

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

**FEBRUARY 1, 2021**

**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; Mike Cutler-CAT-TV Facebook Live; and Nancy H. Lively-Secretary.

**PUBLIC CALL INS:** Nancy White; Mike Bethel; and Sam Restino.

At 6:04pm, 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 Facebook Live and call in at 1-646-558-8656 and enter the meeting ID, 82220041692, 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 explained that callers will remain in the meeting because the CAT-TV Government channel was unavailable and we are being broadcast via CAT-TV Facebook Live. Those not speaking will mute themselves, there will be no interruptions, and, of course, no foul language or personal attacks. If there are interruptions, those interrupting will be back in the waiting room.

The sponsors of ARTICLE 3. §103-407. Mayoral Form of Government will have 10 minutes between them to speak to why they have brought this forward. They will then mute themselves and any other callers will have 5 minutes to state their comments. During that time, the Assistant Town Manager will be keeping notes for any questions on legal verifications that we may need. These will be brought to our Town Attorney and brought back to the 2<sup>nd</sup> Hearing at the February 8, 2021 meeting. After everyone has had a chance to speak once, they will be offered another opportunity to speak for 3-5 minutes. After that, the Board will have a chance to speak, if they so choose. All discussion must pertain to ARTICLE 3.

35 **PUBLIC HEARING NOTICE**

36 **1. MAYORAL QUESTION**

37 Ms. Jenkins read the following:

38 "ARTICLE 3. §103-407. Mayoral form of government

39 (a) In lieu of a town manager, the voters may adopt a mayoral form of government, by  
40 vote at a duly-warned annual meeting, warned pursuant to a petition signed by five percent of  
41 the voters or on the Select board's own motion. Once a vote in favor of this form of  
42 government is successful, the voters shall elect a mayor at the next annual meeting for a three-  
43 year term. Once the mayor takes office, the Town Manager system of governance shall end for  
44 Bennington.

45 (b) The mayor shall be responsible for the management of the administrative affairs of the  
46 Town, in the same manner and with the same powers and responsibilities as the Town  
47 Manager, as stated in statute and this charter.

48 (c) The mayor shall have the power to veto any action of the Select board.

49 (d) The Select board shall have the authority to override the mayor's veto by a vote of five  
50 members of the board taken at a regular meeting. Within 30 days of the vote to override,  
51 voters may petition for a binding referendum on the issue by a petition signed by five percent  
52 of the voters. At a special meeting held within 60 days of the receipt of the petition, the voters  
53 shall decide whether to uphold the mayor's veto.

54 (e) The compensation for the mayor shall be set by the Select board based on comparable  
55 salaries and benefits for a town manager.

56 (f) The mayor shall serve as the voice of the Town of Bennington, taking responsibility for  
57 implementing the policies of the Select board, leading the Town toward greater prosperity and  
58 a healthy economy, and a better life for all its residents."

59 Nancy White stated the following:

- 60
- 61 • The citizens don't have a voice, we have been waiting for our issues to get addressed
  - 62 that aren't getting addressed, Bennington is not affordable, and the Town has lived
  - 63 beyond its means for years.
  - 64 • Over the past decades, deals have been made without the citizens knowing anything
  - 65 about them.
  - 66 • The majority of the citizens have no clue as to what the four priorities of our Town have
  - 67 been since 2012.
  - 68 • Citizens have had enough, they want results and someone who will make them feel
  - 69 included.
  - The 3 questions citizens need to ask themselves:

- 70           ➤ Do they feel the Town Manager values our questions and concerns?  
71           ➤ Do they feel the issues in our Town have been addressed over the past decade?  
72           ➤ Do they feel that Bennington is more affordable today than we were a decade  
73           ago?  
74       • All that voting for a mayor will do is change our charter and not how our Town operates.  
75       It will state that we want to be included. “We want the backroom deals to end”, such as  
76       the Splash Park that cost us \$150,000. Mr. Hurd responded that most of the \$150,000  
77       was fundraised. The Town had anticipated the bathroom to cost \$6,500 and that did go  
78       a bit over budget.  
79       • The Town has loaned thousands of dollars to the Putnam Block - what is that for?  
80       • We have been “hung out to dry” with the YMCA presence at the Rec Center. That  
81       should not have been reclassified as a regional facility.  
82       • There is no transparency.

83   Mike Bethel stated the following:

- 84       • He’s disappointed in tonight’s format - it isn’t fair to the public.  
85       • We’re not doing what we need to do as a town.  
86       • If this passes, it doesn’t mean that we automatically have a mayor the next day. This  
87       just puts it in our charter, if the legislature approves, to make it legal for our town to  
88       have a mayoral form of government. “There’s nothing to be afraid of here.”  
89       • There’s nothing personal against the Manager or the Select Board. It just gets the  
90       people involved with a leader that they have chosen.  
91       • The mayor will be equal to the Select Board with equal veto powers.  
92       • We need someone dedicated to bring jobs to Bennington.  
93       • This is the form of government in Rutland.

94   Sam Restino stated the following:

- 95       • If the charter has been rejected by the legislature, how can it be approved? Ms. Jenkins  
96       clarified that this is incorrect. It has not gone to the legislature because it has never  
97       passed on the local level.  
98       • It has been proposed to the voters and turned down.  
99       • We’re still going to have a Select Board but instead of a Town Manager we’re going to  
100      have a mayor.

101   *Board comments/questions:*

102   Mr. Carroll: Checked the Department of Labor and unemployment in Bennington has gone  
103   down since 2009 with a spike in March 2020 (COVID) so the idea that jobs have decreased in  
104   Bennington is not accurate.

105            *At 6:46pm, Bruce Lee-Clark moved and Sarah Perrin seconded to close the Hearing -*  
106 *Mayoral Question. The motion carried unanimously.*

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108    Respectfully submitted,

109    Nancy H. Lively

110    Secretary

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