

1 **BENNINGTON SELECT BOARD**
2 **MEETING HELD REMOTELY VIA ZOOM**
3 **BENNINGTON, VERMONT 05201**

4 **JUNE 15, 2020**

5 **MINUTES**

6 **SELECT BOARD MEMBERS PRESENT BY VIDEOCONFERENCE:** Donald Campbell-Chair; Jeannie
7 Jenkins-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
10 Town Manager and Planning Director and Director of the COVID-19 Response; RJ Joly-Public
11 Works Director; Larry Gates-Assistant Public Works Director; Melissa Carrier-Finance Director;
12 Mike Cutler-CAT-TV; and Nancy H. Lively-Secretary.

13 **PUBLIC CALL INS:** Rachel Blumenthal; Mary Gerish; and Lynn Mazza.

14 At 6:05pm, Chair Donald Campbell called the meeting to order and explained that, due
15 to the COVID-19 Pandemic State of Emergency declared by Governor Scott, and pursuant to
16 Addendum 6 to Executive Order 01-20, Act 92, this public body is authorized to meet
17 electronically. There is no physical location to attend this meeting, however, the public may
18 view it on CAT-TV and call in at 1-646-558-8656 and enter the meeting ID, 87225202556, when
19 prompted to do so. The call in information will be periodically posted on the screen and the
20 process for calling in was explained. If technology fails us, the meeting will be continued at a
21 time and place to be determined and all votes that are not unanimous will be done with a roll
22 call vote in accordance with the law.

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

24 *Add "3. Executive Session - Personnel"*

25 *The motion carried with Bill Scully absent.*

26 **1. WATER/SEWER FUND BUDGETS**

27 Mr. Hurd explained the following:

- 28 • Both the Water and Sewer Budgets will be greatly impacted by depreciation due to the
29 projects that we are undertaking - Water: The PFOA projects, low water pressure, and
30 increasing reserves; and Sewer: WWTF Upgrade, 1st bond payment, and operational cost
31 increases.
- 32 • Water Resources employee wage increase is 3.53% and health insurance increase is
33 10%, as approved by the Board last year.

- 34 • Both budgets benefit by the State not charging administrative fees or interest.
- 35 • The Water Fund does not include costs related to the relocation of the Morgan Spring
- 36 delivery system currently estimated at \$487,000, the cost of which will be borne by
- 37 others and our reserves.
- 38 • The Sewer Fund will have an infusion of \$160,000 from the fund balance to reduce the
- 39 impact on the FY2021 rates.
- 40 • The FY2021 proposed rate increases are: Water - 0%; Sewer - 8%.
- 41 • Ms. Currier explained that the Sewer fund balance of over \$5M “includes all of our
- 42 capital assets, as well as, any other assets listed on our general ledger”. “It also is to
- 43 build up a depreciation reserve to cover our capital assets.” Since depreciation was not
- 44 booked prior to Ms. Currier’s employment, we “are kind of behind the 8-ball”. The hope
- 45 is to always book full depreciation so we do not have to go to bond financing. This is not
- 46 cash on hand.
- 47 • Ms. Currier added that, when the budgets are approved by the Board, it is only the
- 48 expense side and not the revenue side.
- 49 • Total Water FY2021 budgeted revenue is \$3,208,230, reduced by the elimination of
- 50 ~\$14,000 in delinquent and interest fees. We had asked for the reduction for the
- 51 remainder of FY2020 and budgeted it for FY2021. A decision will be made around
- 52 January 2021 how we proceed further.
- 53 • Expenses are down ~\$24,000 from last year.
- 54 • Total Sewer FY2021 budgeted revenue is \$2,462,460, an increase of ~\$150,000.

55 *Board comments/questions - WATER:*

56 Mr. Campbell: Concerned that we are budgeting the same as last year for the Contingency line
57 item at \$20,000 but spent ~\$28,000 last year. Mr. Gates: We had purchased several meters for
58 PFOA that we were reimbursed for and reflected in revenue Labor & Supply Sales line item.

59 Mr. Campbell: What is the source of the SVC-South End Project revenue? Ms. Currier: \$42,810
60 is what SVC agreed to pay each year for 20 years for their portion of the South End Project. We
61 have received 3 payments and the agreement is transferable to the new owners. We are not
62 forgiving any of this payment but may be a shortfall if we don’t actually receive a payment.

63 Ms. Perrin: What is the payment on the dump truck? Mr. Gates: That has been paid off.

64 *Board comments/questions - SEWER:*

65 Mr. Campbell: We had agreed to increase the rates by 10.5% for 3 years last year, however, due
66 to the State not charging administrative fees or interest, we were able to lower the increase to
67 8% this year. And going forward? Mr. Hurd: We will be recovering in FY2022 and will probably
68 go to the 10.5% increase unless the State interjects. At that point, we will need to reassess.

69 Mr. Campbell: The purchase of a new loader on the 42-5420.830 line item listed isn't there.
70 Where is it? Ms. Currier: It, with other equipment purchases, is within 42-5440.840 Transfer to
71 Reserve Fund line item and included in the Capital Asset Schedule.

72 Mr. Campbell: There is a drop from \$115,440 to \$37,040 in Other Purchased Services. Mr.
73 Gates: That is due to switching over to composting from having our sludge trucked. The
74 \$37,040 is for cleaning the sewer lines and traffic control.

75 Ms. Connor: Are both of the Funds where you expect them to be? Ms. Currier: The Water Fund
76 is on track and "we are struggling" in the Sewer Fund. Mr. Gates added that it cost us a lot in
77 chemicals and hauling the sludge away to keep the plant running during the upgrade.

78 ***Bruce Lee-Clark moved and Sarah Perrin seconded to approve the FY2021 Water***
79 ***Budget Expenses as presented.***

80 Mr. Lee-Clark asked how the PFOA expansion and usage will affect our Water Budget in
81 future years, and Mr. Hurd stated that we have a large enough water supply to supply all of the
82 new customers at the pressure that is mandated by Vermont Health Department. The
83 additional customers should ultimately reduce the cost of water to the individuals. Ms. Currier
84 added, however, that depreciation for the added pipes in the ground - which do last a long time
85 (75 years) - does need to be a part of our budget process.

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

87 ***Jeannie Jenkins moved and Jeanne Conner seconded to approve the FY2021 Sewer***
88 ***Budget Expenses as presented.***

89 Ms. Perrin asked if we should explore the Local Options Tax again when the increase
90 goes up to 10.5%, and Mr. Hurd responded that the dollars generated from the Local Options
91 Tax could be allocated to projects and thereby reducing the rate to the users.

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

93 **2. DISCUSSION RE: COMMUNITY POLICING ASSISTANCE - VERMONT PARTNERSHIP FOR**
94 **FAIRNESS AND DIVERSITY**

95 Mr. Campbell stated that the Town had committed to establishing Community Policing
96 in Bennington prior to the George Floyd tragedy. However, the Board realizing their lack of
97 expertise in doing this, as well as, being sure that it is done correctly, has asked and received a
98 proposal from the Vermont Partnership for Fairness and Diversity headed by Curtiss Reed. The
99 proposal is for \$24,700 of which \$20,000 has been donated to the Town for payment of the
100 contract.

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

- 103 ➤ The Team is bringing to the Board a proposal from the Vermont Partnership for Fairness
- 104 and Diversity (VPFD), the organization that Curtiss Reed heads, allowing us to map the
- 105 community process to implement the recommendations brought forward in the IACP
- 106 Assessment.
- 107 ➤ The Team reviewed the proposal, spoke with Mr. Reed, and feel it is in the best interest
- 108 of the Town to accept it.
- 109 ➤ The 4 Deliverables are:
- 110 1. Facilitate professional development and coaching for the Select Board and Town
- 111 and Police Leadership.
- 112 2. Mapping the community process for implementing the recommendations of the
- 113 IACP.
- 114 3. Creating a joint Town and community-driven vision and mission statement for
- 115 the Bennington Police Department.
- 116 4. Structure a process and tools for 2 research teams to examine first:
- 117 a. Civilian Review Boards or Commissions to complement law enforcement
- 118 oversight.
- 119 b. Community policing practices in rural communities.
- 120 ➤ The VPFD will help us best use the 40 hours of remote assistance we have with the IACP.
- 121 ➤ The total cost will be \$24,700 - \$21,700 to VPFD and \$3,000 for stipends for the
- 122 researchers. As has been mentioned, \$20,000 has been donated to cover this expense.
- 123 ➤ The Scope of Work is anticipated to be completed within 6 months.
- 124 ➤ The intent is to move forward quickly. If this proposal is approved tonight, Dr. Reed and
- 125 Dr. Mary Gannon would like to have a Community Kickoff on Wednesday, June 24th at
- 126 7:00pm via Zoom and carried by CAT-TV.
- 127 ➤ The Town is creating a section on the Town's website under Community
- 128 Resources/Community Policing. Already on the website is the IACP Report and the VPFD
- 129 Proposal. The IACP policies and resource list is being added.

130
131 Ms. Conner, Work Team Member, added:

- 132 ✓ Both libraries are working on reading lists that they will post on each of their websites.
- 133 ✓ We will make the same request of the SVSU when we meet with them on Wednesday
- 134 to put these reading materials on their website, as well.
- 135 ✓ The Vermont Humanities Book this year is called "The Hate You Give" and both
- 136 libraries will be meeting with other organizations in Town for discussion on this book.
- 137 ✓ The Bennington Free Library already has a list of resources and the Park McCullough
- 138 Library will post a list this week. Both lists have been vetted and received from
- 139 professional library organizations.
- 140 ✓ Our community has one chance to do this right and we need/deserve Mr. Reed. Many
- 141 thanks to whomever made the very generous donation of \$20,000 to ensure that
- 142 happened.

- 143 Mr. Lee-Clark, Work Team Member, added:
- 144 o Has been working with the Interfaith Community, Peace and Justice, and any other
 - 145 organizations that have websites for them to post related information similar to what
 - 146 the libraries are doing.
 - 147 o He is requesting that they allow a link from the Town's website to theirs, and no one has
 - 148 refused to do that so far.
 - 149 o There will be many discussions taking place among organizations and they will be
 - 150 vetting their own materials as they go.

151 *Board comments/questions:*

152 Mr. Carroll: Is pleased with the proposal overall and everyone wants this done quickly. He
153 would like to see the policies being updated to begin immediately so the public knows that
154 "we're not just pushing this aside while we prepare for this (the proposal)".

155 Mr. Carroll: Stressed the importance of maintaining transparency throughout the process.

156 Ms. Jenkins: Mr. Reed's proposal does not include policies, however we have put up the IACP
157 model policies and Mr. Lee-Clark, our "policy wonk", will be addressing this now. "It's not an
158 area we plan to leave for later."

159 Mr. Lee-Clark: We have to be clear on how policy gets made and who has a voice in that
160 process. The IACP Report says that the community should have a voice in that process. Even
161 though it would be easier to have one person redoing policies, it isn't "how one gets ownership
162 in a broad sense". It is anticipated that within a few weeks there would be a core group of
163 people with particular skill sets to work on policies.

164 Ms. Conner: Involving the community to get to the end product "is inherently going to slow the
165 process down".

166 Ms. Conner: Perhaps we should see what community members could facilitate our community
167 discussions. Ms. Jenkins: Mr. Reed has 60 hours that he has dedicated to that in his proposal,
168 so let's see how far that gets us.

169 Ms. Perrin: We need to bring in leadership from the Police Department with the entire Select
170 Board for discussions with Mr. Reed leading to let us know where they're at.

171 Mr. Campbell: It is expected that the mapping will begin a week after we begin work with Mr.
172 Reed.

173 Mr. Monks: Noted that Mr. Reed will be running the Community Kickoff meeting on June 24th.
174 It is not a Select Board meeting and we should not be promising to the public how he will
175 handle their questions. Ms. Jenkins added that Mr. Reed was clear that this meeting would be
176 a time for the public to air their questions.

177 *Public comments/questions:*

178 Rachel Blumenthal: Community voice in this process is “crucial”, it should be as collaborative as
179 possible, and clarification is needed on Mr. Reed’s proposal.

- 180 ▪ Are there 1 or 2 community research groups with 3 or 6 people? Ms. Jenkins: There
181 would be 2 research committees - 6 people working at the same time on those same
182 questions.
- 183 ▪ What is the criteria for choosing the 6 people? Ms. Jenkins: Job descriptions for these
184 positions will be developed as they will be temporary employees of the Town and
185 people would need to apply for these positions. The review committee hasn’t been
186 completely worked out but will include Mr. Reed, Mr. Hurd, and probably a Select Board
187 member, as well. Mr. Lee-Clark: “Think of it as an open casting call” from the
188 community and that they will come back with as much knowledge as anyone else in the
189 community on those two subjects.
- 190 ▪ Why are the research groups only made up of community members and not also include
191 Select Board and Police members? They would “see things through a different lens” and
192 that would speak to collaboration. Ms. Jenkins: “The goal is to have community
193 members become as professional in their researching as possible.” Please ask Mr. Reed
194 your questions and concerns at the Community Kickoff on Wednesday.

195 Mary Gerish: Noted that only “community involvement” is mentioned in Mr. Reed’s proposal
196 and never “collaboration”. She suggested that a website and Facebook page be created, and
197 that the people writing the policies should include people from the community and not just
198 “professionals”. Other towns’ policies may not reflect what Bennington policies need to be.

- 199 ❖ How will the marginalized community members be involved in writing policies? Ms.
200 Jenkins: Recommended asking this question of Mr. Reed at the Community Kickoff and
201 stated that community involvement equates to collaboration. Mr. Lee-Clark: Agrees
202 with Ms. Jenkins, and feels that those drafting policies should be the ones that are
203 affected by them, such as, law enforcement and “the group that engages with the police
204 the most would be the group I would attract to this process”. His use of “professionals”
205 would be those that have expertise in certain areas. For example, a spousal abuse
206 professional would be PAVE.

207 Lynn Mazza:

- 208 ⬇ Why isn’t everyone listed under Deliverables to receive professional development listed
209 as having attended the workshop? Ms. Jenkins: It is a typo - “Town Manager” should
210 have been “Town Management” or “Town Leadership”.
- 211 ⬇ How can the community be involved in these trainings so that everyone is on the same
212 page? Ms. Conner: Mr. Reed has said that this first training is going to be “cathartic and
213 personal” done in person. Some of this material will be covered in community
214 discussions and recommends asking Mr. Reed this question at the Community Kickoff.

215 Mr. Lee-Clark agrees with Ms. Mazza's sentiments. Ms. Jenkins added that these
216 sessions will not be recorded, however, Mr. Reed may share with the public some of the
217 general content that may apply to them. Mr. Campbell added the "nuance stuff" of the
218 training:

- 219 a. A value clarification
- 220 b. Core operational values
- 221 c. Resistance to change theory
- 222 d. Equitable business practices
- 223 e. Negating the negative effects of bias and the practice of cultural humility

224 ***Sarah Perrin moved and Bruce Lee-Clark seconded to approve the Scope of Work***
225 ***Proposal from Vermont Partnership for Fairness and Diversity in the amount of \$24,700.00 as***
226 ***presented and to authorize the Town Manager to sign the agreement.***

227 Mr. Campbell noted that the Town has received a \$20,000 donation earmarked for the
228 Agreement and the Town will pay for the remaining \$4,700.00.

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

230 **3. EXECUTIVE SESSION - PERSONNEL**

231 ***At 8:03pm, Jim Carroll moved and Bruce Lee-Clark seconded that the meeting was***
232 ***adjourned finding that an Executive Session be held on Personnel as premature public***
233 ***knowledge would place a person involved in the subject matter at a substantial disadvantage.***
234 ***No decisions will be made this evening. The motion carried with Bill Scully absent.***

235

236

237

238 Respectfully submitted,

239 Nancy H. Lively

240 Secretary

241