

1 **BENNINGTON SELECT BOARD**

2 **BENNINGTON FIRE FACILITY**

3 **130 RIVER STREET**

4 **BENNINGTON, VERMONT 05201**

5 **NOVEMBER 11, 2019**

6 **MINUTES**

7 **SELECT BOARD MEMBERS PRESENT:** Donald Campbell-Chair; Jeannie Jenkins-Vice Chair; Jeanne  
8 Conner; Jim Carroll; Chad Gordon; and Bruce Lee-Clark.

9 **SELECT BOARD MEMBERS ABSENT:** Bill Scully (absentee verbal vote on Agenda Item #5 via Bruce Lee-  
10 Clark).

11 **ALSO PRESENT:** Stuart Hurd-Town Manager; Daniel Monks-Assistant Town Manager and Planning  
12 Director; Susan Sommer-Habitat for Humanity; Attorney Lon McClintock; Barbara True-Weber; Dan  
13 Whitman; 18 citizens; CAT-TV; and Nancy H. Lively-Secretary.

14 At 6:00pm, Chair Donald Campbell called the meeting to order.

15 **1. PLEDGE OF ALLEGIANCE**

16 The Pledge of Allegiance was recited by all present followed by a moment of silence in  
17 recognition of Veteran's Day.

18 **2. CONSENT AGENDA**

19 **A. MINUTES - OCTOBER 28, 2019**

20 **B. WARRANTS**

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

23 *October 28, 2019 Minutes - Lines 13, 85, and 91, Change "Reddick" to "Redding"*

24 *Line 111, Change "two" to "ten"*

25 *Line 202, Change "Corporates" to "Corcoran's"*

26 *The motion carried with Bruce Lee-Clark abstaining and Bill Scully absent.*

27 **3. PUBLIC COMMENTS**

28 No comments.

29 **4. PUBLIC HEARING - CORCORAN'S WAY ACCEPTANCE**

30 Mr. Hurd stated that the Habitat for Humanity has met all of the criteria that would qualify  
31 Corcoran's Way to be a public highway except one, and that is the closing of a former curb cut on  
32 North Branch Street.

33 Susan Sommer, Executive Director for the Habitat for Humanity, spoke to the history of the  
34 North Branch Street project and to the fine work of the Habitat, in general.

35 Mr. Carroll shared the story behind naming Corcoran's Way after the late Tim Corcoran.

36 Attorney Lon McClintock explained that there is still work to be done, such as sufficient trees  
37 need to be planted, the North Branch Street curb cut needs to be closed at the cost of \$1,500, and  
38 another curb cut requires an apron at the cost of \$3,000. A bond for the monies will be put into a  
39 restricted escrow account controlled by Mr. McClintock. Upon completion, a Certificate of Completion  
40 would be issued to the Town.

41 ***Bruce Lee-Clark moved and Jim Carroll seconded to accept the Certificate of Completion and***  
42 ***opening of Corcoran's Way as a municipal highway. The motion carried with Bill Scully absent.***

#### 43 **5. CLIMATE CHANGE RESOLUTION**

44 Ms. Jenkins stated that she, Ms. Conner, and Mr. Lee-Clark worked to develop the Resolution  
45 Concerning the Climate Emergency on behalf of the Town "that we felt would honor what we were  
46 able to do, and also provide some milestones that the Select Board and the Town could be held  
47 accountable". Ms. Jenkins thanked the Climate Advocates "for their advocacy of this".

#### 48 *Board comments/questions -*

49 Mr. Lee-Clark: Looks forward to the time when we can set some clearer goals for the reduction  
50 of fossil fuels.

51 Ms. Conner: This needs to stay in the forefront and maintain the Town's support as Select  
52 Board's come and go.

53 Mr. Carroll: Vermont's carbon footprint is "miniscule" and an effort needs to be done  
54 worldwide.

55 Ms. Jenkins: Invited everyone to the next Energy Committee Meeting on November 26<sup>th</sup> at  
56 7:00pm at the BCRC Conference Room.

57 Mr. Gordon and Mr. Campbell: Thanked the Work Group for their work on the Resolution.

#### 58 *Public comments/questions -*

59 A maple syrup producer from Pownal noted the negative effect that climate change has had on  
60 maple syrup production in Vermont and the importance of addressing it so Vermont will be able to  
61 continue it's production of maple syrup 100 years from now.

62 Barbara True-Weber: Thanked the Board for the inclusion of the Climate Advocates and looks  
63 forward to following the work of the Energy Committee.

64 Dan Whitman: Sees this as an opportunity to “lead by example” to the rest of the world.

65 *Jim Carroll moved and Jeanne Conner seconded to accept the Town of Bennington Resolution*  
66 *Concerning the Climate Emergency as presented. The motion carried unanimously with a verbal vote*  
67 *from Bill Scully as stated by Bruce Lee-Clark.*

## 68 **6. UPCOMING BUDGET SEASON DISCUSSION**

69 Mr. Campbell stated that most of our budget direction “is embodied in the Town Plan” and  
70 referred to the summaries on Page 2 and 3 of the Town Plan with the following areas of interest:

- 71 • Continued support of the BCRC, BCIC, BBC, and the Town’s marketing effort.
- 72 • Continued support of private efforts, such as, the Bennington Redevelopment Group, Grow  
73 Bennington, etc., and the Department of Work Force Development as able.
- 74 • Support of creative efforts, such as, the Lightning Jar and the Four Corners North.
- 75 • Plan and maintain the Town’s historic settlement pattern, such as, the Planning Commission’s  
76 development of form based zoning.
- 77 • Recognize the importance of significant natural and historic resources, such as, expansion of  
78 the Walloomsac Park and trails to the One World Conservation Center, the needs of Willow  
79 Park, completion of Stark Street, and the Merchants Splash Pad including an evaluation of  
80 outdoor activities and staff needs in Bennington and North Bennington.
- 81 • Supporting the entities that are working on housing projects including options for the Ben Mont  
82 building.
- 83 • Provide a safe, convenient, and efficient transportation system, such as, the Ben Mont  
84 Redevelopment Project, the Applegate Pedestrian Connection to the school, the Kocher Drive  
85 Pedestrian Connection, the Ninja Path, and revisiting the sidewalk plan.
- 86 • Finishing the sewer plant upgrade, the IACP Police Evaluation, PFOA work, get water trucks off  
87 of Bradford Street and keep water rates as low as possible. Improve the Rec Center and the  
88 parks, support the Fire Department and Emergency Medical Services, and preparing for any  
89 changes from Act 148.
- 90 • Support the safe and efficient use of energy and renewable energy resources.

91 Mr. Hurd stated that he will receive the department and agencies budgets before Thanksgiving  
92 and will have the Town’s budget to the Board before the end of December. Budget meetings are  
93 scheduled for January 4<sup>th</sup>, January 11<sup>th</sup>, and January 18<sup>th</sup> (if needed).

## 94 **7. MANAGER’S REPORT**

95 Mr. Hurd reported the following:

- 96 ➤ PFOA - Contracts #8 and #9 have gone out to bid that will bring water to Chapel Road and  
97 Upper East Road. Contracts #5, #6, and #7 are underway and moving along.

- 98           ➤ Morgan Spring Delivery System - Negotiations continue, albeit slowing down, on the financing  
99           of construction of the new delivery system. We have given them “our bottom line” and expect  
100           to hear from them soon.
- 101           ➤ Opioid Lawsuit - The Attorney General sent out a statement to the League of Cities and Towns  
102           recommending towns to join the settlement. Our attorneys are working with towns to join, and  
103           because our lawsuit is against all of the responsible parties, we will not be settling now.
- 104           ➤ IACP - Have completed their work in Bennington and are back in Washington, D.C. We will have  
105           their report in late December or early January.

106           Mr. Lee-Clark thanked staff for the work they have done on the policies, and noted that the policies  
107           should be posted on the website. Mr. Hurd stated that if they aren’t already, they will be soon.

108           Mr. Lee-Clark also stated that there should be a policy on the Board’s methodology on the sale of  
109           property, and Mr. Hurd said that will be done.

## 110   **8. FUTURE AGENDA**

111   The following are planned for the indicated meeting dates:

- 112           ❖ November 25<sup>th</sup> - Economic Development Marketing Strategies.
- 113           ❖ November 25<sup>th</sup> - 2<sup>nd</sup> meeting on the VTRANS Bridge #6.
- 114           ❖ November 25<sup>th</sup> - The Board may receive the budget.
- 115           ❖ December 16<sup>th</sup> - There will be a meeting on December 16<sup>th</sup> in lieu of the December 23<sup>rd</sup>  
116           meeting.
- 117           ❖ December 23<sup>rd</sup> - Cancelled.

## 118   **9. OTHER BUSINESS**

119           Mr. Lee-Clark: Stated that the parking of tankards on the railroad tracks is a federal issue and  
120           recommends that we write to our federal delegation and the Attorney General. He has read the  
121           regulations and they do pre-empt the State but feels that the State “should be putting up a little more  
122           of a fuss than they’re doing”. A second option is to join other states that are questioning the pre-  
123           emption status. Mr. Hurd added that we have previously approached the State for them to speak on  
124           our behalf, however, VTRANS has never done much with it. Mr. Hurd will draft a letter to our federal  
125           delegation and Attorney General and bring it to the next Board meeting for the Board’s review.

126           Mr. Lee-Clark: Encouraged everyone who has not done so to fill out the survey on the website.

127           Ms. Conner: Empty Bowls will be November 17<sup>th</sup> from 4:00pm-7:00pm at the Middle School.  
128           Cost of a ticket ahead of time is \$10.00 and at the door is \$15.00. It is “fantastic” and her favorite  
129           event of the year.

130           Ms. Conner: Encouraged everyone to take the Green Mountain Bus - they probably are going  
131           where you need to be.

132 Ms. Conner: Congratulated everyone involved with the musical production at the high school  
133 this past weekend. "It was astounding."

134 Mr. Carroll: Noted that Mert Cross, a longtime Town employee, had died and that "he was just  
135 a really good guy".

136 **10. EXECUTIVE SESSION**

137 **A. CONTRACTS**

138 *At 6:55pm, Bruce Lee-Clark moved and Chad Gordon seconded that the meeting was*  
139 *adjourned finding that an Executive Session be held on Contracts as premature public knowledge*  
140 *would place a person involved in the subject matter at a substantial disadvantage. There will be no*  
141 *actions taken on these items when going back into Open Session. The motion carried with Bill Scully*  
142 *absent.*

143

144 Respectfully submitted,

145 Nancy H. Lively

146 Secretary