

1 **BENNINGTON SELECT BOARD**
2 **BENNINGTON FIRE FACILITY**
3 **130 RIVER STREET**
4 **BENNINGTON, VERMONT 05201**

5 **JULY 22, 2019**

6 **MINUTES**

7 **SELECT BOARD MEMBERS PRESENT:** Donald Campbell-Chair; Chad Gordon; Jim Carroll; Bruce Lee-
8 Clark; and Bill Scully.

9 **SELECT BOARD MEMBERS ABSENT:** Jeannie Jenkins and Jeanne Conner.

10 **ALSO PRESENT:** Stuart Hurd-Town Manager; Daniel Monks-Assistant Town Manager and Planning Director; R.J.
11 Joly-Public Works Director; Lynn Masso; Nancy White; 10 citizens; Jim Therrien-Bennington Banner; Mike Cutler-
12 CAT-TV; and Nancy H. Lively-Secretary.

13 At 6:04pm, Chair Donald Campbell called the meeting to order.

14 **1. PLEDGE OF ALLEGIANCE**

15 The Pledge of Allegiance was recited by all present.

16 **2. CONSENT AGENDA**

17 **A. MINUTES - JULY 8, 2019**

18 **B. WARRANTS**

19 *Jim Carroll moved and Chad Gordon seconded to approve the Consent Agenda amended as*
20 *follows:*

21 *July 8, 2019 Minutes - Line 312, Change "abstaining" to "against"*

22 *The motion carried with Jeannie Jenkins and Jeanne Conner absent.*

23 **3. PUBLIC COMMENTS**

24 Lynn Masso, representing a collective group of citizens concerned about the Police Department
25 misconduct inquiry, wondered where we are in the process. Mr. Campbell stated that we are in the
26 final round of the RFP process and our consultant, Curtis Reed, will be at the next meeting to give an
27 update on the process, give his recommendations, and answer questions. Ms. Masso further asked if
28 the Town had a Procurement Policy, and Mr. Campbell answered yes, and it is the process of being
29 reworked. She inquired on how the group could get a "seat at the table", and Mr. Campbell invited her
30 to attend the August 12th meeting.

32 Nancy White reiterated her questions concerning UCS and the Rec Center, such as, when UCS
33 was at meetings, number of parking spaces, the basketball courts, cost of Phase 2, and voting on the
34 YMCA coming to Bennington. Mr. Campbell and Mr. Carroll stated that these questions have been
35 answered repeatedly, and Mr. Campbell added that any further questions should be sent to the Town
36 Manager.

37

38 Mr. Campbell stated that it had been expected at the last meeting that the Purchasing Policy
39 would be on tonight's agenda, however, we were not able to do that. It will be on the agenda of the
40 August 12th meeting.

41 **4. SET TAX RATES**

42 **A. GENERAL, HIGHWAY, FIRE**

43 Mr. Hurd explained the following:

- 44 • The General Fund is a tax paid by all property owners in Bennington, Old Bennington, and North
45 Bennington. Proposed tax rate is \$.7109, an increase of 3.8%.
- 46 • The Highway Fund is a tax paid only by taxpayers in Bennington. Proposed tax rate is \$.4054,
47 an increase of 3.8%.
- 48 • The Fire Fund is a tax paid only by taxpayers in Bennington in the non-rural Bennington Fire
49 District. Proposed tax rate is \$.0842, an increase of 0.23%.
- 50 • For those living in the former Bennington village area, the total proposed tax rate is \$1.2491, an
51 increase of 3.5%.

52 *Jim Carroll moved and Chad Gordon seconded to set the General Fund, Highway Fund, and*
53 *Fire Fund tax rates as proposed, respectively.*

54 Mr. Scully clarified that this is a formality of what the voters have previously approved.

55 Mr. Hurd added that this is the first time that our tax rate increases have exceeded the cost of
56 living.

57 Mr. Scully asked if these rates include the new fire truck approved by the voters, and Mr. Hurd
58 answered that they do not because, even though the purchase was approved, we haven't actually
59 gotten it yet.

60 *The motion carried with Jeannie Jenkins and Jeanne Conner absent.*

61 **B. DOWNTOWN IMPROVEMENT DISTRICT (ESTIMATE)**

62 Mr. Hurd stated that the Downtown Improvement Tax is only on the downtown commercial
63 property and not residential. When the Select Board approves the budget, they are approving the
64 Downtown work plan and budget, as well as, setting the tax rate that the system has calculated at that
65 time. The tax rate is forecast at \$0.02308, an increase of 5.1%. No action is required this evening.

66 **5. HIGHWAY EQUIPMENT BORROWING**

67 Mr. Hurd explained that we are purchasing a John Deere Bucket Loader and a Tandem Dump
68 Truck through the Highway Equipment Fund. They both have been voter approved and require
69 borrowing that we have initiated with People's United Bank.

70 ***Bruce Lee-Clark moved and Bill Scully seconded to approve the Capital Equipment Note with***
71 ***People's United Bank for the Tandem Dump Truck in the amount of \$145,885.00 at a rate of 3.10%***
72 ***interest, and to waive the reading of the related Resolution as presented.***

73 Mr. Lee-Clark asked what the process was for buying a Tandem Dump Truck, and Mr. Joly
74 answered that it was approved in March and then goes out to bid to 3-5 bidders. The bodies are bid
75 separately and we usually go with the low bidders. The price was very close to the amount budgeted.

76 Mr. Campbell added that these purchases are part of our capital plan and are scrutinized in
77 detail during our budget sessions in January.

78 ***The motion carried with Jeannie Jenkins and Jeanne Conner absent.***

79 ***Bill Scully moved and Bruce Lee-Clark seconded to approve the Capital Equipment Note with***
80 ***People's United Bank for the John Deere Bucket Loader in the amount of \$135,100.00 at a rate of***
81 ***3.15% interest, and to waive the reading of the related Resolution as presented. The motion carried***
82 ***with Jeannie Jenkins and Jeanne Conner absent.***

83 **6. MANAGER'S REPORT**

84 Mr. Hurd reported the following:

- 85 ○ We thought we had a buyer for the property at 217 Washington Avenue, however, they were
86 not credible. We now have owned it for two years and plan to auction it off just as we did the
87 Pleasant Valley Road property with no reserve. The delinquency and cost to maintain it and
88 make it more marketable is approximately \$40,000. Unfortunately, those who gathered
89 estimates for renovations found the costs to renovate very high. Mr. Monks added that this is
90 the policy that the Board has approved for such situations.
- 91 ○ PFOA - Staff are busy preparing contracts #5, #6, and #7.
- 92 ○ Morgan Spring Delivery System - The planned purchase of the lot on Main Street has been
93 postponed due to additional environmental impacts being investigated. We have had a lengthy
94 conference call with Premier Waters and they are very interested in both a contract for the
95 Morgan Spring water and in participation in the project cost. We will proceed with the
96 purchase when the time is appropriate and may have a financial partner in that, as well.
- 97 ○ Opioid Lawsuit - We had a lengthy conference call with the attorneys from Virginia who are
98 representing others in the Opioid Lawsuit. We have put them in touch with Town Counsel to
99 review and amend the Retainer Agreement to suit our concerns, and Mr. Woolmington has
100 recommended signing the Agreement. We will be proceeding with the lawsuit.
- 101 ○ Follow-up to a question raised at the last meeting on the cost to operate the new DPW facility:
102 ✓ FY20 budgeted electricity = \$40,000; spent in FY19 through May 31st = \$31,966 and
103 FY18 = \$30,015.
104 ✓ GMP is currently seeking an increase.

- 105 ✓ FY20 budgeted fuel = \$40,000; spent in FY19 through May 31st = \$32,428 and FY18
106 \$38,218.
107 ✓ Operating costs for this building are not substantially different from the other two.

108 **7. UPCOMING AGENDA**

109 The following are planned for the indicated meeting dates:

- 110 ❖ August 12th - The tax bills will be mailed with a November 10th due date.
- 111 ❖ August 12th - The first reading of the Purchasing Policy.
- 112 ❖ August 12th - BCIC Report.
- 113 ❖ August 12th - Curtis Reed presentation on the evaluation of the Police Department.
- 114 ❖ Non Meeting Monday - Energy Committee interviews.
- 115 ❖ August 26th - Possible YMCA presentation.
- 116 ❖ August 26th - Jonah Spivak presentation on the Vermont Bicentennial.

117 **8. OTHER BUSINESS**

118 Mr. Lee-Clark: Suggested organizing the Board policies in one place and have them available to
119 the public.

120 Mr. Lee-Clark: Reminded everyone to be at the Four Corners on Saturday, July 27th, at 10:30am
121 to celebrate the Summer Sonatina's 50th Anniversary.

122 Mr. Carroll: Reminded everyone that St. Peter's provides free meals for kids and teens during
123 the summer. For additional locations call 211 or text Meals Vermont 2-877-877.

124 Mr. Gordon: Asked if the e-mail fix had been done, and Mr. Hurd said that it had.

125 Mr. Scully: Thanked Mr. Hurd for the follow-up report in his Manager's Report.

126 Mr. Scully: Information is needed on how we can improve the Rec Center for our seniors.

127 **9. EXECUTIVE SESSION**

128 **A. LEGAL MATTER**

129 *At 6:44pm, Bruce Lee-Clark moved and Bill Scully seconded that the meeting was*
130 *adjourned finding that an Executive Session be held on a Legal Matter as premature public*
131 *knowledge would place a person involved in the subject matter at a substantial disadvantage. The*
132 *motion carried with Jeannie Jenkins and Jeanne Conner absent.*

133 Respectfully submitted,

134 Nancy H. Lively

135 Secretary

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