

1 BENNINGTON SELECT BOARD
2 MEETING HELD REMOTELY VIA ZOOM
3 BENNINGTON, VERMONT 05201
4 JUNE 8, 2020
5 MINUTES

6 **SELECT BOARD MEMBERS PRESENT BY VIDEOCONFERENCE:** Donald Campbell-Chair; Jeannie Jenkins-
7 Vice Chair; Jeanne Conner; Jim Carroll; Bruce Lee-Clark; and Sarah Perrin.

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

9 **ALSO PRESENT BY VIDEOCONFERENCE:** Stuart Hurd-Town Manager; Daniel Monks-Assistant Town
10 Manager and Planning Director and Director of the COVID-19 Response; Chandler Poling-BROC (left
11 @ 6:42pm); Jennie Rozycki-Park McCullough Library Director; Mike Cutler-CAT-TV; and Nancy H.
12 Lively-Secretary.

13 **PUBLIC CALL INS:** Lynn Mazza.

14 At 6:00pm, Chair Donald Campbell called the meeting to order and explained that, due to the
15 COVID-19 Pandemic State of Emergency declared by Governor Scott, and pursuant to Addendum 6 to
16 Executive Order 01-20, Act 92, this public body is authorized to meet electronically. There is no
17 physical location to attend this meeting, however, the public may view it on CAT-TV and call in at 1-
18 646-558-8656 and enter the meeting ID, 81977975950, when prompted to do so. The call in
19 information will be periodically posted on the screen and the process for calling in was explained. If
20 technology fails us, the meeting will be continued at a time and place to be determined and all votes
21 that are not unanimous will be done with a roll call vote in accordance with the law.

22 *Sarah Perrin moved and Bruce Lee-Clark seconded to amend the Agenda as follows:*

23 *Add "9. Public Comments"*

24 *Move "4. Continuum of Care Report" to before "2. Community Policing"*

25 *The motion carried with Bill Scully absent.*

26 **1. CONSENT AGENDA**

27 **A. MINUTES OF MAY 25, 2020**

28 **B. WARRANTS**

29 **C. FAIR AND DIRECT FEDERAL AID RESOLUTION**

30 *Jeannie Jenkins moved and Bruce Lee-Clark seconded to approve the Consent Agenda as*
31 *submitted. The motion carried with Bill Scully absent.*

32 **4. CONTINUUM OF CARE REPORT**

33 Chandler Poling is the Co-Chair for the Bennington County Continuum of Care, a network of
34 housing and service providers who coordinate the local response to housing instability. They work

35 closely with the State of Vermont and the Vermont Coalition to End Homelessness to provide
36 consistent and compassionate care for those experiencing homelessness and housing insecurity.

37 Mr. Poling read his statement of May 13, 2020 to the partners and friends in Bennington
38 County with the following highlights:

- 39 • The homeless are at a greater risk from the COVID-19 pandemic than those with a
40 stable home.
- 41 • The homeless were placed in a motel and provided three meals per day allowing them
42 to comply with Governor Scott's *Stay Home, Stay Safe* order with only one homeless
43 person testing positive for the Virus.
- 44 • In upcoming months we will be attempting to make it easier for people to move from
45 motels into stable homes by seeking Federal and State resources to increase housing
46 subsidies, case management, and rental units.
- 47 • COVID-19 has caused us to put on hold our efforts to establish a cold weather
48 seasonal shelter for the homeless to have a place to stay during the winter months.
- 49 • We are establishing new partnerships with landlords, property owners, and managers
50 to make more rental units available.
- 51 • Our community is healthier when everyone has a home and we ask for your continued
52 support to make homelessness rare, brief, and non-reoccurring.

53 *Board questions/comments with responses from Mr. Poling:*

54 Mr. Campbell: Are we confident that we will not be having people dying from the cold this winter?
55 Everyone that had asked for housing was accommodated during the pandemic, however, there isn't
56 enough housing or apartments available in Bennington from efficiencies to 2-bedroom to satisfy the
57 200 families that are being put in motels now. We are waiting to see what the State will have for us
58 but we would like to see residents step forward to help us in our search.

59 Mr. Lee-Clark: Do you have specific numbers of what is needed? As of two weeks ago, there were 141
60 adult only in motels with 87 having been in contact with us or another provider so we know we need
61 87 1-bedroom apartments. There were 25 adults with children with 14 having been in contact with
62 us or another provider so we know we need 8 2-bedroom and 6 3-bedroom apartments.

63 Mr. Lee-Clark: Is concerned with the 65 people who have not made contact with anyone. We are
64 reaching out to make those contacted 100% but we need resources to be successful.

65 Ms. Conner: Do you feel that next winter there won't be a need for a warming shelter? There will
66 always be a need for emergency housing and being able to get in from the cold. We will continue to
67 research new ideas and resources going forward.

68 Ms. Conner: Are you getting a sense from Montpelier when they will roll out their plans? Some
69 changes are just starting but, as far as long term, "I have no idea".

70 Mr. Carroll: What agency are you dealing with in Montpelier? The Office of Economic Opportunities
71 and our funding comes from the State's Continuum of Care.

72 Mr. Carroll: Can you quantify the amount of money you're getting? I can't because I'm representing
73 the Bennington County Continuum of Care which has \$0.00.

74 Mr. Carroll to Mr. Hurd: Would you speak to the use of the Armory this winter on cold nights? Mr.
75 Hurd responded that, unfortunately, the National Guard is still occupying the Armory for potentially
76 3-5 years. We have a Memorandum of Understanding of how we will acquire the Armory, however,
77 the National Guard has Federal and State processes to go through before they're able to move. They
78 still have their gear there and "we should not be focusing" on the Armory's availability for the
79 homeless.

80 *Ms. Jenkins is attending the Emergency Housing meetings, and Ms. Perrin and Ms. Jenkins will*
81 *be attending the Warming Shelter meetings when they resume. Ms. Perrin will be the Board's*
82 *representative to the Continuum of Care meetings.*

83 **2. COMMUNITY POLICING**

84 Mr. Campbell noted that George Floyd should not have been allowed to die the way he did.
85 Statements criticizing the Minneapolis Police have been issued from the Town of Bennington,
86 Bennington Police, Vermont State Police, our Legislators, the Governor, businesses, non-profits,
87 corporations, etc. "This was police violence at its most heartless and filmed in gut-retching video for
88 all to see."

89 In Bennington, most of the residents feel safe and trust the police, but for some, the system is
90 not working. Because we are a community where every person counts, we have recently begun the
91 work of police reform. "This is not a criticism of the good men and women of our police department.
92 We need to be thankful to them every day." Our goal is to reach a long term community policing
93 strategy and an investment in our community. The Town Manager and the Chief of Police are
94 employees of the Select Board and no one has ever told either individual that we need to change the
95 way we are policing. "I'm hopeful we can all make this change together."

96 Ms. Jenkins, Chair of the Work Team for the Community Policing Effort, reported the
97 following:

- 98 ➤ The Team received a proposal from the Vermont Partnership for Fairness and Diversity, the
99 organization that Curtiss Reed heads, to assist the community in implementing the
100 recommendations in the IACP Report.
- 101 ➤ Since the proposal was just received this weekend, the Team has not reviewed it in detail but
102 will this week and have a conversation with Mr. Reed about it.
- 103 ➤ The Team's intention is to bring a final proposal to the special Select Board Meeting on June
104 15th.
- 105 ➤ The scope of work is as has been previously discussed - facilitate a workshop for Town
106 management and Select Board; help us map a process that will be community driven; and to
107 facilitate meetings through the process.

108 **3. AMEND FACE COVERINGS RESOLUTION**

109 Mr. Hurd explained that the Face Covering Resolution presented at the last meeting was
110 reflective of the restrictions that were in place at the time. The Governor has since revised his
111 restrictions - "opened them" - by allowing larger gatherings, open fields, etc. Our Amendment
112 reflects these changes by wearing face masks when not able to social distance, open the fields for
113 groups of 25, not requiring face masks when eating or exercising, and to allow the Town Manager or

114 the Town Manager's designee, to provide interim guidance until the Select Board is able to adopt the
115 revised guidance.

116 ***Bruce Lee-Clark moved and Jeannie Jenkins seconded the adoption of the Amendment to***
117 ***COVID-19 Emergency Order - Wearing Face Coverings Required as presented. The motion carried***
118 ***with Bill Scully absent.***

119 5. MORGAN SPRING CONTRACT

120 Mr. Hurd stated that our Morgan Spring Contract ends on January 6, 2023. We have averaged
121 approximately \$100,000 annually in revenue meaning that market sales makes up approximately
122 3.2% of our total revenue. When we move to our new location, we anticipate that our market sales
123 would double due to a price increase per gallon, not necessarily in volume, and would reduce our
124 water rates by an additional 3.2%. Over time with escalating contract pricing at just 2%, these sales
125 could easily provide 8% of our total revenue in five (5) years. Depending on the Board, the new
126 contract would be for 5 to 10 years and renewable at 5 year increments. The only access to the new
127 location is going to be via Route 279. We remain hopeful that our customers will invest in the
128 relocation but they would want a long term agreement to do so.

129 *Board comments/questions on renewing the Morgan Spring/Bradford Street Contract:*

130 Ms. Jenkins: Not in favor of renewing contract though there is a risk of lost revenue or increased
131 water rates.

132 Ms. Lee-Clark: Not in favor of renewing contract due to truck traffic in a residential area even though
133 there is a risk of lost revenue or increased water rates.

134 Ms. Perrin: Not in favor of renewing contract.

135 Ms. Conner: Not in favor of renewing contract and would like to have language in the new contract -
136 as there is now - limiting the size of the trucks.

137 Mr. Carroll: Not in favor of renewing contract and sees this as an opportunity to double our money at
138 the new location, as well as, seeing that the new contract will be fair and equitable to the residents of
139 Bennington.

140 Mr. Campbell: Not in favor of renewing contract due to larger trucks in a residential area and to have
141 Mr. Hurd advise our current contractor of our intent not to renew.

142 ***Sarah Perrin moved and Bruce Lee-Clark seconded to not renew the Morgan Spring Contract***
143 ***at Bradford Street at this time.***

144 Mr. Campbell noted that \$100,000 is a significant amount in revenue so we should renew
145 steps at our earliest convenience to make sure our new location is operational when we need it.

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

147 6. MANAGER'S REPORT

148 Mr. Hurd reported that we have scheduled a ZOOM work session on the Water and Sewer
149 Fund Budgets on June 15th at 6:00pm or 6:30pm due to a conflict with the Board of Civil Authorities
150 meeting at 5:30pm. We have held the Water Fund Budget to a 2% increase and the Sewer Fund

151 Budget to an 8% increase which is reduced from an expected 10.5% increase largely because of the
152 State waiving the interest and administrative fees on the various borrowing that we have through the
153 Water Resources Funds.

154 Mr. Hurd reported that Larry McLeod is retiring on July 2nd and we must appoint a new Health
155 Officer to fill out his term which expires in March of 2022. Paul Dansereau has recently joined the
156 Town, been working extensively with Mr. McLeod, and is highly recommended by Mr. Hurd and Mr.
157 Lee-Clark to be the new Health Officer. We will be looking for a replacement for the position that Mr.
158 Dansereau currently has.

159 *Jim Carroll moved and Bruce Lee-Clark seconded to appoint Paul Dansereau to fill out Larry*
160 *McLeod's term as Health Officer. The motion carried with Bill Scully absent.*

161 Mr. Hurd announced that, through the Solid Waste Alliance, there will be a Hazard Waste
162 Collection at the Mt. Anthony Middle School on August 8, 2020 from 9:00am -1:00pm. There will also
163 be a Hazard Waste Collection in the Northshire in September.

164 Mr. Hurd further announced that former employee, Michael Harrington, is now the
165 Commissioner of the Department of Labor.

- 166 ✓ *Financial Projection for FY2021:* Looking ahead to the next fiscal year, it is essential that we
167 leave the approved budgets in place. We can only speculate what property tax payments will
168 be like in November 2020. Mr. Hurd will be tracking financial conditions and may have
169 recommendations for the Board in the future.
- 170 ✓ *PFOA Construction:* Work continues on this project as it is considered essential work with the
171 anticipation that work will finish in 2020 except for Contracts 8 and 9 for East Road, Willow
172 Road, and Chapel Road, that are scheduled for completion in 2021.
- 173 ✓ *WWTF Upgrade:* Several punch list items may now be addressed and substantial completion
174 has now been formalized.
- 175 ✓ *Paving Bids:* Paving bids for 2020 have been opened and Bazin Brothers is the low bidder at an
176 average cost of \$63.59 in place. The total projected cost is \$395,608.50, ~\$50,000 over the
177 budgeted amount, however, Mr. Joly has an application in for \$150,000 grant.
- 178 ✓ *Green Up Day:* Ms. Conner asked Mr. Hurd to thank staff for their work on Green Up Day.
- 179 ✓ *Franklin Lane Grant:* Ms. Conner asked Mr. Hurd to congratulate Ms. Barsotti on the Franklin
180 Lane Grant.

181 **7. UPCOMING AGENDA**

182 June 15, 2020 Meeting at 6:00pm or 6:30pm - Water and Sewer Fund Budgets; Curtiss Reed
183 Contract

184 June 22, 2020 Meeting - Standing Item - Community Policing

185 June 22, 2020 Meeting - Standing Item - COVID Update

186 June 22, 2020 Meeting - BBC Work Plan and Budget

187 At A Future Meeting - The Effects of Lost Income on Upcoming Budget(s)

188 **9. PUBLIC COMMENT**

189 Lynn Mazza: Disagrees that the current Select Board should be blamed for the past decades of
190 allowing the “warrior culture” in the Police Department.

191 Question to the Community Policing Work Group - What can the citizens be doing proactively to keep
192 this process moving forward?

193 Ms. Jenkins: As much as everyone wants to see this process move forward quickly, we need to
194 take the time to hear and listen to the good information that is available to us for the long term good
195 of our community. “The more we can move forward as a full community, the faster and more
196 meaningful the change that we will make will be.”

197 Ms. Conner: As an inpatient person, would also like to see the process move quickly - as long
198 as, we’re doing a good job. We are starting to see some movement and “on the cusp to kick this off”.
199 If the contract with Curtiss Reed is approved, things will be picking up, however, we do need to be
200 patient to be sure that we are doing this well.

201 Mr. Lee-Clark: Is also frustrated with the time that it’s taking, but suggests that the community
202 do what he is doing. For example, researching ‘what are the best practices in creating policy around
203 use of force?’, go into the IACP site and other similar organizations sites, and check out the Police
204 Departments in Vermont to see what their policies are. The Use of Force Project.org is one such site.
205 This would better prepare everyone for when discussions open up as to what we want in Bennington.

206 Mr. Carroll added that it is timely to see that a “choke hold or knee to the neck” are
207 unacceptable be added to our police policies, and Mr. Campbell stated that this could be considered
208 when the policies are being reviewed.

209 Mr. Hurd will send the policies that were previously shared to Ms. Mazza.

210 **8. OTHER BUSINESS**

211 Ms. Conner: As a report on the Part McCullough Library, Director Jennie Rozycki called in with the
212 following report:

- 213 ○ The Library closed in mid-March and will remain closed with curbside pickup service.
- 214 ○ Our website is available with order forms, or e-mail or call the Library, to request books for
215 pickups on Wednesdays and Fridays.
- 216 ○ Since closing we have pushed our digital collections (circulated over 1,025 items), Lynda.com,
217 our Newsletters have gone from monthly to bi-weekly, and we are encouraging membership
218 so access to this information can be available.
- 219 ○ There will be an herb garden going in by the UVM Masters Gardeners and summer reading
220 begins next week on Wednesdays and Fridays.
- 221 ○ We are reassessing what to order going forward, updated policies and the Director’s Manual.
- 222 ○ We are applying for grants to get a new chimney and the maple trees will be trimmed.
- 223 ○ We received \$14,000 from the PPP Program and \$5,000 from the CARES Act which will help us
224 through a challenging fundraising landscape this year.
- 225 ○ The library staff has/is stepping up continued education and professional development.
- 226 ○ Any questions, call 447-7121.

227 Ms. Conner encouraged everyone to subscribe to the Library Newsletter for all of the activities
228 that are going on there, and Ms. Perrin thanked Ms. Rozycki for helping her with previous projects.

229 Ms. Conner: The Bennington Free Library report since the quarantine is that staff are answering
230 reference questions via phone and e-mail; the children's librarians have been very busy; there is a
231 Trail Tale in collaboration with the museum; weekly virtual story hours; Hoopla for audio and e-
232 books, TV and movies; curbside pickup Mondays, Wednesdays, and Fridays; evaluating the collection
233 and doing professional development; and maintenance repairs and cleaning. Also, any child getting
234 food through the schools, can have library materials delivered to them, as well, during the summer
235 program. And if a child is not receiving food, parents would need to call the library to have library
236 materials delivered to them. Any questions, call 442-9051.

237 Ms. Conner: The information Ms. Conner had on the Rec Center was updated by Mr. Monks as
238 follows:

- 239 ❖ The YMCA will be looking at Willow Park instead of the Fitness Center for child care.
- 240 ❖ Although not formally adopted, the YMCA has recommended that the Town extend
241 memberships.
- 242 ❖ There will be updated information going out the end of this week or early next week on the
243 Town's website with the YMCA's new protocols on the phased reopening of the Rec Center.

244 Mr. Lee-Clark: Was a pleasure to participate in the Pride Caravan on Saturday and thanks to all that
245 made it possible. The flags will remain up for the month of June.

246 Mr. Carroll: Has been helping people with unemployment, and today's Department of Labor (DOL)
247 Report stated that there was an issue with unemployment insurance. A quote from the DOL - "Our
248 mainframe has experienced a technical issue over the weekend which resulted in claimants not being
249 able to file their week claim yesterday. The issue has since been resolved, however, some claimants
250 need to have their PIN reset by calling on the Claimant Assistant Line. Claimants have until Friday at
251 4:30pm to file.

252 Mr. Carroll: The Commerce Committee has "wrestled" with the CARES \$40M funding which the
253 Governor will devote to businesses that had to close because of COVID-19. We have decided to use
254 grants instead of loans for up to \$65,000 per business. So Bennington businesses can be first in line
255 to apply for these grants as soon as this is signed, go to myvtax.vermont.gov.

256 Mr. Carroll: A Robinson Avenue resident asked if chickens, or any other fowl, were allowed in that
257 neighborhood, and Mr. Monks answered that the Town has no restrictions on keeping fowl of any
258 kind.

259 ***At 8:00pm, Bruce Lee-Clark moved and Jim Carroll seconded to adjourn the meeting. The***
260 ***motion carried with Bill Scully absent.***

261

262

263 Respectfully submitted,

264 Nancy H. Lively

265 Secretary

266