

1 **BENNINGTON SELECT BOARD**

2 **BENNINGTON FIRE FACILITY**

3 **130 RIVER STREET**

4 **BENNINGTON, VERMONT 05201**

5 **JULY 23, 2018**

6 **MINUTES**

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

9 **SELECT BOARD MEMBERS ABSENT:** Chad Gordon.

10 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Zoning Administrator and Assistant Town Manager;  
11 Zirwat Chowdhury-Community Development Director; Jason Booth-Aldrich & Elliott; Roger Bergeron-State of  
12 Vermont Chief Engineer; Silvia Cassano, Jerod Newell and Brad DeBoer-BATS; Betsy Rathbun-Gunn, Lorna  
13 Mattern, Beth Wallace-UCS; Rory Price; Noreen Gilardi; Noah Payne; Bob Weekers; Dr. G.R. Dundas; 25  
14 citizens; Mike Cutler-CAT-TV and Nancy H. Lively-Secretary.

15 **EXECUTIVE SESSION - INTERVIEWS**

16 At 6:03pm, Chair Thomas Jacobs called the meeting to order.

17 **1. PLEDGE OF ALLEGIANCE**

18 Recited by all present.

19 **2. CONSENT AGENDA**

20 **A. MINUTES - JULY 9, 2018**

21 **B. WARRANTS**

22 *Donald Campbell moved and Jim Carroll seconded to approve the Consent Agenda as submitted.*

23 Ms. Conner confirmed that Mr. Jacobs intended that the Board would be sent the bi-annual Citizen  
24 Survey after it was compiled by Mr. Hurd and Mr. Monks and not be involved in compiling it. Mr. Jacobs  
25 agreed that that was his intent.

26 *The motion carried with Chad Gordon absent.*

27 **3. CITIZENS COMMENTS**

28 Dr. G.R. Dundas announced that there will be 11 voter registration sessions that will coincide with the  
29 Kitchen Cupboard hours at 121 Depot Street - Tuesdays 5:30-7:30; Thursdays 10:00-12:00; and Saturdays 2:00-  
30 4:00.

31 **4. WWTF TREATMENT FACILITY PHASE II PROJECT COSTS**

32 Mr. Hurd explained that we have gone to bid on Phase II of the WWTF Treatment Facility and has given  
33 the Board the first four pages of 81, the Bid Analysis and recommendation, and three pages of 47 - the DBE  
34 (Disadvantaged Business Enterprise Program a federal requirement) analysis and recommendation.

35 Jason Booth from Aldrich and Elliott (A&E) and Roger Bergeron from the State of Vermont shared the  
36 following with the Board:

- 37 • In accordance with our attached “Bid Analysis Report” dated July 19, 2018, Kingsbury Company  
38 submitted a complete bid and appear to have viable bonding in place and viable banking.
- 39 • Kingsbury Companies has the resources to complete a project of this size.
- 40 • They have not defaulted on any projects at this time.
- 41 • Scheduling/coordination of elements has been challenging on past projects delaying the finish date of  
42 the project for 3 months. It is within the Town’s contract with A&E for them to stay on top of the  
43 project progress.
- 44 • Mr. Hurd added that this project is not the part that is governed with the continuance deadline date,  
45 and the bid is aggressive enough so that we are under the bond amount by \$200,000. The other  
46 bidder has similar experience but was \$200,000 higher. “We are comfortable where we are at.”
- 47 • We recommend that Kingsbury have an employee as superintendent to be consistent and on the job  
48 site at all times while work is being performed. The project will be monitored by Aldrich and Elliott, as  
49 well as, by the State.
- 50 • The presence of multiple supervisors has been an issue on previous jobs. Withholding of payment  
51 would generally be the consequence if this occurs.
- 52 • Their references “were not stellar”, however, references themselves, are not a basis for rejection.
- 53 • The Board was concerned with the negative comments on Kingsbury Companies and Mr. Booth stated  
54 that they are “an OK company”. The Town risks being sued if they take a higher bid and/or risk major  
55 delays in the project if they reject all bids and begin the bid process again.
- 56 • Aldrich and Elliott recommend that the Bennington Wastewater Treatment Facility Upgrade, Contract  
57 No. 1 be awarded to Kingsbury Companies of Middlesex, Vermont in the amount of \$4,770,500 which  
58 includes the Base Bid and the Additional Alternative No. 1.

59 ***Donald Campbell moved and Jim Carroll seconded to award the contract for the Bennington***  
60 ***Wastewater Treatment Facility Upgrade, Contract No. 1 to Kingsbury Companies of Middlesex, Vermont in***  
61 ***the amount of \$4,770,500.00 which includes the Base Bid and the Additional Alternative No. 1.***

62 The Board was comfortable with the fact that all monitoring of Kingsbury is within the A&E contract and  
63 of the awareness that everything is not perfect and will be handled, if necessary.

64 ***The motion carried with Chad Gordon absent.***

## 65 **5. BATS CHILDREN PUMP TRACK AT START STREET PARK**

66 Mr. Campbell has recused himself from voting on this agenda item.

67 Jerod Newell, Silvia Cassano and Brad DeBoer did the following presentation:

- 68 • The Bennington Area Trail System (BATS) was formed in 2015, is a 501c3, and currently have 10 miles  
69 of primitive dirt trails on Mt. Anthony and at Southern Vermont College.
- 70 • Mountain biking is growing and becoming a family activity.
- 71 • A pump track is a flowing track that will encourage children and adults to safely learn the skills of  
72 mountain biking. It is not a BMX track.

- 73 • The proposed footprint would be approximately 40' x 120' with an 8' wide dirt track within the  
74 footprint to be placed at the back corner of the Stark Street property so as not to interfere with other  
75 activities at the Park.
- 76 • Stark Street was chosen because of its access to the hospital trails.
- 77 • The total estimated cost of the project is \$5,000-\$5,500. BATS has received a Trail Grant in the amount  
78 of \$1,620 that must be used by 10/31/18 and will pay for the project. We are not asking for any  
79 money from the Town.
- 80 • BATS volunteers would be the primary caretakers of the surface of the track, picking up any litter,  
81 maintaining the entrance to the track, initial set up fine tuning, and making a sign with ground rules  
82 and info about the site.
- 83 • Town maintenance would be to weed whack around the border edges, mow park per usual,  
84 garbage/recycling bin emptying, and bathroom facility availability. When the Park was used more in  
85 the past, the Town maintained it then. It will not be a heavy lift for the Town to have more presence  
86 there now.
- 87 • Parking is provided at the Park but it is limited and walking or biking to the Park is encouraged.
- 88 • Surveys on the Park have indicated that people want rest room facilities, places to sit, playground  
89 equipment and a pump track.
- 90 • If the pump track is not as popular as expected, it can be removed to restore the area to what it is  
91 today.

92 Citizen comments:

93 Noreen Gilardi, a 50-year resident of Stark Street, stated that the neighbors were to be directly  
94 informed as to the actual plans for the Park but never were. "This was an uncomfortable feeling." The  
95 neighborhood concern is who will police the Park with the added activity?

96 Mr. Jacobs acknowledged the neighborhood's viewpoint for those that are there 24/7 and noted the  
97 Town's viewpoint of the opportunity to utilize a resource that has been unused for many years. He also  
98 encouraged anyone to contact him, personally, if anything is unsettling to those that live there.

99 Ms. Jenkins agreed that this is an opportunity to re-vitalize the Park and to "put it back on our radar".

100 Ms. Chowdhury added that the timing of the presentation may have been such that the private  
101 meeting with the residents never took place, but reminded everyone that the data has shown that more  
102 activity in a park supports a safer environment than a park that is unused.

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104 Noah Payne, a 17-year old resident who has worked on and used the trails since he was 11-years old,  
105 stated that he has seen that more activity on the trails equals better upkeep, and more activities in the Town  
106 will encourage college graduates to return to Bennington instead of moving elsewhere.

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108 Bob Weekers spoke in support of the pump track for a safe place for children to ride their bikes.

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110 Rory Price from Rise VT spoke in support of the pump track and any opportunity that will provide a  
111 chance for physical activity.

113 A Stark Street resident is concerned about the after-hours activity at the Park, and Mr. Hurd said that  
114 “we will handle security”. She is also concerned that there will be too many, non-resident people utilizing the  
115 park.

116 ***Jim Carroll moved and it was seconded for the Town Manager to work with BATS for a plan***  
117 ***consistent with our discussions this evening for a pump track at the Stark Street Park as presented. The***  
118 ***motion carried with Donald Campbell having recused himself and Chad Gordon absent.***

## 119 6. UCS/RECREATION CENTER COLLABORATION

120 Lorna Mattern, Executive Director of United Counseling Service (UCS), Betsy Rathbun-Gunn, (Director  
121 of Head Start), and Beth Wallace, Family Community Partnership Manager at Head Start, did the following  
122 presentation:

- 123 • UCS has been serving the community for 60 years, is a \$24M agency, has 17 facilities from Manchester  
124 to Pownal, employ over 300 individuals, and worked with 3,000 individuals this past year with 1,300 of  
125 those from Bennington. These services cover Emergency, Community Rehabilitation, Substance Abuse,  
126 Developmental Services, Youth and Family Services, and Head Start/Early Head Start, as well as, being  
127 in collaboration with SVHC, Blueprint, and the Supervisory Union. We also provide training  
128 opportunities to the community, such as free of charge Mental Health 1<sup>st</sup> Aid Training.
- 129 • UCS works with people “from birth to death”.
- 130 • Head Start has been in Bennington for 55 years, is federally funded, and was one of the first Head  
131 Starts’ in the country. We now serve 169 children from birth to 5-years old.
- 132 • Early Head Start is a daycare service for working parents and provides early preparation to the children  
133 for kindergarten. There are 48 children currently in this program.
- 134 • Head Start was in 100% compliance with the 1,600 requirements of our last Federal Review.
- 135 • Our proposal is to first add an Early Childhood and Youth Services component to the Recreation Center  
136 with a broader vision for the Recreation Center in the community.
- 137 • In addition to the vision, we have experience in providing a multitude of family activities and  
138 counseling.
- 139 • From recent surveys within the community, we have heard that Bennington needs more indoor  
140 activities for children, updated playground equipment, more opportunities for young children (birth-5),  
141 more things to do for teens so they feel connected to the community, programs for families, and more  
142 child care facilities to accommodate working parents.
- 143 • Many families are in close proximity to the rec center and it is within walking distance from the high  
144 school. It has also been shown that property values increase when close to a rec center with an  
145 organized scheduling of activities.
- 146 • Phase I is comprised of immediate improvements to the rec center with a trike track, basketball hoops  
147 for all ages, soccer nets, climbing structures, and infant/toddler/preschool playground with structural  
148 improvements of an enhanced entrance, possible viewing space for swim events, commercial kitchen,  
149 multi-purpose activity space, and increased accessed via an elevator.
- 150 • The 5,000-7,000 square foot addition would provide open space to use and 4 classrooms to be used for  
151 Early Head Start and Head Start, as well as, being open to the community.
- 152 • Right now, we have financial resources in federal and state funding available, we have  
153 programming/staffing in place, facility development and investment, and will provide ongoing facility

upkeep and maintenance. The funding that we have, however, has an end date by which it must be used.

- We are not coming to the Town to ask for additional funding.
- The timeline for Phase I would be to have all of our ducks in a row with planning, funding, lease approval, permitting, and bid process complete by the end of February 2019, construction complete by the end of August 2019 with programming to begin in September 2019.
- Phase 2 is the “big picture” and is comprised of a multi-court gymnasium and elevated indoor running track, multi-generational programming, enhanced recreational equipment for school-agers and teens, renovated downstairs, pickle ball courts, and improved pool seating and viewing areas.
- We are only asking for approval to go forward with Phase I at this time.

Board questions/comments:

Mr. Jacobs: What kind of dollars are we talking? Ms. Rathbun-Gunn answered we have \$850,000-\$1,000,000 that we can contribute to the project. Once we have the go ahead from the Town, we will pursue securing the necessary funding to complete Phase I.

Mr. Jacobs: What is the status of our bond on the rec center? Mr. Hurd stated that it will be retired in the next fiscal year, however, because UCS will construct, own and maintain these facilities, there will not be any impact on the Town financially.

Mr. Jacobs: Do you see UCS involvement in Phase II? Ms. Mattern answered yes, but with the community being more of the stakeholder.

Ms. Jenkins: Sees this as a seamless transition of use between UCS and the community, and Ms. Mattern agreed. For example, the communities use of the commercial kitchen for community events, family gatherings, as well as, parenting classes, daycare opportunities, etc.

Mr. Campbell: What happens if federal funding stops? Ms. Rathbun-Gunn responded that, because there is a federal share in the building, they have secured their position for that building to supply services to the children and families in the community, and not have invested their money in a building that would be sold for a different purpose. If funding stops, then UCS would turn it over to the Town.

Mr. Campbell: Clarified that there will be the two public hearing process when the lease agreement has been made and UCS comes back with the actual plans in September 2018. Mr. Jacobs concurred.

Mr. Carroll: “It’s fantastic” and addresses many community issues.

Mr. Thurber: “This is incredible.” Is there any access to federal funding for Phase II? Ms. Rathbun-Gunn answered that we would have to research that and other sources in addition to seeing what the Town would consider contributing at that time. Ms. Jenkins added that there has been talk for a long time on how to improve/expand the rec center and this is the “jump start” to doing that.

Ms. Conner: “Why this would not be a good idea did not pop into my head.” “I don’t know if we can tolerate any more good news tonight.”

***Donald Campbell moved and Jim Carroll seconded to move forward with the United Counseling Service proposal for Phase I for the Recreation Center as presented. The motion carried with Chad Gordon absent.***

## **7. MANAGER’S REPORT**

193 No report.

194 **8. FY2019 TAX RATE**

195 Mr. Hurd noted that the Education tax rate for the homestead property decreased from \$1.4927 to  
196 \$1.4601, a decrease of \$0.0326, and the Bennington Rural Fire District tax rate will be determined soon.

197 The total tax increase for General Fund, Highway Fund, and Fire Department equals \$0.0199, or 1.75%.  
198 Kudos to town staff for keeping the increase to less than 2%.

199 ***Donald Campbell moved and Jim Carroll seconded to approve the FY2019 Tax Rates as follows:***

200 ***General Fund Tax Rate to - \$0.6849 (an increase of \$0.0102)***

201 ***Highway Fund Tax Rate to - \$0.3907 (an increase of \$0.0059)***

202 ***Fire Department Tax Rate to - \$0.0840 (an increase of \$0.0038)***

203 ***The motion carried with Chad Gordon absent.***

204 **9. OTHER BUSINESS**

205 None.

206 **10. EXECUTIVE SESSION**

207 **A. CONTRACTS**

208 ***At 8:17pm, Jim Carroll moved and Donald Campbell seconded finding that an Executive Session be***  
209 ***held on Contracts as premature public knowledge would place a person involved in the subject matter at a***  
210 ***substantial disadvantage. The motion carried with Chad Gordon absent.***

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215 Respectfully submitted,

216 Nancy H. Lively

217 Secretary