

**BENNINGTON SELECT BOARD MEETING
BENNINGTON FIRE FACILITY
130 RIVER STREET
BENNINGTON, VERMONT 05201**

MONDAY, AUGUST 25, 2014

MINUTES

BOARD MEMBERS PRESENT: Greg Van Houten- Chair; Jim Carroll; John McFadden; Michael Keane;

Absent: Sharyn Brush-Vice Chair; Tom Jacobs; Justin Corcoran;

ALSO PRESENT: Stuart Hurd, Town Manager; Dan Monks, Zoning Administrator & Assistant Town Manager; Mike Harrington, Economic & Community Development Director; John Shannahan, BBC; Joanne Erenhouse, Chamber of Commerce; Mary Morrissey; Patrick McArdle – Rutland Herald; Keith Witcomb - Bennington Banner; Linda E. Bermudez – Secretary; (12) Citizens.

At 6:00 P.M., **Greg Van Houten** called the meeting to order.

1. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Greg Van Houten, recited by all.

2. MINUTES – AUGUST 11, 2014

There were no corrections for the minutes of August 11, 2014

Motion: Michael Keane motioned and Jim Carroll seconded to approve the Minutes of August 11, 2014 as submitted. Motion passed unanimously (*Sharyn Brush-Vice Chair; Tom Jacobs; Justin Corcoran absent*)

4. WARRANTS

The next warrants of FY'15 were reviewed. Michael Keane questioned a payment regarding “vandalism”. The Manager explained the Town rented a small excavator for some work on Kocher Drive. That piece of equipment had been vandalized. In our rental contract we must repair/replace any damage. The cost of this repair was below our insurance deductible.

Jim Carroll asked where the Town would be going for certain supplies now that Greenberg’s has closed. The Manager stated that the Town tries to spread business around Bennington. We would now be looking at Home Depot and Tractor Supply.

There were no further questions. Warrants were then circulated for signatures.

5. CITIZENS

Joe Krawczyk and Dick Pembroke, Sr. stepped forward to speak. They asked the Select Board to consider asking the State of Vermont to name Bennington's new Welcome Center after the former Vermont U.S. Senator Jim Jeffords. Each spoke of their personal history working with Senator Jeffords and all of his work accomplished for Vermont.

Jim Carroll stated he would support this. John McFadden questioned what issues this might open up for the Select Board.

Motion: Michael Keane motioned and Jim Carroll seconded to draft a letter of support to name the Bennington Welcome Center after Senator Jim Jeffords.

Discussion:

McFadden continued by questioning the procedures on moving forward. Michael Keane noted that this would be really appropriate considering all of Senator's Jeffords work on placing the center in Bennington and not in New York as originally planned. This is also the last Welcome Center of its kind to be built in Vermont.

Greg Van Houten noted that this is simply a draft of a letter. This can be discussed further for those unfamiliar with the process before signing or sending the letter of support.

Vote: Motion passed unanimously

(Sharyn Brush-Vice Chair; Tom Jacobs; Justin Corcoran absent)

Joanne Erenhouse stepped forward to remind everyone that the Garlic Fest is this weekend August 30th & 31st, 2014. The entry fee is still only \$5 per day or a two-day pass is \$8. This has been voted one of the "Top 10 Garlic Fests" in the world.

Loyal Wescott stepped forward to speak. He stated he has spoken with lawyers in New York regarding municipalities and instating laws like the "1,000 Foot Rule" and the "Mandatory Background Checks by Landlords".

Greg Van Houten stated he has been conducting a lot of research on these. There are problems with them including pushing offenders out into rural areas where they cannot be watched as carefully.

John McFadden asked if the Chief of Police had been consulted. The Manager stated he had been. All registered offenders are currently monitored and in compliance. Mr. McFadden stated he would like to have the Chief come speak with the Board further on this subject and offer his opinion.

The Board provided a consensus to have the Chief of Police report further on the two laws in concern ("1,000 Foot Law" and "Mandatory Background Checks by Landlords").

5. "AREA WIDE PLAN" GRANT OPPORTUNITY – 1st REVIEW

Dan Monks and Bill Colvin stepped forward to present. Mr. Monks noted this was simply a preliminary discussion. The Municipal Planning Grant would be for \$20,000. The EPA has committed an additional \$43,000 grant for this project. This plan would identify 2-5 "Brownfield Sites" in Downtown Bennington and provide a redevelopment plan to show the possibilities to potential developers. The Planning Commission has reviewed this and recommends moving forward.

Bill Colvin provided more details of what the “redevelopment plan” would entail including marketing, communication upgrades and changes in the physical layouts. Mr. Colvin explained that typically the local match for this type grant would be \$4,000. However, because the EPA has committed additional funding, there will be no local match required.

Jim Carroll asked to define what a “Brownfield Site” was. It was defined as a location that “has or the potential to have” hazardous materials and/or contaminants. Mr. Colvin gave the example of the former Alcaro car dealership or the former Tuttle location. He also used the Town’s Highway garage on Depot Street as an example.

Michael Keane asked what the timeline for the money was. Mr. Colvin stated the study had to be completed by 2016. It would include a GIS database, list of properties, potential redevelopment scenarios, and marketing information etc.

Greg Van Houten noted that this type of information could be an advantage for future available grant monies. We would have all the information available and ready to move forward, potentially putting us at the top of eligible parties list.

John McFadden asked if the redevelopment plans would include possibilities for small business owners as well. Mr. Colvin confirmed this. The Manager then noted that this is a first review. At the next scheduled meeting it would be voted upon.

Mike Bethel questioned if this study had been done before. He asked what the Board was doing to implement previous study information.

6. “STRONG COMMUNITIES” GRANT OPPORTUNITY – 1st REVIEW

Dan Monks noted that a closer look was taken at this grant opportunity. The Town of Bennington is not ready for this just yet. Perhaps it can be considered next year.

7. ANTI-DISPLACEMENT & RELOCATION PLAN – 1st REVIEW

Michael Harrington stepped forward to present. He noted that the State of Vermont has asked the Town to re-adopt the Anti-Displacement & Relocation Plan. This is necessary in order to be eligible for any Community Block Grants. The original plan was adopted in 2004 and must be re-adopted every 10 years. No changes have been made to the original. This plan simply states that no NEW developments will permanently displace residents. Federal funds require that if residents are displaced by a new development they must be relocated temporarily and then moved back or suitable housing must be found elsewhere.

Discussion continued regarding the signing of the plan. Jim Carroll noted that the document for signature was extremely vague. Several Board members stated they would like to see more supporting documents regarding this plan. Mr. Harrington stated he would gather those documents for their review.

8. MANAGEMENT EVALUATION POLICY

Greg Van Houten noted that (3) Select Board members were absent this evening. He suggested this discussion move forward when the others return. Those Select Board members present agreed.

9. MANAGER'S REPORT

The Manager stated that the Federal Government has now required all employers of those who hold (mandatory) Commercial Driver's Licenses (CDL) adopt a policy regarding the Violations of Drug & Alcohol regulations. The policy submitted this evening is based on the Vermont Leagues of Cities & Town's (VLCT) model. The Manager reviewed the Town's currently policy for both CDL and non-CDL employees.

Jim Carroll asked where else this policy has been adopted. The Manager noted that everywhere has adopted it. It is now a federally mandated.

Motion: Michael Keane motioned to adopt the new policy regarding violations of Employer Drug & Alcohol regulations. Jim Carroll seconds the motion. Motion passed unanimously (*Sharyn Brush-Vice Chair; Tom Jacobs; Justin Corcoran absent*)

The Manager noted that the Town had budgeted \$503,000 for the Coleville Road Bridge project. Six Bids were received. The two lowest bids both came in at \$389,000. There will be some engineering costs to account for but the Town will be saving approximately \$100,000. That money can then be considered for additional paving or in anticipation of what could be a harsh winter.

The Manager then discussed the (3) salt bids received. Two of the bids came in only \$10 up from last year's prices. However, the third bidder was up \$35 over last year's price. Discussion continued regarding options other than salt. It was explained that although there is a solution that the Town does use prior to a storm, the most effective product in this region is still salt.

Greg Van Houten asked about the lightening strike at the Wastewater Treatment Plant. The Manager stated that it had given the employees quite the scare but no one was hurt. Once the lightning struck, it traveled underground and fried a transformer. Damages and replacements costs should be covered by our insurance.

10. OTHER BUSINESS

Jim Carroll reminded the public that the next day was Primary Day and urged everyone to go vote.

John McFadden thanked the Town Manager for the information he received on Water, Sewer and Tax rates.

Greg Van Houten reminded the public that the special Shires Housing Project meeting was being held on September 15th, 2014. It is open to the public and is for public commentary only. No vote will be made at that meeting.

Mr. Van Houten also reminded the public to vote on Primary Day. He continued by recognizing Detective Peter Urbanowicz and Officer William Dinunzio. After many years of dedication they are retiring from the Bennington Police Department. He wished them well and thanked them for all their years of service.

Mr. Van Houten noted there was need for Executive Session.

Motion: Michael Keane motioned to close the meeting and move into Executive Session. Jim Carroll seconds the motion. Motion passed unanimously (*Sharyn Brush-Vice Chair; Tom Jacobs; Justin Corcoran absent*)

11. EXECUTIVE SESSION

- A. Contract Negotiations
- B. Contracts

Respectfully submitted,

Linda E. Bermudez
Secretary