

1 **BENNINGTON SELECT BOARD**

2 **BENNINGTON FIRE FACILITY**

3 **130 RIVER STREET**

4 **BENNINGTON, VERMONT 05201**

5 **JUNE 24, 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; Melissa Currier-Finance Director; Dan Batsie-Vermont  
12 Office of EMS; Bennington Rescue Squad-Brian Peat-Board President, Brian Murphy-Board Vice President, Bill  
13 Camarda-Assistant Executive Director, Bill Guttlied, Morgan Oldham, Tim Finney, and 10 others; Robin  
14 Stromgren-Building Bright Futures Regional Coordinator; Rob Young and Laura Stone-VTrans; Nia Schultz and 12  
15 others; Mike Bethel; Jackie Kelly; Bruce Lee Clark; 20 citizens; Mike Cutler-CAT-TV; Jim Therrien-Bennington  
16 Banner and Nancy H. Lively-Secretary.

17 At 6:06pm, Chair Donald Campbell called the meeting to order.

18 **1. PLEDGE OF ALLEGIANCE**

19 The Pledge of Allegiance was recited by all present.

20 *Jeannie Jenkins moved and Chad Gordon seconded to amend the Agenda to add 6A. VTrans*  
21 *Presentation. The motion carried unanimously.*

22 **2. CONSENT AGENDA**

23 **A. MINUTES - JUNE 10, 2019**

24 **B. WARRANTS**

25 *Jim Carroll moved and Jeannie Jenkins seconded to approve the Consent Agenda amended as*  
26 *follows:*

27 *Line 175, Change "Gordon, and" to "Gordon, Ms. Jenkins, and"*

28 *The motion carried unanimously.*

29 **3. PUBLIC COMMENTS**

30 Nia Schultz, accompanied by 12 other citizens, spoke to ensure that there would be  
31 transparency with the audit of the Bennington Police Department with full public awareness of the

32 outcomes. However, other than the reporting in the Banner, there has been no information available  
33 to the public, the information that Mr. Hurd gave at the June 10<sup>th</sup> Select Board meeting was not  
34 accurate, and the RFP's were not put on the website. Mr. Campbell stated that we have hired Curtis  
35 Reed, a highly recommended consultant in Brattleboro, to help lead us through the audit process. The  
36 Town has not extended the RFP deadline and no Select Board member has a relationship with the  
37 businesses that were contacted for an RFP.

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39 Mike Bethel asked about the salt shed fine, and Mr. Hurd answered that there are some bond  
40 funds available, plus some dollars that may need to be budgeted in the second year, to pay the  
41 \$21,000 fine over a 2-year period. Mr. Bethel feels that Mr. Hurd and the Select Board should be  
42 responsible for this and that the citizens should not be paying for the fine or any legal fees that were  
43 encountered because of it.

#### 44 **4. AMBULANCE SERVICE OF THE YEAR AWARD**

45 Dan Batsie, the Emergency Medical Services Chief from the Department of Health, stated that  
46 each year there are several applicants for the Ambulance Service of the Year Award. There are 94  
47 ambulance services in Vermont and there were 8 applications received this year. Criteria for the award  
48 is clinical competency and community satisfaction. "This year's winner is also a role model for all other  
49 ambulance services in Vermont, both in their vision, their competency, and their leadership in the  
50 system among many other things." The Bennington Rescue Squad received the Ambulance Service of  
51 the Year Award.

52 Bill Camarda, Assistant Executive Director of the Bennington Rescue Squad, credited the  
53 support of the community and the quality of the crew for earning them this award.

#### 54 **5. YOUNG CHILDREN AND FAMILIES PRESENTATION**

55 Robin Stromgren, the Building Bright Futures (BBF) Regional Coordinator, did the following  
56 presentation:

- 57 • BBF is contracted by Sunrise to work with young children and their families.
- 58 • "Without families, children are not going to survive."
- 59 • The statewide plan is for children to be healthy, to be learning, and to be supported by their  
60 communities and families.
- 61 • Bennington has also had a regional plan since 2005.
- 62 • Our regional plan is for health, mental health, early child care, education (kindergarten through  
63 3<sup>rd</sup> grade), and home visiting.
- 64 • '1,000 books before kindergarten' is a goal that has been achieved by some and proven to  
65 enhance their educational experience.

- 66 • The Vision of the BBF Council is a shared quorum where parents, administrators, and direct
- 67 service providers are committed to respectful, safe, and non-judgmental relationships for a
- 68 positive outcome for children and families.
- 69 • We provide support and guidance to parents, mentoring, food if needed, and build confidence
- 70 with social and emotional skills in the children.
- 71 • We have dropped from 52% to 42% of children living in poverty because there are fewer actual
- 72 children. Poverty - poor nutrition, insecure housing, and transportation issues - greatly
- 73 influences a child's readiness for school. "The insecurities of life."
- 74 • Poverty and children in DCF custody remains a serious concern.
- 75 • The data is from 2016 because it takes 2 years to "clean the data".
- 76 • We have become a "trauma informed, trauma sensitive" region through professional
- 77 development. Ms. Conner encouraged everyone to participate in the UCS 'Resilience' program
- 78 to better understand how children are affected by trauma throughout their lives.
- 79 • Bennington County has several centers that are "5 STAR" rated and the highest number of 3
- 80 STAR, 4 STAR, and 5 STAR programs in the State.
- 81 • Having Head Start in the downtown will help many families.
- 82 • One of our best resources is that our community is "great" at agencies working together.

83 **6. DECISION TO FILL VACANT BOARD SEAT**

84 Mr. Campbell stated that Bruce Lee Clark has agreed to complete the rest of Carson Thurber's  
85 term.

86 *Bill Scully moved and Jeannie Jenkins seconded to have Bruce Lee Clark become a Board*  
87 *member as of July 1, 2019 to complete the rest of Carson Thurber's term. The motion carried with*  
88 *Carson Thurber abstaining.*

89 Mr. Clark thanked the Board for their confidence and Mr. Thurber for his service.

90 **6A. VTRANS PRESENTATION - BRIDGE #6, WALLOOMSAC RIVER, ROUTE 9**

91 Mr. Hurd apologized to the Board and to Rob Young and Laura Stone for not notifying the Board  
92 this was to be an agenda item this evening.

93 Laura Stone, VTrans Scoping Engineer, and Rob White, VTrans Project Manager, did the  
94 following presentation:

- 95 ➤ Bridge #6 over the Walloomsac River is on Route 9 between Morgan and Beech Street.
- 96 ➤ We are in the early Project Definition stage and have identified the funding and resources.
- 97 ➤ Once the Town decides on how they want to go forward with the Project is when you would
- 98 see the design and estimates.
- 99 ➤ Per the 2012 Act 153, the local share is reduced by 50% if the bridge is rehabilitated instead of
- 100 replaced, and reduced 50% if the road is closed during construction.

- 101 ➤ The bridge is 46' long constructed in 1923 and is a town Class 1 highway owned by the Town of
- 102 Bennington.
- 103 ➤ There are 9' sidewalks on both sides and it is in a densely populated area with multiple utility
- 104 feeds.
- 105 ➤ The substructure and superstructure are rated in fair condition with settlement cracks on one
- 106 of the abutments, drainage features on the bridge are leaking, and it is substandard
- 107 hydraulically.
- 108 ➤ If there are hazardous wastes found in the soil, the Town is responsible for 100% of the cost of
- 109 the contamination.
- 110 ➤ There is a high volume of 9,800 vehicles/day with 4.6% of those trucks. The busiest hour is
- 111 1,000 vehicles/hour.
- 112 ➤ The current 8' shoulders, 12' travel lanes, and 9' sidewalks would be maintained.
- 113 ➤ Options to consider for bridge work:
- 114     ✓ No action with required maintenance during the next 10 years.
- 115     ✓ A minor rehabilitation with a 15 year design life includes repairing fallen concrete on
- 116 substructure and superstructure, as well as, exposed rebar. Town share would be 2.5%
- 117 if bridge was closed, 5% if not. Town share = \$30,000 and construction time = 2
- 118 months.
- 119     ✓ A superstructure replacement with a 30 year design life includes replacing the beams
- 120 and the deck. Town share would be 2.5% if bridge was closed, and 5% if not. Town
- 121 share = \$40,000 with road closed, \$120,000 if not and construction time = 3 months.
- 122     ✓ A full bridge replacement with a 100 year design life includes stainless steel rebar.
- 123 Town share would be 5% if bridge was closed, 10% if not. Town share = \$150,000 and
- 124 construction time = 6 months. Total cost ~\$3M.
- 125 ➤ VTrans recommendation is to do the full bridge replacement.
- 126 ➤ Options to consider for traffic control:
- 127     ✓ Offsite vehicle detour of 5.4 miles and pedestrian detour of .8 miles.
- 128     ✓ Short term lane closures during off peak hours for only the minor rehabilitation option.
- 129     ✓ Phase closure is maintain one lane open while working on the other. This is not
- 130 recommended due to the high traffic volume, however, there could be one lane
- 131 maintained with pedestrians and a detour in only one direction or maintain two lanes of
- 132 traffic and detour pedestrians.
- 133 ➤ Closures are recommended for 60 days from June 1<sup>st</sup> to August 1<sup>st</sup> with detours and allowing for
- 134 night time work. More discussion needs to be had concerning time of year that would impact
- 135 businesses the least. There is compensation for businesses at the project site, however, there
- 136 is no compensation for businesses along the route.
- 137 ➤ This is a town bridge and it is the town's responsibility to notify business owners of when and
- 138 how the work will be done.
- 139 ➤ All options would take about 4 years so this project would take place in 2023, and though there
- 140 are contingencies built into the cost to allow for the price in 2023, the fluctuation in the price of
- 141 steel cannot be accurately foreseen.

- 142 ➤ It is not recommended to do a full replacement and keep two lanes of traffic open. It is
- 143 possible, but this is not something that can be costed out.
- 144 ➤ These projects generally are funded with 80% federal funds, 10% state funds, and 10% local
- 145 funds. If the local funds are at 5%, then the state funds would be 15%.
- 146 ➤ A questionnaire was sent to the Select Board around a year ago.

147 *Going forward:*

- 148 ❖ *Since the Board and public were not aware of this presentation tonight, VTrans will come back*
- 149 *to present again when all interested parties can be present.*
- 150 ❖ *There are a number of questions to be asked at that later date.*

151 **7. SET WATER / SEWER RATES**

152 *Bill Scully has recused himself from the Water Rate decision.*

153 Mr. Hurd explained that the water and sewer rates had been set “artificially low” in previous  
 154 years and we now must pay for the cost of the necessary upgrades in the water facilities (\$7M in 2004-  
 155 2007 and \$3M for the water tank and pump station at SVC in 2016) and the waste water treatment  
 156 facility (\$9.85M now underway). These budgets were principally impacted by bond costs and  
 157 depreciation, two costs over which we have little control. We are looking at similar rate increases over  
 158 the next 3-4 years. We are still in the bottom half of rates as compared to Brattleboro, Manchester,  
 159 Montpelier, North Bennington, Rutland City, and Waterbury when all the “add on rates” are  
 160 considered in those towns. The water increase is 7.5% and the sewer increase is 10.5%. Use of the  
 161 waste water fund balance of ~\$100,000 has kept the sewer increase to 10.5%.

162 Therefore, Mr. Hurd has proposed the following rates per quarter:

163	WATER: Flat - \$145.95	SEWER: Flat - \$109.68
164	Per 1,000 Gallons - \$5.41	Per 1,000 Gallons - \$3.81
165	Meter Surcharge - \$87.73	Meter Surcharge - \$68.16

166 ***Jeanne Conner moved and Chad Gordon seconded to set the FY2020 Water Rates as proposed.***

167 Ms. Conner stated that the public should be aware that the Board “is not happy with the  
 168 increases” and are working with Efficiency Vermont to reduce our cost of electricity.

169 Jackie Kelly read from an article in the Banner that noted increases in the sewer rate only and  
 170 did not understand why the water rates increased, as well. Mr. Hurd reiterated his explanation of the  
 171 effect of the bonds and depreciation on both budgets. Ms. Kelly feels that the rate comparison with  
 172 other towns is “apples to oranges” since we combine our residential, commercial and industrial into  
 173 one rate and they do not.

174 Representative Mary Morrissey stated that she had approached the Select Board in their role of  
 175 Water Board several times 1 ½ years ago to have a 2-10 year plan because there were water projects at

176 the State level that equaled \$78M. Ms. Morrissey got no response and we continue to “kick the can  
177 down the road”. Mr. Campbell added that the \$78M list of projects was a list of projects that may  
178 need to be done at some point in the future but didn’t need to be done now.

179 ***The motion carried with Bill Scully having been recused.***

180 ***Bill Scully moved and Jeanne Conner seconded to set the FY2020 Sewer Rates as proposed.***

181 Mr. Scully stated that we are now seeing the “worst of both worlds” in that we are now paying  
182 for what wasn’t done in past years and planning ahead for future years with the consideration of  
183 depreciation. After 3-4 years, rates should level out for an extended period.

184 Ms. Kelly asked what the depreciation years are, and Mr. Hurd answered that buildings are  
185 generally 20 years with mechanical items having variable useful lives. Some of our water lines date  
186 back to the early 1900’s, and Ms. Currier added that the new water lines are depreciated for 75 years.

187 ***The motion carried unanimously.***

## 188 **8. MANAGER’S REPORT**

189 Mr. Hurd reported the following:

- 190 ○ PFOA - Three of the contract bids have been awarded that cover Route 7, Houghton  
191 Lane, and Apple Hill. Work will start soon. Two additional contracts for the East  
192 Road Expansion and the Chapel Road Expansion remain to be bid.
- 193 ○ WWTF Project - The second phase of this project will continue to move along until  
194 project completion next year. The solar roof project has been postponed until this  
195 project is completed.
- 196 ○ Morgan Spring Delivery System - The planned purchase of the lot on Main Street has  
197 been postponed due to additional environmental impacts being investigated.  
198 Identifying where the construction cost of \$378,000 will come from is the next task  
199 and there will be a meeting with Premier Waters next week to discuss their  
200 participation in this.
- 201 ○ Reported Sewer Discharge Violation - We reported a high e-coli reading in our  
202 discharge to the river. It was not threatening to the river or aquatic life and appears  
203 to have been remedied by increasing chlorine to treat the discharge.
- 204 ○ Opioid Lawsuit - St. Albans has now decided to file suit in federal court, and not state  
205 court. Research will be done as to the anticipated staff effort needed should we  
206 decide to join them. The Board will be apprised of that information when it has been  
207 completed.
- 208 ○ Depot Street Garage - The sale of this building has been concluded to SC Spirits, LLC,  
209 and they will begin renovations very soon.

## 210 **9. UPCOMING AGENDA**

211 The following are planned for the indicated meeting dates:

- 212 ✓ July 8<sup>th</sup> - Senior Services Project - Ms. Barsotti will report on this.  
213 ✓ July 8<sup>th</sup> - Set Highway Fund and Fire Fund Tax Rates

214 **10. OTHER BUSINESS**

215 Mr. Campbell: The Bennington Redevelopment Group has closed on the \$56M Putnam Block  
216 project. Kudos to Bill Colvin for this achievement.

217 Mr. Campbell: There will be a Community Picnic on June 28<sup>th</sup> and the Pride Parade on June 29<sup>th</sup>.

218 Mr. Thurber: Thanked Bruce Lee Clark for agreeing to serve in his place.

219 Ms. Conner: Asked about the Hayden project, and Mr. Hurd answered that Mr. McLeod  
220 indicated that they are progressing but have run into "an asbestos problem".

221 Ms. Conner: Asked about the Elm Street planting, and Mr. Hurd responded that there is a plan  
222 in place with Pembroke Landscaping and we will be meeting with the impacted residents.

223 All Board members expressed their thanks to Mr. Thurber for his service and wished him well.

224 **11. EXECUTIVE SESSION**

225 **A. PERSONNEL**

226 *At 8:25pm, Jim Carroll moved and Bill Scully seconded that the meeting was adjourned*  
227 *finding that an Executive Session be held on Personnel as premature public knowledge would place a*  
228 *person involved in the subject matter at a substantial disadvantage. The motion carried*  
229 *unanimously.*

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231

232 Respectfully submitted,

233 Nancy H. Lively

234 Secretary

235