

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

4 **DECEMBER 28, 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:** None.

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; Shannon
11 Barsotti-Community Development Director; Jessica Rumlow and Kayla Becker-YMCA; Josh
12 Boucher-CAT-TV; and Nancy H. Lively-Secretary.

13 **PUBLIC CALL INS:** Joshua Ferguson.

14 At 6:00pm, 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, 85186412506 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 **1. CONSENT AGENDA**

24 **A. MINUTES OF DECEMBER 14, 2020 AND DECEMBER 22, 2020**

25 **B. WARRANTS**

26 **C. PROCLAMATION - CAREER AND TECHNICAL EDUCATION MONTH (Read by Ms. Jenkins)**

27 *Jeannie Jenkins moved and Jeanne Conner seconded to adopt the Consent Agenda*
28 *with the Minutes of December 14, 2020 amended as follows:*

29 *Page 5, Line 149, Change "CALEA" to "Commission on Accreditation for Law*
30 *Enforcement Agencies (CALEA)"*

31 *Page 6, Line 203, Change "Alonna" to Alana"*

32 *The motion carried unanimously.*

33 **2. PUBLIC COMMENT**

34 Joshua Ferguson: Mr. Ferguson, from Rutland County, has formed the Vermont Veterans
35 Tribute Task Force and the first Vermont Veterans Tribute will take place in Fair Haven. It will
36 highlight historical figures from Fair Haven and will potentially bridge with Bennington's rich
37 history. Mr. Campbell suggested that he contact the Bennington Museum, Jonah Spivak, Stuart
38 Hurd, and himself for their input as the Town is supportive of what he is trying to do. His e-mail
39 address is joshua.ferguson@usa.com .

40 **3. NORTHERN BERKSHIRE Y**

41 Ms. Barsotti pointed out the work that has been, and is being done, at the old
42 Bennington High School/Middle School. The Town and Jessica Rumlow and Kayla Becker from
43 the YMCA have been discussing with the new owner, Christopher Gilbert, the Town renting
44 some of the building for a gym. The building has been vacant for several years and renovations
45 are currently going on in the gym and auditorium. The subject of needing additional
46 recreational space for children and families has come up repeatedly in our town surveys. Also
47 noted is that there is a lot of space in this building that could be used for other things, such as
48 events.

49 Ms. Rumlow and Ms. Becker did the following informational presentation:

- 50 • This will give the YMCA the opportunity to offer a full range of services to the
51 community that they haven't been able to do because of limited space.
- 52 • Ms. Barsotti secured a grant for \$30,000 so that the Y can bring the Lake Paran
53 school aged program to the buildings auditorium and three classrooms.
- 54 • The basketball court use is obvious. In addition, there are three large rooms that
55 we envision being used for fitness equipment, group exercise classes, and senior
56 programing.
- 57 • The leases are still in process and it must be approved by the YMCA Board.

58 *Board questions/comments:*

59 Mr. Campbell: No action will be taken this evening and it will be a topic during upcoming
60 budget discussions - the cost of reusing an existing building vs. the cost of building a new
61 building.

62 Mr. Hurd added that he has been working with the Y on their financial needs and feels that they
63 are doable within the Rec Center budget which we will be discussing very soon.

64 Mr. Carroll: Will energy costs be included in the lease or will they be additional? Ms. Barsotti
65 answered that there isn't a lease yet, but at this point, Mr. Gilbert is planning on paying for
66 utilities.

67 Ms. Conner: Feels that the number of members will increase because of all that will be offered.
68 However, does the Y have a “pay per class option”? Ms. Rumlow responded that with a Y
69 membership all classes are free; with a Rec Center only membership, there is a charge for the
70 classes; and prior to COVID, there was a Guest Membership that will be reinstated as the
71 COVID restrictions are lifted.

72 Ms. Conner: Encouraged Ms. Rumlow to reach out if there is a need for representation from
73 Bennington.

74 Ms. Jenkins: This, in addition to the Rec Center and the UCS presence at the Rec Center opens
75 up many opportunities to the community.

76 Mr. Lee-Clark: Noted that he and Ms. Jenkins have worked with businesses that would need
77 more gym space. This would lift the burden that the schools have been under and be a place
78 for the kids to go in the downtown. He is supportive of the project if it makes financial sense -
79 and he feels that it will.

80 **4. COMMUNITY POLICING UPDATE**

81 Ms. Connor reported the following:

- 82 ❖ We are forming committees to look at the next 6 policies for the Bennington Police
83 Department (BPD).
- 84 ❖ There will be 4 community members that will discuss one policy with the permanent
85 committee members of Asst. Manager Dan Monks, BPD Officer Dan Ferrara, and Select
86 Board member Bruce Lee-Clark.
- 87 ❖ There will be 4 different community members for each policy.
- 88 ❖ There is one meeting for each policy with the first one on January 27th and the last one
89 in early April.
- 90 ❖ Mr. Lee-Clark is the Chair and he provides model policies and background information -
91 particularly from the IACP - to the committee members ahead of time.
- 92 ❖ We will accept applications from those who have already served on committees or were
93 researchers.
- 94 ❖ We only have 7 applicants at this point so we will be leaving the application process
95 open.
- 96 ❖ The scope of work, how to apply, the list of policies, and the dates of the meetings are
97 on the Town’s website.
- 98 ❖ The meetings will be taking place via Zoom until the COVID restrictions have been lifted.
99 Even if they are lifted, the Zoom option will still be available.
- 100 ❖ Lon McClintock will again participate with Ms. Jenkins and Ms. Conner on the interview
101 team. Interviews will take place the first few weeks in January.
- 102 ❖ The policies are: January 27th - Social Media; February 10th - Special Events; February
103 24th - Body Warn Cameras; March 10th - Collaborative Partnerships; March 24th -
104 Nepotism and Fraternalization; and April 7th - Code of Conduct.

105 ❖ The more people that are involved, the better the message gets out. Board member e-
106 mail addresses are available if you have any questions.

107 Mr. Lee-Clark reported the following:

- 108 ❖ The two policies that had the 1st reading on December 14th will be given some additional
109 time to respond to. They are Fair and Impartial Policing and Investigation and Reporting
110 of Hate Crimes.
- 111 ❖ The Board will receive these for consideration and adoption at the January 11th meeting.
- 112 ❖ The Domestic Violence Investigation Policy is out to the Town attorney and State
113 attorney.
- 114 ❖ Going out to the attorneys soon will be Response to Persons in a Mental Health Crisis
115 and Traffic Stops.
- 116 ❖ Anyone who had edits to these policies are especially encouraged to serve on one of the
117 upcoming committees.
- 118 ❖ Be sure to look for the upcoming Select Board meeting agendas on the Town website on
119 the Thursday's before a meeting for the policies that will be reviewed.

120 5. MANAGER'S REPORT

121 Mr. Hurd reported as follows:

- 122 ▪ Certificate of Resolution - Third Party HRA - The Town manages its Health
123 Reimbursement Arrangement through HRC, a New Hampshire Corporation. Annually,
124 we are required to adopt this Certificate of Resolution to be in compliance with IRS
125 rules. There are three Resolutions within the one Resolution.

126 ***Bruce Lee-Clark moved and Sarah Perrin seconded to adopt the Resolutions as***
127 ***presented and authorize the Select Board Chair to sign on behalf of the Board. The motion***
128 ***carried unanimously.***

- 129 ▪ COVID Update - The recent surge in COVID cases is said to be stabilizing in Vermont. All
130 of the precautions remain in effect.
131
- 132 ▪ Tax Penalty Waivers - Letters have gone out to those property owners we've identified.
133 We've asked for a response by January 15, 2021. We have reimbursed the late penalty
134 to those that qualify for the waiver but had paid it.
135
- 136 ▪ PFOA Construction - All but one contractor have finished for the season. Casella
137 Construction has continued work on Contract 9.
138
- 139 ▪ Additional Information
 - 140 ○ Budgets are to the Board with work sessions planned for January 2nd, January 9th,
141 and January 16th starting at 8:00am, respectively.

- 142 ○ Mr. Campbell: It's good to see things getting checked off on the Bike-Ped Report.
- 143 ○ Ms. Conner: Confirmed that the condemnation process is the process of Eminent
- 144 Domain.
- 145 ○ Ms. Conner: Noted how easy it was to get a COVID test.
- 146 ○ Mr. Carroll: We need to start working on putting Cannibus on the March 2021
- 147 ballot as he feels that there is substantial support for it in the Town plus the tax
- 148 benefits.
- 149 ○ Mr. Lee-Clark: Noted the change of name from the Career Development Center
- 150 (CDC) to Southwest Tech and encouraged everyone to check out their website.

151 **6. UPCOMING AGENDA**

- 152 January 2, 9, and 16, 2021 - Budget Work Sessions
- 153 January 11, 2021 - Police Policies
- 154 January 11, 2021 - Audit Presentation
- 155 January 27, 2021 - UCS Pulse Meeting Virtual Tour @ 5:30pm

156 **7. OTHER BUSINESS**

- 157 Mr. Campbell: Thank you to Town Staff for all they do and especially for their readiness of a
- 158 potential flood.
- 159 Mr. Campbell: Thank you to Mark Sawyer and Paul Dansereau for their energy/money saving
- 160 work at the police station.
- 161 Mr. Carroll: Thank you to all of the essential workers, as well as, to those not so designated who
- 162 have served us during COVID.
- 163 Ms. Conner: Thank you to the crews that cleared the 18-20 inches of snow.
- 164 Ms. Conner: Thank you to Lynn Sweet and Jennifer Jasper for the Community Variety Show on
- 165 Zoom, and to Lynn Sweet again for the Zoom production of It's A Wonderful Life.
- 166 Ms. Jenkins: Reiterated a thank you to Mark Sawyer and Paul Dansereau for their work with the
- 167 Energy Committee.
- 168 Ms. Jenkins: Kudos to John the Elf who was handing out \$10.00 coupons - funded from the
- 169 CARES Act money - for people to shop in the downtown. It was an uplifting gesture to everyone
- 170 that was there.

171 **8. EXECUTIVE SESSION**

172 **PERSONNEL**

173

174 *At 7:12pm, Jeanne Conner moved and Bruce Lee-Clark seconded finding that an*
175 *Executive Session be held on Personnel as premature public knowledge would place a person*
176 *involved in the subject matter at a substantial disadvantage. No decision will be made this*
177 *evening. The motion carried unanimously.*

178

179

180

181 Respectfully submitted,

182 Nancy H. Lively

183 Secretary

184

185