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**BENNINGTON SELECT BOARD
MEETING HELD REMOTELY VIA ZOOM
BENNINGTON, VERMONT 05201
AUGUST 24, 2020
MINUTES**

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

SELECT BOARD MEMBERS ABSENT: None.

ALSO PRESENT BY VIDEOCONFERENCE: Stuart Hurd-Town Manager; Daniel Monks-Assistant Town Manager and Planning Director and Director of the COVID-19 Response; Shannon Barsotti-Community Development Director; Stephanie Lane-Shires Housing Executive Director; Mike Cutler-CAT-TV; and Nancy H. Lively-Secretary.

PUBLIC CALL INS: None.

At 6:00pm, Chair Donald Campbell called the meeting to order and explained that, due to the COVID-19 Pandemic State of Emergency declared by Governor Scott, and pursuant to Addendum 6 to Executive Order 01-20, Act 92, this public body is authorized to meet electronically. There is no physical location to attend this meeting, however, the public may view it on CAT-TV and call in at 1-646-558-8656 and enter the meeting ID, 86768624805, when prompted to do so. The call in information will be periodically posted on the screen and the process for calling in was explained. If technology fails us, the meeting will be continued at a time and place to be determined and all votes that are not unanimous will be done with a roll call vote in accordance with the law.

Mr. Campbell thanked all who contributed to the Bennington Battle Day Celebration.

1. CONSENT AGENDA

A. MINUTES OF AUGUST 10, 2020

B. WARRANTS

C. LIQUOR LICENSE APPLICATION - 421 TAPROOM, INC.

Bruce Lee Clark moved and Jeannie Jenkins seconded to approve the Consent Agenda as submitted. The motion carried unanimously.

2. PUBLIC COMMENT

None.

3. PUBLIC HEARING - VCDP FUNDS GRANT APPLICATION

Ms. Barsotti introduced Stephanie Lane, Shires Housing Executive Director, who did the following presentation:

- Shires Housing currently owns 300 Pleasant Street and plans to rehabilitate 9 residential apartments in 2 existing buildings in partnership with the Bennington County Coalition for the Homeless (BCCH) to be used as transitional family housing, and not for single occupancy.
- Shires Housing role is as the sponsor, developer, and property maintenance.
- Seven of the apartments are in the main building currently on the State Historical Register and has been nominated for the Federal Historical Register.
- Two of the apartments will be in the out building, as well as, two offices for the BCCH.
- Shires Housing and the BCCH have been working on this project for 3-4 years.
- The buildings will conform to all local and regional plans, and is within walking distance of all necessary services.
- Renovations will consist of replacement of the heating system, hot water system, sprinkler system and insulation. We will also be upgrading plumbing and electrical service, and exterior repairs. All work will be done with the highest energy efficiency in mind.
- The ask is for the Select Board to approve a Resolution for Shires Housing to apply for \$500,000 in Vermont Community Development Program Funds as a subcontractor through the Town.

Board comments/questions:

Mr. Carroll: Wanted to insure that the contractor, Naylor and Breen, would use as many local contractors as possible, and Ms. Lane answered yes, that is always a priority with Shires Housing including the replacement of appliances. Contractors may contact tromano@naylorbreen.com to apply.

Jeannie Jenkins moved and Jim Carroll seconded to approve the Resolution for Shires Housing to apply for Vermont Community Development Program Funds in the amount of \$500,000.00 for the rehabilitation of 300 Pleasant Street.

Ms. Conner stated that she is currently serving on the Board of Shires Housing and will be abstaining on this vote.

The motion carried with Jeanne Conner abstaining.

4. COMMUNITY POLICING UPDATE

Ms. Jenkins reported the following:

1. Thank you to the two research teams, Community Policing and Civilian Oversight, for the work they have done.
 - Their information is on the Town website under Community Policing. Community Policing Team material includes 17 pages of summaries of 25 articles and 4 interviews,

69 and the Civilian Oversight Team material includes 30 pages of summaries of 47 articles
70 and 10 interviews.

71 2. Ms. Jenkins, Ms. Conner, Mr. Lee-Clark, Mr. Monks, Chief Doucette, and Lt. Grande have been
72 working on the Policy Review process.

73 ➤ The 6 policies that will be looked at are:

- 74 ○ Use of Force
- 75 ○ Fair and Impartial Policing
- 76 ○ Investigation of Hate Crimes and Reporting
- 77 ○ Responding to Persons Expressing Mental Health Crisis
- 78 ○ Motor Vehicle Stops
- 79 ○ Domestic Violence

80 ➤ For each of those policies we are posting the IACP model policy, as well as, any policies
81 and protocols that we have from the Bennington Police Department, the Brattleboro
82 Police Department, and the Vermont State Police.

83 ➤ In addition, we are posting policy papers from the IACP or any other relevant
84 documentation that we receive.

85 ➤ We intend to review the policies in the order they're presented unless legislative actions
86 would require changing that.

87 ➤ The review process will be completed by the end of December 2020.

88 ➤ There will be a Policy Advisory Team for each of the 6 policies that will consist of 7
89 members each. Dan Monks-Town Management; Dan Farrara-Police Department; and
90 Bruce Lee-Clark-Select Board will serve on all of the teams with 4 different community
91 members on each team, a total of 24 community members.

92 ➤ All meetings will be open to the public and has yet to be determined if they will be in-
93 person, Zoom, or a combination of the two. Due to COVID, if in-person, the public
94 wanting to attend would be required to sign-up.

95 ➤ The scope of work will be posted on the Town's website with meetings posted every
96 way we can.

97 ➤ The information for applicants will be on the Town's website, Facebook, press release,
98 and e-mail networks with the preference that applicants live in Bennington or North
99 Bennington.

100 ➤ Applicants will be asked to indicate the top two policies that they would like to work on
101 and the deadline for applications is September 4th. The interviewers will be Jeanne
102 Conner, Lon McClintock, and Jeannie Jenkins.

103 ➤ We expect to take up the 1st policy on September 23rd with materials, and time for their
104 own research, 7 days before a meeting.

105 3. The Police Department will have a training with Rick Arrington, a trainer formerly with a police
106 department where he oversaw community services, on September 14th and 15th. The in-person
107 training is limited to 25 including the presenter. 22 police officers have already signed up that
108 do not include the Chief or Lieutenant. The course objectives and bibliography of the training
109 will be posted.

110 4. *Bruce Lee-Clark moved and Jim Carroll seconded to adopt the Town of Bennington Vision*
111 *as follows:*

112 *“Bennington is a welcoming, engaged, inclusive, and resilient community where*
113 *everyone, regardless of identity, shares in our vitality and benefits from an outstanding*
114 *quality of live.”*

115 *The motion carried unanimously.*

116 *Jeanne Conner moved and Bruce Lee-Clark seconded to adopt the Mission Statement for*
117 *the Police Department as follows:*

118 *“The Bennington Police Department is accountable to the community for providing*
119 *everyone, regardless of identity, with respectful and equitable law enforcement, protection, and*
120 *service. The Department and the community will achieve this through collaborative and positive*
121 *relationships which contribute to the betterment of our quality of life.”*

122 Mr. Campbell asked if Mr. Hurd felt that the Police Department could work with this, and Mr.
123 Hurd answered that the police are fully supporting it and welcome the opportunity to work with the
124 community and move forward.

125 Ms. Conner added that she enjoyed the positive experience that part of the meeting was and
126 felt that everyone walked away feeling very good about the Statement.

127 *The motion carried unanimously.*

128 5. PFOA LOAN DOCUMENTS

129 Mr. Hurd explained that this is a Loan Agreement from the Vermont State Revolving Fund
130 relating to PFOA Contract 9 Project for \$2,000,000. The documents include the Loan Agreement,
131 Project Description, the General Obligation Note and Certificate, and the Authorizing Legislation. Loan
132 principal forgiveness will be applied at 100% within one year of completion of the project.

133 *Bruce Lee-Clark moved and Sarah Perrin seconded to approve the Loan Agreement with*
134 *Vermont State Revolving Fund for Loan RF3-380-3.0 in the amount of \$2,000,000.00, authorize the*
135 *Chair to sign the Loan Agreement and the General Obligation Note. The motion carried*
136 *unanimously.*

137 6. MANAGER’S REPORT

138 Mr. Hurd reported:

139 *SVC Camp:* Appears to have concluded for now and are expected to be out by the end of the week.
140 Our contempt motion remains in effect until September 1, 2020. The area is a mess with debris strewn
141 about. Mr. Monks added that the bankruptcy notice has been filed and the Bankruptcy Trustee will
142 decide on how to gain the most funds for the creditors. The SVC Board of Trustees has been dissolved.

143 Mr. Campbell stated that other private individuals may “take a run at this”, however, the Town has
144 been advised by counsel not to do to a conflict of interest.

145 *BLM Mural:* The mural and community celebration are scheduled for August 30th from 1:00pm-7:00pm.
146 The road will be closed to traffic with a detour established for through traffic. Security cameras will be
147 operational during the event with the Copsicle trailer, as well as, police at the detour intersections.
148 The event will include three bands, prepared food, masks, safe distancing, a wellness station, a craft
149 table and the painting of the mural.

150 *Masked Man:* The State’s Attorney did seek an Extreme Risk Protection Order that was denied on July
151 31, 2020. He is within his rights to do what he is doing and there is nothing else that we can do locally
152 when it is allowed by the State.

153 *PFOA Construction:* All contractors are moving along and all contracts - except 8 and 9 - may finish this
154 year barring any unforeseen circumstances. Contracts 8 and 9 are scheduled to be completed in 2021.
155 When all are finished, all residents that had PFOA affected water will either be on Town water, have a
156 drilled well unaffected by PFOA, or be on the POET system. Eventually the State will be looking at the
157 West End and may ask the Town to require connecting to Town water instead of drilling a well. More
158 to come on that at a later date.

159 *WWTF Upgrade:* The contractor has returned to the site and final punch list items continue to be
160 outstanding. RJ, Larry, and the Sewer Department staff are tracking this carefully.

161 *Morgan Spring Relocation Project:* We should be bidding this project in February 2021 with completion
162 by the termination date of 2023 with our current contract.

163 Mr. Monks reported:

164 *Pathway Report:*

- 165 ✓ Kocher Drive Bike/Ped Improvements - Pedestrian crossing and median remain to be
166 done with completion expected by mid-September or end of August 2020.
- 167 ✓ Applegate to Willowbrook Path - Expected to go out to bid this fall or winter 2020 with
168 construction scheduled for winter of 2020/2021 or spring/summer of 2021.
169 Unfortunately, this project requires a lot of pressure treated wood which is currently
170 hard to come by and we don’t want to go out to bid when prices are inflated due to
171 availability.
- 172 ✓ Bennington Pathway Rail/Trail - All bid documents and permits are in place and it will be
173 put out to bid in winter of 2020/2021. Local match of \$110,000 is being held in reserve
174 and the railroad right of way has been obtained by the Town. Construction is scheduled
175 for summer of 2021.
- 176 ✓ Ninja Trail - We are currently down to 4 rights-of-way expected to be 3 within the next
177 3-6 months. Construction is scheduled for 2022.
- 178 ✓ Splash Pad - Grow Bennington will be issuing a press release on this tomorrow

179 **7. UPCOMING AGENDA**

180 September 14, 2020 - Ben Mont Bike Path Grant

181 September 28, 2020 - Planning Grant for the reuse of Eveready

182 October 2020 - Manager's Review

183 **8. OTHER BUSINESS**

184 Mr. Carroll: From the Governor's Office - the Economic Recovery Program has been increased for
185 business owners in the lodging, retail, hospitality, arts, travel, and event affiliated sectors negatively
186 impacted by the COVID 19 pandemic. Originally businesses could receive \$50,000, and now they can
187 receive an additional \$100,000 in grant funding that does not have to be repaid. Requests from those
188 having received the original \$50,000 can be made through MyVTax. New applicants may apply if they
189 have had losses of at least 50% from March-July 2020 compared to any one month period from March-
190 July 2019. More information is available at the Economic Recovery Program website or by contacting
191 Mr. Carroll on his Facebook page or by calling 733-2061.

192 Mr. Campbell: The September 14th meeting will be via Zoom.

193 ***At 7:14pm, Jeannie Jenkins moved and Jeanne Conner seconded to adjourn the meeting. The***
194 ***motion carried unanimously.***

195 Respectfully submitted,

196 Nancy H. Lively

197 Secretary