

1 **BENNINGTON SELECT BOARD**

2 **BENNINGTON FIRE FACILITY**

3 **130 RIVER STREET**

4 **BENNINGTON, VERMONT 05201**

5 **FEBRUARY 24, 2020**

6 **MINUTES**

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

9 **SELECT BOARD MEMBERS ABSENT:** Bill Scully.

10 **ALSO PRESENT:** Stuart Hurd-Town Manager; Daniel Monks-Assistant Town Manager and Planning  
11 Director; Shannon Barsotti-Community Development Director; Jason Dolmetsch-MSK Engineering and  
12 Design; Mark Anders-BCRC; Scott Winslow-GBICS; Dan Whitman; Sheela Harden; Carrie Fabricius; Kevin  
13 Hoyt; Colleen Harrington; Matt Willey; Nancy White; Sarah Perrin; Lora Block; Rose Talbot; Police  
14 Officer; 10 citizens; CAT-TV; Jim Therrien-Bennington Banner and Nancy H. Lively-Secretary.

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

16 **1. PLEDGE OF ALLEGIANCE**

17 The Pledge of Allegiance was recited by all present.

18 **2. CONSENT AGENDA**

19 **A. MINUTES - February 10, 2020**

20 **B. WARRANTS**

21 **C. LIQUOR LICENSES**

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

24 *Line 180 - Change "ISEP" to "IACP"*

25 *The motion carried with Bill Scully absent.*

26 **3. PUBLIC COMMENTS**

27 Colleen Harrington questioned the amount of legal fees, a \$7,000 easement fee, a \$30,000  
28 excavator purchase, an \$11,000 server purchase, \$3,200 for sweatshirts, and do we get multiple bids  
29 when making purchases. Mr. Hurd answer that the easement fee was to allow us to efficiently access  
30 our woodlot on the southeast corner of Woodford and Stamford, legal fees are ongoing, and all

31 purchases are bid and budgeted for. Mr. Hurd encouraged Ms. Harrington to call him for more  
32 specifics.

33 Kevin Hoyt stated that he encourages everyone to vote even though he has expressed his  
34 concerns about the process. "We will be watching the elections" - and reiterated his request to have  
35 the Board of Civil Authority look into it. He also noted that, even though we only had 200-300  
36 absentee ballots in the past, the Town Clerk has ordered 4,800 absentee ballots, which seems  
37 excessively high. And, apparently there has been a former resident of Bennington who has lived in  
38 Australia for many years that continues to vote in Bennington. Mr. Hurd clarified that the 4,800 ballots  
39 were the total number of ballots, not just the absentee ones. It was the consensus of the Board that  
40 these accusations did not merit further investigation.

41 Sarah Perrin stated her background and that she was running for Select Board because she  
42 didn't feel that her "perspectives were currently being represented on the Board".

43 Nancy White asked about the meetings that have taken place to bring people from other  
44 countries to Bennington, and Ms. Jenkins answered that these were held by Southern Economic  
45 Development (SED) strategy meetings that were public forums in Bennington, Wilmington, Brattleboro,  
46 Bellows Falls, and maybe Shaftsbury. Ms. White stated that this is a program that the people of  
47 Bennington should decide on, and not regional and county groups.

48 **4. PUBLIC HEARING - LEAD SERVICE LINE REPLACEMENT BOND**

49 Jason Dolmetsch, MSK Engineering and Design, stated the following:

- 50 • There are 3,837 connections in Bennington and 1,664 were installed with lead service lines  
51 from 1883 through the mid-1920's.
- 52 • The Town has participated in a Planning Grant to scope out where the lead lines are.
- 53 • We reached out to the 1,664 lead line residents, received 865 responses with 720 of those  
54 visually assessed. 130 of those were visually confirmed to be lead service lines.
- 55 • The areas of concern are from Hicks Avenue to South Street and through Old Bennington to the  
56 Route 279 access.
- 57 • The Town is actively managing the lead corrosion issue inside the water system, however, "no  
58 system is perfect and the easiest way to deal with it is to get rid of it".
- 59 • The Town would need to continue treating the water because of copper and the presence of  
60 lead solder on pipes within the houses.
- 61 • We are seeking voter approval of a fully reimbursed bond to replace the lead service lines  
62 throughout the Town. In the past, these funds were only available for municipally owned  
63 facilities.

64 Mr. Campbell read the Article that will be on the March 3<sup>rd</sup> ballot as follows:

65 "ARTICLE 2. Shall the bonds of the Town of Bennington in an amount not to exceed \$9.5 million be  
66 issued for the purpose of replacing lead service lines throughout the Town such monies expended to  
67 be fully reimbursed from State and Federal grant funds?"

68 Mr. Lee-Clark clarified that these funds are to replace lead service lines from the curb to private  
69 homes, and Mr. Dolmetsch concurred.

70 Ms. White asked if an individual could be reimbursed if they had already paid to replace the  
71 lines themselves, and Mr. Dolmetsch answered, unfortunately, no.

72 **5. LEAD SERVICE LINE - STATE REVOLVING LOAN FUNDING APPLICATION**

73 *Bruce Lee-Clark moved and Jim Carroll seconded to approve, and circulate for signatures, the*  
74 *State Revolving Loan Programs Funding Application.*

75 Ms. Conner noted the importance of publicizing that this bond is fully reimbursed and not  
76 funded by the Town of Bennington.

77 *The motion carried with Bill Scully absent.*

78 **6. LOCAL OPTION TAX DISCUSSION**

79 Mr. Campbell explained that the Board had decided to 1. Draft a policy on how to decide how  
80 the local option tax revenues would be spent in future years, and 2. To decide how they would be  
81 spent this year.

82 Ms. Jenkins read the following draft policy:

83 "Policy on Local Option Tax Revenue Expenditures

84 I. Purpose:

85 The Select Board of the Town of Bennington recognizes the importance of community participation  
86 and discussion regarding the expenditures of any potential Local Option Tax revenue. The Select Board  
87 intends that all expenditures of the local option tax revenue shall be in accordance with annually  
88 established Spending Guidelines. To foster and encourage community participation, and to establish  
89 these Spending Guidelines, the Select Board hereby adopts the following:

90 II. Policy:

91 A. The Select Board shall hold at least two (2) public meetings prior to the development of the first  
92 draft budget in order to encourage public participation in establishing priorities for the expenditure of  
93 local option tax revenue.

94 B. The Select Board shall establish the Spending Guidelines for the next tax year prior to the ballot  
95 warning deadline.

96 C. The Local Option Tax revenues will be held in reserve and may only be spent in accordance with the  
97 agreed upon annual spending guidelines for that tax year.

98 D. The Select Board may, in the case of an emergency situation (e.g. Tropical Storm Irene), deviate  
99 from the annual Spending Guidelines in order to accommodate emergency expenditures.

100 III. Definitions:

101 A. The Local Option Tax is a 1% tax added to any of the four options approved by the voters of the  
102 Town of Bennington: Sales, Rooms, Meals, and Alcohol. They are collected by the State of Vermont  
103 and 70% of the amount is remitted to the Town on a quarterly basis.

104 B. Spending Guidelines are stated percentages of the Local Option Tax revenue that establish the  
105 spending priorities of the Select Board for this revenue on an annual basis.

106 Approved by vote of the Select Board of the Town of Bennington this \_\_\_\_ day of February, 2020.”

107 *Board comments:*

- 108 ✓ III. Definitions: should become II. Definitions: and II. Policy: should become III. Policy:
- 109 ✓ The two (2) public meetings will probably take place in October but this will not be
- 110 stated in the policy

111 *Public comments:*

112 Dan Whitman: Suggested a definition of ‘emergency’ be included. The Board discussion noted that  
113 there really isn’t a good definition of emergency that would necessarily apply to this, and, this is a  
114 policy that future Select Boards can change.

115 Sheela Harden: Kudos to the Board for the Policy and reiterated that she wants these funds to be used  
116 to improve Bennington and not to reduce taxes.

117 Lora Block: Noted that 2/3 of our taxes are school taxes and, if these funds are used for tax reduction,  
118 it isn’t going to amount to that much. A large portion should go for “big projects” and a Citizens  
119 Committee should be created to vet project ideas from the public.

120 Kevin Hoyt: Reiterated that we cannot afford this tax and he is against it.

121 ***Jeannie Jenkins moved and Jim Carroll seconded to approve the Policy on Local Option Tax***  
122 ***Revenue Expenditures amended as follows:***

123 ***I. Purpose:, Line 4, Change “be in” to “be used in”***

124 ***Change “III. Definitions:” to “II. Definitions”***

125 ***Change “II. Policy:” to “III. Policy”***

126 ***The motion carried with Bill Scully absent.***

127 Mr. Campbell and Ms. Jenkins presented the following allocation of the local option tax  
128 revenues for the transitional year:

- 129 50% Tax Reduction and Short Term Debt Reduction
- 130 20% Willow Park Community Playground Replacement
- 131 20% Economic Development and Projects
- 132 10% Marketing

133 Mr. Gordon stated that he feels the above numbers are inverted and proposed the following:

- 134 20% Tax Reduction and Short Term Debt Reduction
- 135 50% Economic Development
- 136 30% Willow Park Community Playground Replacement

137 Mr. Lee-Clark proposed the following:

- 138 40% Tax Reduction and Short Term Debt Reduction
- 139 50% Economic Development
- 140 10% Willow Park Community Playground Replacement

141 *Board comments/discussion:*

- 142 ➤ Reducing taxes is a response to the public's comments.
- 143 ➤ Economic development is the fastest way to grow the Grand List, and thus, lower property  
144 taxes.
- 145 ➤ Replacing the Community Playground is a must because we are at risk if we don't.
- 146 ➤ Restoring water rates to what they were before the State mandated maintenance.
- 147 ➤ Create micro loans for small businesses to repopulate Main Street and the Town, in general.  
148 Wilmington does this.
- 149 ➤ The Playground replacement wouldn't take place until the spring of 2021, so funding of it would  
150 not have to completely come out of this first year. The policy that we just passed states that  
151 unused dollars would be placed in a reserve fund.
- 152 ➤ To form a Community Committee to work on economic development.
- 153 ➤ We will not know what would be the most beneficial allocation until we know what taxes are  
154 voted in.
- 155 ➤ We have heard the request for property tax reduction at the meetings but not on the street.
- 156 ➤ Disagree with combining economic development and marketing - they should be separate.
- 157 ➤ The goal would be to see water, sewer, and property tax rates - if not decrease - to flat line in 3-  
158 4 years.
- 159 ➤ Reducing the cost of living has a broader effect than reducing taxes.

- 160 > We need to balance out a portion to help the tax burden and a portion to help our community.  
161 > You can choose not to pay a local option tax. You can't choose not to pay your property tax.  
162 > Alternate revenue spending proposal:  
163     o 40% Tax Reduction and Short Term Debt Reduction  
164     o 10% Willow Park Community Playground Replacement  
165     o 35% Economic Development  
166     o 15% Marketing

167 *Public comments:*

168 Matt Willey: 95% of the people do not want tax reduction, so to retain that percent indicates that the  
169 people are not being listened to. As a Shaftsbury resident, he doesn't get to vote on this but  
170 encourages voters to vote this down.

171 Lora Block: Once a tax reduction occurs, people will think of it as an entitlement and it will never be  
172 able to go away, so these dollars should go to economic development.

173 Kevin Hoyt: We should be putting more money to Marketing to attract tourism to the Town and not  
174 giving loans to failing businesses.

175 Sheela Harden: Clarified the receipt of funds - This is a transitional year, and in October 2020, there  
176 would be more long term discussions with the community as to how these percentages broke down.

177 Dan Whitman: When signing up voters on Main Street, there were no local people there, they were all  
178 tourists. Perhaps some analytics could be done to establish what would get "the most bang for your  
179 buck".

180 Rose Talbot: The Town spends money that we don't have on things that we shouldn't. How many  
181 parks do we need?

182 Carrie Fabricius: Clarified that this is an interim period and do we know the cost of the Playground  
183 replacement? Mr. Hurd answered that it is estimated to cost between \$150,000 and \$350,000  
184 depending on what type of replacement is done.

185           *Jeannie Jenkins moved and Jeanne Conner seconded to allocate the Local Option Tax*  
186 *Revenues for the transitional year as follows:*

187                           ***40% Tax Reduction and Short Term Debt Reduction***

188                           ***10% Willow Park Community Playground Replacement***

189                           ***35% Economic Development***

190                           ***15% Marketing***

191           Mr. Lee-Clark would like the Economic Development portion to be 45%-50% because we need  
192 businesses to serve the tourists that are coming to Bennington.

193 Mr. Campbell listed the communities utilizing the local option tax and stated that we need to  
194 utilize it, as well, to remain competitive with these other towns.

195 Ms. Jenkins does believe that tax reduction and debt reduction do need to be a part of the  
196 allocations. We are talking about what we're going to do in the next six months with the bigger  
197 discussions to take place in October. "We need to get this rolling and I think it needs to address  
198 different concerns we're hearing about."

199 Mr. Gordon agrees with the local option tax even though he doesn't agree with the  
200 percentages. "50% for economic development and marketing is better than zero."

201 Ms. Conner doesn't feel that the 40% tax reduction is that beneficial and that that money  
202 "could be spent on something bigger". However, she will support the motion because it is temporary  
203 and "gets us off the starting block".

204 Mr. Carroll would like a Community Committee appointed by the Select Board to come  
205 together quarterly and decide where the money will go.

206 *The motion carried with Chad Gordon and Bruce Lee-Clark opposed and Bill Scully absent.*

207 **7. DOWNTOWN TRANSPORTATION GRANT**

208 Ms. Barsotti did the following presentation:

- 209 ❖ The Franklin Lane Improvement Project is the alley section of Franklin Lane along the  
210 southern edge of the Drysdale Building, approximately 100' x 30'.
- 211 ❖ BCRC has done a scoping study on this project.
- 212 ❖ We are planning to apply for a Downtown Transportation Fund Grant to improve  
213 pedestrian use and lighting along Franklin Lane.
- 214 ❖ The project will:
  - 215 ▪ Replace existing asphalt pavement with herringbone pattern pavers that will  
216 potentially be placed on a hard surface, and not the sand that we have had  
217 issues with previously
  - 218 ▪ Install a raised planter
  - 219 ▪ Install 5 new pole lights
- 220 ❖ The grant would be for \$100,000 with a 50% match from the Town paid with in-kind  
221 labor and the Parking Reserve Fund.
- 222 ❖ This will provide easier/safer access to the future Putnam Block Park Project.
- 223 ❖ It will be a shared street with one-way vehicle traffic from South Street and pedestrian  
224 traffic.
- 225 ❖ This will allow us to apply for the grant, and if we receive it, an engineered design will be  
226 done.

227 *Bruce Lee-Clark moved and Jeannie Jenkins seconded to approve applying for the Downtown*  
228 *Transportation Fund Grant for the Franklin Lane Improvement Project and waive the reading of the*  
229 *Resolution.*

230 Mr. Lee-Clark and Ms. Jenkins noted they would be glad to see the new lighting, and Mr.  
231 Campbell mentioned that the Board would want to see the final design.

232 *The motion carried with Bill Scully absent.*

## 233 **8. WARMING SHELTER UPDATE**

234 Scott Winslow, Director of Greater Bennington Interfaith Community Services (GBICS) did the  
235 following presentation:

- 236 • GBICS is not a housing agency, however, we have received generous donations to shelter the  
237 homeless.
- 238 • The housing discussion should be happening at the Continuum of Care Housing Solutions  
239 Committee especially when accessing State funds that need to be directed to the Committee or  
240 to the Bennington County Coalition for the Homeless.
- 241 • The last meeting was on February 14<sup>th</sup> when two new committees were formed. One to  
242 address the State's ending of the vouchers that are used for emergency housing, and the other  
243 to work on a warming shelter in Bennington.
- 244 • The Warming Shelter Committee met on February 21<sup>st</sup> with several agencies represented  
245 including Ms. Jenkins and Mr. Lee-Clark.
- 246 • There is going to be a public hearing on the State's proposed changes at the Bennington Library  
247 on March 5<sup>th</sup> at 2:00pm.
- 248 • The vouchers for a room at the least expensive motel is 2-3 times more expensive than the rent  
249 on a decent apartment, and motels don't solve the long term structural problems of housing.
- 250 • There is a process for emergency housing that doesn't allow us to instantly do this.
- 251 • We are working on short term and long term options with the best short term option to use the  
252 GBICS funds as a last resort when there are no other options.
- 253 • Although it doesn't seem likely, short term we are looking into a pop-up for use this winter.  
254 Longer term would be a pilot program, and eventually, other ideas that have been suggested,  
255 such as the Armory.
- 256 • We have invited others that are running shelters in other communities to meet with us to share  
257 their expertise.
- 258 • All local organizations that would like to participate on the Committee are invited to attend.  
259 Please contact Mr. Winslow, Ms. Jenkins, or Mr. Lee-Clark. The next meeting is February 28<sup>th</sup>.

260 Ms. Jenkins added that having as many involved as possible, as well as, those that work with this  
261 every day is helpful. We are one of the few communities in the State that has a permanent shelter.  
262 The Town is there to support the efforts for the safety and supervision of the shelter, and Mr. Monks  
263 will advise as to any zoning regulations, etc. that need to be adhered to.



264 **9. ARMORY/TOWN LAND EXCHANGE-FINAL READING**

265 Mr. Hurd stated that this is a Real Estate Exchange Agreement between the Armory (owned by  
266 the State) for the 22.9 acres of open land the Town owns off Bowen Road to construct a Readiness  
267 Center for the Vermont National Guard. The Vermont National Guard have developed basic plans for  
268 the concept at the Bowen Road site.

269 This would be a straight exchange - no money spent. Once an official agreement is made and  
270 there is a closing, the Town will own the Armory and the National Guard will be there as our tenants at  
271 no cost to them. Construction of the Readiness Center will not begin for 2-3 years while the National  
272 Guard gets their final design and funding in place.

273 *Bruce Lee-Clark moved and Jim Carroll seconded to authorize the Town Manager to sign the*  
274 *Real Estate Exchange Agreement between the Town and the Vermont National Guard as it pertains*  
275 *to the 22.9 acres on Bowen Road and the Armory, respectively. The motion carried with Bill Scully*  
276 *absent.*

277 **10. MANAGER'S REPORT**

278 *Jim Carroll moved and Jeannie Jenkins seconded to approve the rolling closure of Main Street,*  
279 *North Street, and River Street while the parade passes on March 15, 2020 with line up beginning at*  
280 *11:00am and the parade beginning at noon. The motion carried with Bill Scully absent.*

281 **11. UPCOMING AGENDA**

282 The following are planned for the indicated meeting dates:

- 283 ❖ March 2<sup>nd</sup> - Town Meeting at 7:00pm with the same agenda as last year and Jason Morrissey as  
284 Moderator.
- 285 ❖ March 3<sup>rd</sup> - Voting Day.
- 286 ❖ March 9<sup>th</sup> - SVMC Land and Work Force Development.
- 287 ❖ March 23<sup>rd</sup> - YMCA Presentation (if possible) and Recreation Priorities.
- 288 ❖ April 13<sup>th</sup> - Reorganization.

289 **11. OTHER BUSINESS**

290 Mr. Gordon: Pop's Concert coming up and tickets go on sale on March 2<sup>nd</sup>.

291 Ms. Conner: Early voting is available at the Town Clerk's Office, Monday through Friday, 8:00am-  
292 5:00pm.

293 Mr. Campbell: Old Castle will be doing a presentation on opioid addiction on February 27<sup>th</sup> from  
294 6:00pm-8:00pm followed by a community discussion.

295

296            *At 8:27pm, Bruce Lee-Clark moved and Jim Carroll seconded the adjournment of the meeting.*  
297   *The motion carried with Bill Scully absent.*

298

299

300

301   Respectfully submitted,

302   Nancy H. Lively

303   Secretary