

1 **BENNINGTON SELECT BOARD**

2 **BENNINGTON FIRE FACILITY**

3 **130 RIVER STREET**

4 **BENNINGTON, VERMONT 05201**

5 **JULY 9, 2018**

6 **MINUTES**

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

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

10 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Zoning Administrator and Assistant Town
11 Manager; Zirwat Chowdhury-Community Development Director; Rory Price-Rise VT; Jeff Grimshaw; Chris
12 Cipperly; Robert Kobelia; 7 citizens; Mike Cutler-CAT-TV and Nancy H. Lively-Secretary.

13 **EXECUTIVE SESSION - INTERVIEWS**

14 At 6:02pm, Chair Thomas Jacobs called the meeting to order.

15 **1. PLEDGE OF ALLEGIANCE**

16 Recited by all present.

17 **2. CONSENT AGENDA**

18 **A. MINUTES - JUNE 25, 2018**

19 **B. WARRANTS**

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

22 **3. CITIZENS COMMENTS**

23 Mike Cutler advised everyone of the CAT-TV online survey at www.catamountaccess.com . The
24 survey takes about 10 minutes and participants have a chance to win a 4K TV or GoPro. The winners will
25 be announced on Battle Day Weekend.

26 Jeff Grimshaw and Chris Cipperly from the Vermont Storm thanked the Town for the
27 opportunities they have had since last October and all of the help that they have provided. The team
28 donated a helmet to the Town, a flag and flagpole at Willow Park and the goal posts that will be used for
29 both football and soccer. They have also worked at the Sparks Youth Football Camp and MAYAA
30 football, as well as, with the Cancer Crusaders and the Vermont Veteran's Home. They have been well
31 received in the Town and several businesses, such as the Bennington Banner, the Manchester Journal,
32 Carbone Auto Group, the Bennington Rescue Squad, the Paradise Inn, JC's Tavern, The Pharmacy,
33 MAYAA Football, Southern Vermont Today, Bennington Pizza House, Bennington Cooling and Heating
34 and Uncle Bob's Septic, along with a few from New York, have made donations to the Storm. The first
35 home game will be on July 21, 2018.

36 Robert Kobelia proudly announced that his teenage granddaughter has been selected to the
37 Olympic Luge Team.

38 Mr. Kobelia's real reason for coming before the Board was to share that Catherine Bryars,
39 Regional Planner, BCRC, had stated that the following statement was not included in the final draft of
40 the Solar Plan: "Specifically excluded from consideration as sites suitable for development were
41 lands...in the Rural Conservation land use district not already containing extensive commercial or
42 institutional development". Mr. Kobelia's property already has commercial solar development, so the
43 argument could be made that he should be allowed to develop it further. His wish is to add to his
44 existing solar array.

45 Mr. Jacobs commented that Mr. Monks will get clarity on the omission.

46 **4. RISE VT PRESENTATION**

47 Rory Price, a summer intern for the Southwest Vermont Medical Center (SVMC) and the
48 Bennington Office of the Vermont Department of Health (VDH), shared the following information on
49 Rise VT:

- 50 • Rise VT is a grass roots effort started by physicians in the Grand Isle, Vermont area because child
51 obesity was a major issue.
- 52 • 41% of the elementary students surveyed recently were overweight or obese.
- 53 • It is here to support and inspire Bennington to have fun, play more, eat well, and feel good.
- 54 • We work with individuals, employers, schools, childcare providers, and municipalities to provide
55 opportunities that make the healthy choice into the easy choice.
- 56 • One Care Vermont has adopted Rise VT as its primary prevention strategy.
- 57 • Rise VT will be throughout Vermont by 2019.
- 58 • It is a 50/50 partnership between SVMC and VDH.
- 59 • We have received a \$25,000 micro grant from One Care Vermont to be given out in \$1,500
60 increments to any business that focuses on health and wellness. Applications for these will be
61 released in September or October and the awards are decided by the Steering Committee.
- 62 • Advocacy for health supports from the municipalities would be additional bike paths, pedestrian
63 walkways, environment changes with safety as the default, etc.
- 64 • We are working with the local farmers and have 15 bikes for use that will be at the Catamount
65 Connection.
- 66 • So far we have convened the community stakeholders, had an MOU signed, secured funding,
67 opened an application for Program Manager, and created a sustainable plan and timeline.
- 68 • Going forward we have established August as our 'launch month', will create a Steering
69 Committee, continue to gather stakeholders, will have sustained support for classrooms and
70 businesses, and will hire a Program Manager.
- 71 • More information is available at www.bennington.risevt.org.

72 All Board members were supportive of this initiative.

73 **5. MANAGER'S REPORT**

74 Mr. Hurd reported that the Storm is requesting a waiver to allow service of beer and wine at
75 Lower Willow field during their home games. Food will also be provided. They will be contracting with

76 JC's Tavern, a licensed caterer, and all service will comply with State Liquor Control Guidelines. An area
77 will be cordoned off and those purchasing Alcohol must remain within that area. Chief Doucette has
78 recommended that there be police presence in that area, as well. JC's will donate a portion of the
79 proceeds to the Storm, who have made a longer commitment to donate that back to the Town.

80 ***Jim Carroll moved and Chad Gordon seconded to waive the prohibition of alcohol consumption***
81 ***at Willow Park for the Storm home games with police presence.***

82 Mr. Hurd noted that the job of working the games is posted at the police facility and the officer
83 that agrees to do it will receive a contracted amount that the Storm would reimburse to the Town.

84 Mr. Hurd added that the Storm and JC's Tavern both have liability insurance that will name the
85 Town as additionally insured.

86 Alcohol will no longer be served after the 3rd quarter of a game.

87 ***The motion carried unanimously.***

88

89 Mr. Hurd reported that, as a new addition to Midnight Madness, the Bennington Downtown
90 Alliance is requesting permission to close School Street from Main Street to Pleasant on July 19th from
91 3:30pm until 10:00pm for entertainment and vendors.

92 ***Donald Campbell moved and Jim Carroll seconded to close School Street from Main Street to***
93 ***Pleasant Street on July 19, 2018 from 3:30pm until 10:00pm. The motion carried unanimously.***

94

95 Mr. Hurd shared the following information with the Board:

- 96 • Mr. Hurd and Mr. Monks will be compiling the bi-annual Citizen Survey and will send it to the
97 Board before releasing it late this summer.
- 98 • The Y and Camp Green Mountain opened on July 2nd with 354 children signed up this year. There
99 was a concern last year about additional space for rainy days but we still only have the basement
100 available for this use.
- 101 • The pre-construction meeting for the paving projects for routes 7, 9, and 67A was held June 28th.
102 Work will begin on Route 67A in North Bennington on July 18th with work in Bennington to start
103 after July 30th. A specific schedule is not yet available. The State public relations person is going
104 door-to-door with everyone that will be impacted by the projects so they know what to expect.
105 The completion date is October 12, 2018.
- 106 • Work continues in the northwesterly portion of Bennington and North Bennington extending
107 municipal water to the homes and businesses there due to the PFOA issues. Many of the roads
108 are now open to one lane traffic with work expected to end in October 2018. Negotiations
109 continue on the Barr Engineering report with no further information as to what actions the State
110 is contemplating at this time.
- 111 • Construction will probably begin for the Community Park at 336 Main Street the middle of next
112 week. Work continues on breaking ground at the Merchants Park so that the earmarked monies
113 that need to be spent by December 31st will be utilized.
- 114 • There will be an open house at the Town Garage on July 13th.

116 **6. HVAC ENGINEERING RFP**

117 Mr. Hurd reported that the RFP was developed for mechanical engineering services to analyze
118 the current HVAC systems at the Bennington Police Facility and to develop a plan for replacement. It
119 also required coordination with Efficiency Vermont for five meetings, design engineers to solicit
120 qualified bidders and contractors with a prequalification standard and a schedule outline. Four firms
121 were solicited, two responded and only one met the requirements of the RFP. The bid from WV
122 Engineering Associates came in at \$12,700 for the Design/Bid phase but did not meet several of the RFP
123 requirements, and DuBois & King, Inc. came in at \$24,800 for the Design/Bid phase and met all of the
124 RFP requirements. Mr. Hurd, Mr. McLeod, Mr. Secor and Mr. Monks decided that it would be "unfair"
125 to DuBois & King to go back to WV Engineering and ask for the information that they failed to provide
126 the first time. "It would be like two bites of the apple."

127 Mr. Hurd is seeking approval from the Board to proceed with DuBois and King to design and bid
128 the project for \$24,800 to be paid from the Capital Facilities Reserve.

129 ***Donald Campbell moved and Jim Carroll seconded to proceed with DuBois and King to design***
130 ***and bid the Bennington Police Facility HVAC System Project at \$24,800.00 to be paid from the Capital***
131 ***Facilities Reserve.***

132 Mr. Hurd added that the geo thermal option as a possible replacement for the current propane
133 fired roof top units was determined to not be feasible based on input from personnel at the State Office
134 Buildings, Advanced Comfort Systems, Williams College, and the Vermont Veterans Home. Cost,
135 environmental site conditions (wells must be drilled), physical constraints and system failure risks also
136 contributed to geo thermal not being a feasible option.

137 If approved, the design and bid phase will be done over the summer with a bid in late fall/early
138 winter and work to begin in January 2019 - if authorized by the Board.

139 Mr. Campbell noted that the Board has the right to ask for additional information and Mr. Jacobs
140 added that there were clear requirements that were not included in the WV Engineering RFP. Mr. Hurd
141 stated that it was their assumption that these requirements were deliberately omitted because they
142 didn't intend to do them. Mr. Campbell agreed with the integrity of the decision - even though the price
143 difference is nearly twice the other bid.

144 ***The motion carried unanimously.***

145 **7. BORROWING FOR FY2019 (2)**

146 Mr. Hurd reported that, due to our cash flow situation, we are not asking for a tax anticipation
147 note this year, however, there are two other borrowings to act upon. The first is for the Recreation
148 Center Bond Anticipation Note, an annual one year note. We have 10 years after voter approval to
149 formally bond with the Bond Bank. We will save on interest if we can pay this off sooner. We have
150 budgeted \$41,830 in the coming year which will pay this bond anticipation note off in FY2020.

151 ***Jim Carroll moved and Chad Gordon seconded to approve the Town of Bennington Bond***
152 ***Anticipation Note with People's United Bank in the amount of \$82,113.00 at the rate of 2.85% for one***
153 ***year and waive the reading of the Resolution.***

154 Mr. Campbell verified that this is the best way for us to proceed, and Mr. Hurd answered that
155 this has saved us much money over the years.

156 ***The motion carried unanimously.***

157 Mr. Hurd stated that the second borrowing is for the tandem dump truck that was approved by
158 the voters this past March.

159 ***Carson Thurber moved and Jim Carroll seconded to approve the Town of Bennington Capital***
160 ***Equipment Note with People's United Bank in the amount of \$144,575.00 at the rate of 3.25% for***
161 ***seven years and waive the reading of the Resolution.***

162 Mr. Campbell asked why this Note was at 3.25% instead of 2.85%, and Mr. Hurd answered
163 because this one is for seven years instead of one year.

164 ***The motion carried unanimously.***

165 **8. OTHER BUSINESS**

166 Ms. Conner extended a belated thank you to Ms. Chowdhury and everyone else involved in the
167 Community Stark Street event. "It was phenomenal."

168 Mr. Carroll thanked St. Peters Church and others in town for feeding kids free lunches. "What a
169 charitable thing to do."

170 Ms. Jenkins asked that Mr. Hurd follow up on the lack of maintenance issue at the Recreation
171 Center, and he will.

172 Mr. Gordon stated that the schools are also offering free breakfasts and lunches to anyone under
173 the age of 18. The schedule was in the Banner.

174 Mr. Jacobs noted that the Board will be reviewing the Select Board Rules of Procedure, as well as,
175 the Purchasing Policy when the Committee has completed their work with that.

176 Mr. Hurd thanked the Fire Department for the Make It Rain events that took place Sunday
177 through Thursday from 3:00pm-5:00pm when the temperatures were so hot.

178 A citizen was very upset that the Town had approved the serving of beer and wine at the Storm
179 home games because there will be children present.

180 **9. ADJOURNMENT**

181 ***At 7:20pm, it was moved and seconded to adjourn the meeting. The motion carried***
182 ***unanimously.***

183

184

185 Respectfully submitted,

186 Nancy H. Lively

187 Secretary