

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

MONDAY, SEPTEMBER 26, 2016

MINUTES

BOARD MEMBERS PRESENT: Tom Jacobs – Chair; Michael Keane-Vice Chair; Jim Carroll; Jeanne Conner; Jeannie Jenkins; Donald Campbell;

Absent: Justin Corcoran

ALSO PRESENT: Stuart Hurd, Town Manager; Dan Monks, Zoning Administrator & Assistant Town Manager; Michael Harrington, Economic & Community Development Director; Linda E. Bermudez – Secretary; (8) Citizens

At 6:00 P.M., **Tom Jacobs** called the meeting to order.

1. PLEDGE OF ALLEGIANCE

2. CONSENT AGENDA (A-B)

*A) Minutes – September 12, 2016
September 19, 2016*

Jeanne Conner noted name correction Londa Weisman spoke at the September 12, 2016 meeting. Additionally, she had questions regarding payments to VLCT (Vermont Leagues of Cities and Towns). The Manager stated the fees/dues paid are for more than just a membership. They provide insurance and other services to our town. The amount is based on per capita and almost every town/city in State of Vermont are now members.

B) Warrants

There were no further questions.

MOTION: Jim Carroll motioned and Jeannie Jenkins seconded to accept and approve the minutes of September 12 and September 19, 2016 with corrections noted above, as well as the warrants as submitted.

Motion passed unanimously (*Justin Corcoran absent; Michael Keane abstained from 9/19/16 Minutes vote ONLY*)

3. CITIZENS

Mike Bethel moved forward and asked if the “mayor issue” could be added to a future agenda. He would like an advisory vote in March to find public opinion on this issue.

Tom Jacobs stated he would work with the Vice-Chair to place on a future agenda. It will likely be a lengthy conversation. Such a change would also require a charter change.

Michael Keane thought it was a good idea. He would also like it to be an educational session. There is a lot of information the public needs to understand regarding the two forms of government (Mayor vs. Town Manager) as well as what must happen for a charter change. Its important they understand this before they vote. Mr. Jacobs agreed and stated it may not be an easy discussion.

Mr. Bethel stated it was important to open the dialogue. It is not to “blame” the Manager but to make progress for the Town.

Michael Keane wanted to acknowledge former Select Board member John McFadden in the audience.

There were no other citizen comments this evening.

4. MADISON’S SIDEWALK SEATING DESIGN REQUEST

Jeff Metcalf, Architect and Mike Madison (property owner) stepped forward to present their request. In the redesign of 421 Main Street (formerly Carmody’s Restaurant) they would like to alter the sidewalk to allow for additional outdoor seating on Main Street. This would require removing (3) Main Street parking spaces out front and reclaiming the roadway for sidewalk use. A raised accessible patio with railings would be built in front of the building. The public would have (5) feet of clearance for sidewalk use plus (3) feet of brick paving.

Tom Jacobs asked how much of the year would it be used. Mr. Madison stated it would be used spring through fall each year (as weather allows). There will also be a new garage-style door on front on the building to open up onto the street as well. The patio would hold approximately 12-16 seats. Mr. Madison also stated that the expense to alter the sidewalk would be theirs. Jeanne Conner asked who would hold the responsibility of snow removal and liability for the patio. Again Mr. Madison stated they would hold that responsibility.

Donald Campbell expressed concern regarding the Town’s sidewalk plow equipment and the raised patio. Mr. Madison stated he has already worked with the Town’s Highway Superintendent for the design to ensure there should be no conflict for passage.

Michael Keane questioned the alley way lighting etc. Mr. Madison expressed some ideas including windows on that side of the restaurant to allow additional lighting into the alley.

Jeanne Conner asked if the loss of this many parking spaces on Main Street would be significant. The Manager stated in the past it would have been. Presently though you can almost always find parking somewhere along Main Street. He was concerned however that other store owners were not present this evening to discuss this matter.

Tom Jacobs stated there would be a second meeting before any vote would be taken. He would like to hear public comment at the next meeting. Jim Carroll stated he thought it would make for an exciting streetscape on Main Street.

Donald Campbell asked if anyone reached out the abutters directly. Dan Monks stated they had been. At this time (1) storefront owner has expressed concerned about the loss of parking.

5. HOTEL STUDY PROPOSAL

Michael Harrington stepped forward to present. The question is can Downtown Bennington support a hotel. The Putnam Block rehabilitation group has not included a hotel in their plan as of yet but has stated they are open to suggestions.

The same company that completed the feasibility study for St. Alban's has offered a (2) phase proposal for our study. The first phase would cost approximately \$7,000 and would include a preliminary market study, evaluation of sites, economic research and a finding report. The finding report would also include recommendations on whether to continue with Phase II or not. Mr. Harrington continued by stating having this study completed could attract and/or encourage a developer to move forward here with this type of project.

Jim Carroll asked how it would be funded. Mr. Harrington stated that would be up to the Select Board. There is money available in the Economic Development Fund. This would be an appropriate use for those monies.

Donald Campbell stated he was originally not in favor of this; however after many conversations he now believes Phase I would be worth it. He did question if this company was the best for the work. Mr. Harrington stated they have done many other properties within Vermont as well as worked with the Putnam Block group.

Jeanne Conner asked if this would be something a developer would have normally done on their own and bring us an advantage that we have done ahead of time. Mr. Harrington stated it would. Because we are in area where there's not a big push for development (unlike bigger markets), this would make us more attractive as we have already taken the first step.

Mike Bethel stated he would like to see what the Putnam Block group is doing first.

Ed Woods introduced himself as the owner of the Knotty Pine and President of the Chamber of Commerce. He stated a downtown hotel could be tremendous for the area. He would like to see, however the consultant be held accountable for what else the hotel could bring to Bennington ie meeting space, entertainment options etc. not just sleeping rooms.

Michael Keane agreed and asked Mr. Harrington to have that included in the proposal, even if it would cost a little more.

Tom Jacobs reminded the public that a decision such as this would not be made in one meeting. He asked for this to be placed on the next agenda for continued discussion.

6. REVISED TOWN-WIDE HOUSING LOAN PROGRAM

Michael Harrington reviewed the changes requested at the last meeting and the additional feedback from the Board since then. Discussion continued regarding some of the uses of this program. Mr. Harrington noted that currently there are zero delinquencies in the home loans through the town.

Select Board members asked how we would get the word out to the public. Mr. Harrington stated he would begin with our major employers such as the SVSU (school system) and SVMC (hospital) followed by others large employers. Jeanne Conner had concerns regarding the interpretation of "experienced contractor". How would we verify this? Mr. Harrington stated the homeowner chooses the contractor and is ultimately responsible. It is a buyer beware situation. Jim Carroll asked if we provide a list of contractors. The Manager stated that becomes difficult as it could be viewed as subjective or preferring one over another.

MOTION: Donald Campbell motioned and Michael Keane seconded to accept and approve the Revised Townwide Housing Loan Program (*with minor corrections as noted this evening*).

Motion passed unanimously

7. APPOINTMENTS TO BOARDS & COMMISSIONS

Michael Keane noted he was unable to attend the interviews; therefore he will be abstaining from the votes.

MOTION: Jim Carroll motioned and Donald Campbell seconded to appoint Jane Radocchio to a three-year term to the Design Review Board (DRB).

Motion passed (*Justin Corcoran absent; Michael Keane abstained*)

MOTION: Jim Carroll motioned and Donald Campbell seconded to appoint Robert Ebert to a three-year term to the Planning Commission.

Motion passed (*Justin Corcoran absent; Michael Keane abstained*)

Michael Keane asked if the Town had heard from the Housing Authority regarding speaking at a Select Board meeting. The Manager stated we expect to schedule this for the first meeting in October.

8. 2016 GRAND LIST – ERRORS AND OMISSIONS

The Manager explained each year after the Grand List is set for taxation, if an error or omission was found a report is filed. This evening's report notes a property owner who removed a garage without the proper demolition permit several years ago; therefore the Town was unaware that it was no longer there. The property owner finally reported it to the Assessor's Office for proper assessment adjustment.

MOTION: Michael Keane motioned and Jim Carroll seconded to accept and sign the changes made to the 2016 Grand List

Motion passed unanimously (*Justin Corcoran absent*)

9. MANAGER'S REPORT

The Bennington Fish Hatchery is acquiring an easement for additional water supply to their property. Whenever the State gains property rights, a letter of support is required by either the Select Board or Town Manager.

MOTION: Jim Carroll motioned and Michael Keane seconded to have the Town Manager write and sign a letter of support for the Bennington Fish Hatchery acquisition on behalf of the Select Board.

Motion passed unanimously (*Justin Corcoran absent*)

The Manager continued by circulating the Municipal Planning Grant approved by the Select Board at the previous meeting for the required signatures.

MOTION: Donald Campbell motioned and Jim Carroll seconded to accept and sign the Municipal Planning Grant application as approved previously.

Motion passed unanimously (*Justin Corcoran absent*)

The Manager announced there are still openings on the Housing Authority and Board of Listers. He also noted there would be a meeting held on Tuesday September 27, 2016 at Bennington College by the Vermont Department of Conservation regarding PFOA and connecting those affected to municipal water system. Currently approximately (20) properties that are adjacent to existing municipal water mains are being connected. At this time St. Gobain has agreed to pay for these connections. We hope the State is closer to a formal timeline and formal demand for the remaining affected properties.

Jim Carroll had questions regarding the bid process for the properties currently being connected. The Manager stated it was publicly advertised and results were publicly opened. Only one bid was received.

The Manager continued with an update on the issues at the Wastewater (Sewer) Plant. We had hoped to rectify the current RBC issue by the end of September, however serious electrical conduit issues were discovered. All new conduits to the (32) RBC units will need to be run. Although this will set us back slightly, we expect to have the required (24) units up and running by October 10th, 2016. The State's deadline is the end of October; therefore we will still be ahead of schedule. In the meantime we have managed to reduce the odors substantially and e-coli testing has shown excellent results as we continue to test weekly.

Discussion continued regarding preparing for the Bond Vote. We are one of the oldest complex plants in the State of Vermont. Loan money is available to us from the State at a 3% interest. We will need to educate the public and get the proper paperwork in place. The original goal was for a 2018 Bond vote, however it may be necessary to vote sooner.

10. OTHER BUSINESS

Michael Keane again reminded the public regarding the PFOA meeting at Bennington College on Tuesday evening. He also announced the school district consolidation meeting is to be held at Bennington College on Wednesday September 28, 2016. We do not want to leave the decision up to the State.

Jeanne Conner wanted to thank the Bennington Police Officer who stopped someone who was on their cell phone while driving.

Tom Jacobs is anxious for the Ninja Trail to be complete so bikers will be drawn there instead of riding on the sidewalks in town. Also more of them should be wearing helmets. It can be very dangerous.

October 10th, 2016 is the next regularly scheduled meeting date. This is also Columbus Day (Holiday). The Manager stated in recent years the Board has continued to meet on this day regardless of being a holiday. Mr. Jacobs agreed to move forward with the meeting on this date.

Tom Jacobs stated there was no need for Executive Session.

Motion: Michael Keane moved and Jim Carroll seconded a motion to adjourn the meeting. Motion passed unanimously (Justin Corcoran absent)

Respectfully submitted,

Linda E. Bermudez
Secretary