thurber seconded to appoint the following incumbents to the*
151 *Boards and Commissions as indicated:*

152	<i>Development Review Board</i>	-	<i>Dan Malmborg</i>	<i>Term Expires</i>
153	<i>5/22</i>			
154	<i>Development Review Board</i>	-	<i>Jane Griswold Radocchia</i>	<i>Term Expires</i>
155	<i>5/22</i>			
156	<i>Housing Authority</i>	-	<i>Nancy V. Messina</i>	<i>Term Expires</i>
157	<i>3/24</i>			
158	<i>Board of Listers</i>	-	<i>Robert Ebert</i>	<i>Term Expires</i>
159	<i>3/21</i>			
160	<i>Planning Commission</i>	-	<i>Kenneth Swierad</i>	<i>Term Expires</i>
161	<i>5/23</i>			

162 *The motion carried unanimously.*

163 Mr. Hurd stated that there are now 6 applicants for the Energy Commission and that a current
164 Housing Authority member has resigned so there will be another seat vacant there.

165 **7. VACANT BOARD SEAT - DISCUSSION**

166 Mr. Campbell explained that the Board has the following three options:

- 167 1. Do nothing
- 168 2. Hold an election for 7 months to finish out Mr. Thurber's term
- 169 3. Appoint someone

170 Discussion ensued.

171 Ms. Conner: Would leave the seat vacant due to the short time frame for a new person to learn the
172 process, and if there were an unlikely tie vote, the Chair would then not vote thus eliminating the tie.

173 Mr. Hurd: When there are 6 Board members there must be a 4-2 vote to pass. For example, a 4-2 is a
174 vote and decision; a 3-3 is a tie and no vote; and a 3-2 is also no vote.

175 Mr. Carroll, Mr. Scully, Mr. Gordon, and Mr. Campbell: Since the vote this past March was so close,
176 that appointing Bruce Lee Clark would be an appropriate move.

177 *Jim Carroll moved and Bill Scully seconded for the Select Board Chair to ask Bruce Lee Clark if*
178 *he would agree to being appointed to the Board to complete Carson Thurber's term. The motion*
179 *carried with Carson Thurber abstaining.*

180 8. MANAGER'S REPORT

181 Mr. Hurd reported the following:

- 182 ○ PFOA - Three of the contract bids for this portion of the work were opened June 6th
183 and there are two additional contracts out to bid. Permits from the water quality
184 division and V-Trans are coming in.
- 185 ○ Morgan Spring Delivery System - The lot on Main Street is planned for purchase on
186 June 22nd with dollars that we have in reserve and will allow for some demolition of
187 an old garage. Identifying where the construction cost of \$378,000 will come from is
188 the next task. Premier Waters, a national firm, has purchased Ice River and are aware
189 of the potential plans. Ice River had expressed an interest in participating in the
190 funding if we were to ever relocate in exchange for 50% reduction in the cost of the
191 water for a period of 2-3 years. This is all very speculative at this point, and
192 hopefully, we will have an answer from Premier Waters soon. We are doing this with
193 the vision of ultimately being able to lower water rates.
- 194 ○ Sewer Back-up Behind Museum - Investigation revealed that a block of concrete
195 from the manhole collapsed blocking the sewer line. This has been corrected.
- 196 ○ Follow-up For Senior Computer/Phone Training - the CDC will offer a course in
197 computer/phone training that the seniors can attend at the CDC. There is a cost to
198 that, however, the Town will offset as much as possible to accommodate the seniors.

199 The answers to questions asked by the public will appear in the FOLLOW-UP section of
200 the Manager's Report.

201 R.J. Joly added the following:

- 202 - The cost of asphalt has increased from \$64/ton to \$76/ton.
- 203 - PFOA allowed us to complete 11-12 miles of paving last year. This year will be 6-7
204 miles.
- 205 - The River Street Project will be starting soon - around the last week of June.
- 206 - The Pleasant Street/School Street project was funded by a grant received several years
207 ago and is being done by a private contractor. The Town will be putting in a sidewalk
208 on the other side so there will be sidewalks on both sides of School Street.

209 **9. UPCOMING AGENDA**

210 The following are planned for the indicated meeting dates:

- 211 ✓ June 17th - Water/Sewer Work Session at 5:30pm at the Bennington Fire Facility.
- 212 ✓ June 24th - Set DID and Water/Sewer tax rates, Building Bright Futures, the Bennington Rescue
- 213 Squad, and the Manager will set staff salary increases.
- 214 ✓ July 8th - Recreation Center - UCS and Goldstone Phase II.

215 **10. OTHER BUSINESS**

216 Mr. Campbell: There will a vote on June 11, 2019 at the Bennington Fire Facility from 10:00am-

217 7:00pm on the merged school systems budget.

218 Mr. Campbell: There will be a site visit at the Warner Solar Project on June 20th at 4:00pm, an

219 informal meeting at 6:00pm, and a formal meeting held by the Public Utilities Commission held in the

220 Library at 7:00pm.

221 Mr. Scully: Thanked all of the Town employees that participated in his tours of the Highway

222 Department and the Waste Water Treatment Facility.

223 Mr. Carroll: Asked when the Stark Plaque would be put up, and Mr. Joly answered within 5

224 days.

225 Mr. Carroll: Had received complaints that there were trailer trucks on Dermody Road, and Mr.

226 Joly answered that there is a State logging project being done on Vail/Whipstock.

227 Ms. Conner: Asked for the status on the repayment of Mr. Crowell, and Mr. Hurd answered that

228 this has been turned over to our Town Counsel for legal action. This is now considered a loan and not

229 a grant because Mr. Crowell did not follow the requirements set by the Town. He will be required to

230 pay the ~\$11,000 that he had taken.

231

232 ***At 7:47pm, Jim Carroll moved and Bill Scully seconded the adjournment of the meeting. The***

233 ***motion carried unanimously.***

234

235 Respectfully submitted,

236 Nancy H. Lively

237 Secretary