



33 *Jeannie Jenkins moved and Bruce Lee-Clark seconded to adopt the Consent Agenda with the*  
34 *Minutes of October 12, 2020 amended as follows:*

35 *Line 32, Change "Tetreault" to "Tatro"*

36 *Line 57, Change "being discussed" to "being voted on"*

37 *Line 145, Change "Hate Speech Policy" to "Hate Crimes Policy"*

38 *The motion carried unanimously.*

39 **2. PUBLIC COMMENT**

40 Nancy White: Asked how much the Town has spent on the Rec Center project UCS started 2 years ago,  
41 and Mr. Campbell noted that Ms. White would have to contact Mr. Hurd for that information as the  
42 Board doesn't have that available now. "We can take a list of questions and get back to you with the  
43 answers as Citizens Comments is not a Q and A period."

44 Nancy White: Hopes the rates, membership numbers, and fees for other programs at the Rec. Center  
45 will be available to the public prior to the Rec Center agenda item in November. Also hopes that Betsy  
46 and Jessie will be available at that meeting.

47 Nancy White: What is the bike path on Franklin Lane connecting to?

48 Nancy White: Where's the information on the SVC we've been asking for since January?

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51 Alisa Del Tufo: Noted the existence of the Bennington Restorative Circles Project in Bennington where  
52 they intend to have several Circles in town for "healing the divide" to building relationships, and  
53 communicate more effectively and compassionately in a way where people are listening to each other.  
54 The first set of Circles is on November 1<sup>st</sup> in both online and physical spaces. There will be an article in  
55 the Banner on October 27<sup>th</sup> about these, there will be registration flyers, all are invited, and we will be  
56 sharing our experiences after the November 1<sup>st</sup> meeting with other communities in Vermont.

57 **3. APPALACHIAN TRAIL COMMUNITY DESIGNATION**

58 Silvia Cassano and Jonah Spivak, co-chairs of the Appalachian Trail Community Advisory  
59 Committee, did the following presentation on designating Bennington as an Appalachian Trail  
60 Community within the Appalachian Trail Conservancy:

- 61
- 62 • Ms. Cassano was from Bennington and worked for the Appalachian Trail Conservancy  
63 with Great Barrington and North Adams, and currently works on Recreation Trails in  
64 Poultney.
  - There are 40 communities part of the Conservancy.

- 65 • The Conservancy has this Designation Program to assist communities with strong  
66 economic development to fulfill their goal of protecting the Appalachian Trail.
- 67 • In our application we put together some ideas of an event with COVID protocol in place,  
68 educational components, and future goals. In addition, we had to submit letters for our  
69 Town Plan.
- 70 • By being an Appalachian Trail (AT) Community, we will be supporting all hikers - local  
71 and non-local. We are fortunate to have an active Green Mountain Club Chapter in  
72 Bennington and have already been providing support to hikers.
- 73 • We hope to draw in the youth and future leaders for the Appalachian Trail, as well as,  
74 the Long Trail.
- 75 • The starts to the AT and Long Trail both took place on Stratton Mountain.
- 76 • The next meeting will be on October 27<sup>th</sup> at 5:30pm. To get more information about  
77 that contact [jonahspivak@gmail.com](mailto:jonahspivak@gmail.com) . With COVID we will be planning for 2021 to be  
78 able to "hit the ground running".
- 79 • Our designation will be joining those of Manchester and Norwich.

80 *Board comments/questions:*

81 Mr. Campbell: We have the only spur that comes down into a town.

82 Ms. Conner: Who are other committee members and how long did this process take? Ms. Cassano  
83 answered that Shannon Barsotti, John Shannahan, Tim Mahr, Mike Wajah, and Steve Love attended  
84 the first meeting in July 2019, so the process has taken a little over a year. Also, there are 24 additional  
85 committee members whose names are not all available this evening.

86 The Board thanked all involved to make this happen.

87 **3A. TOWN CLERK ON VOTING**

88 Cassandra Barbeau, Bennington Town Clerk, shared the following information on voting:

- 89 ✓ There were 8,000 absentee ballots mailed to voters by the State.
- 90 ✓ As of today, we had over 3,500 ballots processed with 286 coming in at the drop box at  
91 the Town Office.
- 92 ✓ Any ballot received after 7:00pm on Election Day will not be counted. We do not go by  
93 postmarks.
- 94 ✓ The drop box is under video surveillance and checked multiple times during the  
95 weekdays and at least once on Saturdays and Sundays.
- 96 ✓ The drop box is available 24/7 until 5:00pm on Election Day. After 5:00pm on Election  
97 Day, ballots need to be brought to the polls in person by 7:00pm.
- 98 ✓ To process the ballots we work in pairs - 6 people altogether - with different political  
99 party members. Team 1 - Ms. Barbeau and Kayla Thompson, Asst. Town Clerk, compare  
100 the ballots to the registered voters list; Team 2 - a democrat and a republican - open the

- 101 ballots with the voters name unknown; and Team 3 - a democrat and a republican - run  
102 them through the machines.
- 103 ✓ There are strict machine guidelines, such as the number of ballots run through the  
104 machine to match the number of ballots checked off and a list of the chain of custody.
  - 105 ✓ The votes are not counted at that time. The machine is securely stored and all of the  
106 votes will be counted at the same time on election night and shown on CAT-TV.
  - 107 ✓ When the machines are received several weeks before the election, the memory cards  
108 are securely tested and remain with the machines at all times. The memory cards are  
109 self-contained and not connected to the Internet.
  - 110 ✓ If a voter still has the ballot that was mailed to them and wishes to vote in person, bring  
111 it with you. If a voter no longer has the ballot that was mailed to them, they will have to  
112 sign an affidavit stating that they have not previously voted.
  - 113 ✓ Social distancing and masks will be required at the polls throughout the day.
  - 114 ✓ We are working with the Police Chief to see how we can have police presence at the  
115 polls and make people feel comfortable.
  - 116 ✓ The law does not allow any form of campaigning at the polls and never has. Outside  
117 only in designated areas.
  - 118 ✓ We still will have same day voter registration with proper ID or last 4 digits of your social  
119 security number and your name the way it appears on your social security card.

120 *Board comments/questions:*

121 Ms. Conner: What information do you have on 'poll watchers' and can someone uncomfortable with  
122 the drop box hand you the ballot? Ms. Barbeau answered we haven't ever experienced anyone  
123 affiliated with the candidates at the polls and don't expect that to take place this year either. And,  
124 anyone can knock on the side door to hand us their ballot instead of using the drop box.

125 Mr. Lee-Clark: What is the BCA? Ms. Barbeau explained that the BCA is the Board of Civil Authority, or  
126 the 15 elected Justices of the Peace, the Select Board members, the Assistance Town Clerk, and the  
127 Town Clerk. One of the charges of the BCA is to be election officials. These are not enough people to  
128 perform the job so Ms. Barbeau has a pool of democrats and republicans to choose from as needed.

129 Mr. Carroll: Is there anything that we can do about voter intimidation or bearing weapons at the polls?  
130 Ms. Barbeau checks to see that everyone is getting along, and if not, would hope that would be  
131 reported. Mr. Hurd added that we cannot stop anyone from carrying their weapon at the polls.

132 Mr. Campbell: Needs clarification about what box to put tax payments in. Ms. Barbeau stated that  
133 there is a locked box by the side door for property tax payments or payment can be made in person at  
134 the front of the Town Office through a window to the Collections Office.

135 **4. POLICY - DISPLAYS, SIGNS, AND ART ON PUBLIC PROPERTY**

136 Mr. Campbell noted that all previous changes have been made to the Policy. There are multiple  
137 ways to bring a suggestion to the Board, all of which, start with a technical review by the Town

138 Manager. Within the application process with the Town Manager, the complexity of the process will  
139 be made clear to the applicant. And, upon adoption of the Policy, it will be posted on the Town's  
140 website.

141 Mr. Campbell would like to add the following change:

142 Page 7, Step 4, Final Review by Select Board, Paragraph 3, Other Projects, Line 1 and 2 -

143 Change "next available meeting" to "next available regularly scheduled meeting"

144 ***Bruce Lee-Clark moved and Jeannie Jenkins seconded to adopt the Town of Bennington***  
145 ***Displays, Signs & Art on Public Property Policy as amended. The motion carried unanimously.***

## 146 5. COMMUNITY POLICING UPDATE

147 Ms. Conner reported the following:

- 148 ❖ The second question will be up until Thursday, October 29<sup>th</sup>, when we will then be posting the  
149 third question.
- 150 ❖ There are far fewer comments on the second question that we had on the first.
- 151 ❖ The 5 Community Discussion Boards are at GBICS, inside Powers Market, the Rec Center, St.  
152 Peters, and the Town Office front porch.
- 153 ❖ The question is until October 29<sup>th</sup> "What makes you feel safe in your community?"
- 154 ❖ The new question going up on October 29<sup>th</sup> is "What do you think the Bennington Police  
155 Department could do to improve life and safety?"

156 Mr. Lee-Clark reported the following:

- 157 ❖ The Committee completed the review of the Hate Crimes Policy which will be going out to our  
158 attorney and the States Attorney on October 27<sup>th</sup>.
- 159 ❖ The initial presentation of the first three policies to the Board will be at the November 9<sup>th</sup>  
160 meeting. They are Use of Force, Duty to Intervene, and the Use of Conductive Electric  
161 Weapons.
- 162 ❖ From this point on, we will be on a pretty regular schedule of introducing them for Board and  
163 community discussion.
- 164 ❖ On November 4<sup>th</sup>, we will be discussing Responding to Those in Mental Health Crisis and Those  
165 with Disabilities.
- 166 ❖ On November 18<sup>th</sup>, we will be discussing Motor Vehicle Stops and Traffic Enforcement, and on  
167 December 2<sup>nd</sup>, we will be discussing Responding to Domestic Violence Situations.
- 168 ❖ Mr. Lee-Clark reiterated how impressed he is with the community members of the committee.

169 Ms. Jenkins reported the following:

- 170 ❖ We are working on the next set of policies with the Police Department for review to begin in  
171 January 2021.

172 **7. MANAGER'S REPORT**

173 Mr. Hurd reported as follows:

- 174     ▪ Budget Schedule FY2022 - The Select Board Budget Sessions are scheduled for January 2, 9 and  
175     16 2021.
- 176     ▪ PFOA Construction - Work will be shutting down soon with all but Contracts 8 and 9 to finish  
177     this year barring any unforeseen circumstances.
- 178     ▪ WWTF Upgrade - The digester roof repair has been completed with some smaller items yet to  
179     be done. We are 97% completed with the project and will complete it several hundred  
180     thousand dollars under the original budget. Kudos to the staff for the work they've done.
- 181     ▪ The Bike/Ped Path Report - Moving along.
- 182     ▪ Additional Comments -
  - 183         ➤ We're using the compost facility, including our sludge's.
  - 184         ➤ The traffic slowdown on Ben Mont Avenue was related to the signaling for the Kocher  
185         Drive project.
  - 186         ➤ CUD will need to merge with Windham to make the project work financially.
  - 187         ➤ We are not cancelling Halloween and there are several events taking place during the  
188         day.

189 **7. UPCOMING AGENDA**

190 November 9, 2020 - Tour of Rec Center/UCS Project at 4:00pm

191 November 9, 2020 - UCS/YMCA Presentation

192 November 9, 2020 - Three Police Department Policies (if able to come out in Board Packets)

193 November 23 or December 14, 2020 - Police Department

194 **8. OTHER BUSINESS**

195 Mr. Carroll: Any cannabis sales would have to come via a town wide referendum which would give us  
196 time to get it on the ballot in March. Mr. Hurd will get a copy of the law and distribute it to the Board  
197 members. It is a community opt in with the incentive of 2% of tax revenue coming back to the  
198 community that hosts retail sales.

199 Mr. Carroll: There is \$76.7M for businesses with losses due to the pandemic. For more information, go  
200 to the Agency of Commerce and Community Development (ACCD) website or MyVTax.

201 Ms. Jenkins: There is a virtual tour of the Lake Paran Village that Shires just completed on October 27<sup>th</sup>  
202 at 5:30pm. There are many energy efficiencies that will be explained during the tour. For more  
203 information on accessibility to the tour, visit the BCRC website.

204 Ms. Perrin: Norshaft Lions have changed their event for Halloween to October 31<sup>st</sup> from 11:00am-  
205 1:00pm at the Old Tuttle Lot across from Anytime Fitness with big trucks and emergency trucks on

206 display, pumpkin and costume judging, and candy. Bring pumpkins to be judged between 8:30-  
207 10:00am. Prizes will be given.

208 Ms. Perrin: Remember to vote November 3<sup>rd</sup>.

209 Ms. Conner: The ribbon cutting at the Splash Pad was "a blast" and it's been fun to watch the exterior  
210 of the Putnam Project transform.

211 **9. EXECUTIVE SESSION**

212 **A. PERSONNEL**

213 *At 7:35pm, Bruce Lee-Clark moved and Jeanne Conner seconded finding that an Executive*  
214 *Session be held on Personnel as premature public knowledge would place a person involved in the*  
215 *subject matter at a substantial disadvantage. No decision will be made this evening. The motion*  
216 *carried unanimously.*

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220 Respectfully submitted,

221 Nancy H. Lively

222 Secretary

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