

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **OCTOBER 11, 2021**

5 **MINUTES**

6 **SELECT BOARD MEMBERS PRESENT:** Jeannie Jenkins-Chair; Jeanne Conner-Vice Chair; Bruce  
7 Lee-Clark; Jim Carroll; Tom Haley; Sarah Perrin and Gary Corey.

8 **SELECT BOARD MEMBERS ABSENT:** None.

9 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Assistant Town Manager; Jonah  
10 Spivak-Communications Coordinator; Dr. Trey Dobson-Medical Director-SVMC; Susan Plaisance-  
11 President and Michael McDonough-Interim Executive Director-BBC; Wendy Morse-Department  
12 of Labor and Wendy Callard-Creative Workforce Solutions; Nancy White; Jim Vires-CAT-TV; and  
13 Nancy H. Lively-Secretary.

14 At 6:00pm, Ms. Jenkins called the meeting to order and asked those not vaccinated to  
15 wear a mask and social distance. There are wipes to wipe down the microphone if you wish to  
16 speak.

17 **1. PLEDGE OF ALLEGIANCE**

18 The Pledge of Allegiance was recited.

19 **2. VISION STATEMENT**

20 Ms. Conner read the Town’s Vision Statement that was adopted by the Select Board on  
21 August 24, 2020:

22 “Bennington is a welcoming, engaged, inclusive, resilient community where everyone  
23 regardless of identity shares in our vitality and benefits from an outstanding quality of life.”

24 **3. CONSENT AGENDA**

25 **A. MINUTES OF SEPTEMBER 27, 2021 AND OCTOBER 4, 2021**

26 **B. WARRANTS**

27 *Bruce Lee-Clark moved and Gary Corey seconded to approve the Minutes of September*  
28 *27, 2021 amended as follows and the Warrants.*

29 *Line 58, Change “People” to “Peoples”*

30 *Line 203, Change “bute” to “but”*

31 ***The motion carried with Sarah Perrin abstaining.***

32 ***Bruce Lee-Clark moved and Jeanne Conner seconded to approve the Minutes of***  
33 ***October 4, 2021 as presented. The motion carried with Gary Corey abstaining.***

34 **4. COVID UPDATE**

35 Dr. Trey Dobson, SVMC Medical Director, did the following presentation:

- 36 • Vermont is seeing a steady number of cases over the last 6 weeks with 35-40 patients  
37 hospitalized each day.
- 38 • There are more cases and less hospitalization.
- 39 • In Vermont, for every 100 people tested, 3 of them are positive, whereas nationally, it's  
40 6 out of every 100.
- 41 • There are trials currently taking place for an oral antiviral treatment.
- 42 • Treatment must be administered in the early stages of the disease and will never take  
43 the place of vaccination.
- 44 • The vaccine will be available for the 5-11 year olds in the beginning of November, and  
45 the 3<sup>rd</sup> shot is available now to those that qualify for it.
- 46 • The 3<sup>rd</sup> shot will be available to everyone in the beginning of November that received  
47 their 2<sup>nd</sup> shot 6 months ago - regardless of whether or not your first 2 shots were Pfizer  
48 or Moderna.
- 49 • There is additional explanation of the 3<sup>rd</sup> shot on the SVMC website.
- 50 • Most people are going about life more normally.
- 51 • Masks can be removed when we get a much lower incidence of the virus.

52 *Board questions and comments answered by Dr. Dobson:*

53 Mr. Carroll: Will the 3<sup>rd</sup> shot be the same as the other two? Yes, at this time with potential  
54 changes in the future.

55 Mr. Carroll: Why not only give one shot? Because it is how our systems react to the disease.

56 Mr. Carroll: How is hospital staff reacting to mandatory vaccination? Anyone working with the  
57 patients must be vaccinated and the employees not vaccinated due to religious or other  
58 exemptions will be working where there is no patient contact.

59 Mr. Carroll: Are there any new variants on the horizon? Not right now.

60 Ms. Conner: Is it OK to get the booster and the flu shot at the same time? Yes.

61 Ms. Conner: Should you bring your vaccination card when going for the booster? Yes, but we  
62 can make another one for you if necessary.

63 Ms. Conner: Is it more important this year for children to get a flu shot? Yes.

64 Mr. Corey: What percent of the 3% that tested positive were vaccinated or unvaccinated? The  
65 vaccinated that tested positive is higher than it used to be and the unvaccinated that tested  
66 positive is 4 times higher.

67 *Public questions and comments answered by Dr. Dobson:*

68 Susan Plaisance: Are we closing in on herd immunity in Vermont? Herd immunity is ~90% and  
69 we are closing in on that.

## 70 **5. PUBLIC COMMENT**

71 The following Public Comment Practices to make the experience for all involved a  
72 productive and informative use of the Public Comment period at Select Board meetings was  
73 placed on the podium for those that wish to make Public Comments to reference:

- 74 1. Public Comment is to allow residents an opportunity to share information or  
75 make announcements that benefit the community at large.
- 76 2. The topic should **not** be related to an agenda item. If a member of the public  
77 wants to comment on an agenda item they can do so during the discussion of  
78 that item.
- 79 3. Comments should be 3 minutes or less.
- 80 4. You are required to state your real name and town of residence.
- 81 5. Sharing comments, announcements and concerns are encouraged rather than  
82 asking questions. Public Comment is not a time for discussion. If you have  
83 specific questions it is best to call the Town Manager to get a full explanation  
84 and accurate information.
- 85 6. If the topic requires much discussion the item will be considered as an agenda  
86 item at a future meeting.

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88 Wendy Morse from the Department of Labor and Wendy Callard from Creative  
89 Workforce Solutions stated that they are having their first Job Fair in 2 years at the State Office  
90 Complex on October 20<sup>th</sup> from 11:00am-2:00pm with October 22<sup>nd</sup> as a rain date. Sponsors  
91 beside the Department of Labor are Creative Workforce Solutions, Vocational Rehabilitation,  
92 and the SWVT Chamber of Commerce. There is no better time for a job seeker with 18,000 jobs  
93 available statewide. The Department of Labor is open Monday-Thursday with walk-in hours  
94 Tuesdays from 9:00am-11:00am and Wednesdays from 1:00pm-3:00pm. The Department of  
95 Labor's number is 802-442-6376 or 802-343-4726 for employers.

## 96 **6. DISCUSSION ON DOWNTOWN FUNDING STRUCTURE**

97 *Gary Corey owns property downtown and recused himself from this agenda item.*

98 Ms. Jenkins noted the Downtown Walk-Abouts that she has done recently with  
99 Congressman Peter Welch, Lt. Governor Molly Gray, and White and Burke. The excitement

100 they expressed about the changes and vibrancy they were seeing “was good to hear” as was  
101 her experience volunteering at the downtown Welcome Center hearing the many different  
102 reasons why people are frequenting Bennington. Kudos to all who have worked to make the  
103 Downtown a destination point as was discussed 10 years ago. “What is good for the Downtown  
104 is good for the entire community.”

105 Better Bennington Corporation (BBC) President, Susan Plaisance, and Interim Executive  
106 Director, Michael McDonough, did the following presentation:

- 107 ➤ The Mission of the BBC is “To lead and support the public in private efforts that  
108 promotes and enhances our Downtown as a vital, commercial, and cultural heart of our  
109 community”.
- 110 ➤ The center of our Town is Putnam Square.
- 111 ➤ The landscape of the Downtown has changed and there is a new vitality that is feeding  
112 the entire community.
- 113 ➤ There are more people living downtown, accessing services and shopping which attracts  
114 new businesses and promotes and sustains population growth.
- 115 ➤ There is a critical relationship between the Downtown core and everyone in the  
116 community.
- 117 ➤ We are requesting that the Board look at whether or not Downtown businesses should  
118 continue to pay the 2<sup>nd</sup> tax or if that burden should be consumed by everyone within  
119 the General Fund tax of the Town.

120 Mr. Hurd explained that the 2<sup>nd</sup> tax, or the Downtown Improvement District (DID) tax, is  
121 created by Charter that assesses a tax on the commercial properties, and not the residential  
122 properties, in the Downtown. We have the Grand List of the properties and the budget that is  
123 presented by the BBC. The current approved amount is \$82,000 and the current tax rate is  
124 ~\$.20/\$100 of value that is calculated in a similar way as are the other town taxes.

125 *Board questions and comments answered by Ms. Plaisance and Mr. McDonough:*

126 Mr. Carroll: What would be that tax structure for all of the property owners if the change is  
127 approved? Mr. Hurd answered that it would be \$8.00/\$100,000 of value. The BBC would  
128 present to the Board at budget time as do the other agencies that are line items within the  
129 town budget. And, it would free up dollars for the Downtown businesses to then put back into  
130 their businesses.

131 Mr. Hurd: If this comes to fruition, would the BBC then spread out beyond the Downtown  
132 District? We would help decorate, for example, the rest of the town as much as we could with  
133 current staff. We currently serve the Downtown beyond the Downtown District and it would  
134 be an expectation that even more of the town could be part of that. This could be discussed at  
135 the town budget meetings.

136 Ms. Conner: Do you feel this would be beneficial in drawing new businesses? Yes.

137 Ms. Conner: Have you researched how other communities fund their downtowns? Some are  
138 supported by general tax funds, some rely on their own resources, and some are a combination  
139 of the two. The ones with town support have “a tremendous advantage”, and we have the  
140 benefit of the BBC being a separate entity from the town.

141 Ms. Conner: The information that you have provided is appreciated.

142 Mr. Lee-Clark: Are you able to do anything beyond the Downtown Improvement District as it  
143 exists today? Our responsibilities are contractually for the Downtown Improvement District, so  
144 no.

145 Mr. Lee-Clark: To change the taxing source would allow you to think beyond the DID? Yes.

146 Ms. Perrin: Thank you for bringing this to the Board.

147 *Public questions and comments:*

148 Nancy White: The Town supports the Downtown by fixing the streets and sidewalks and the  
149 money that the State has put into downtowns should be ample. Decisions are now made  
150 without public input first instead of how decisions used to be made 10 years ago. A discussion  
151 of the 2012 priorities will be put on a future agenda.

## 152 **7. COMMUNITY POLICING UPDATE**

### 153 **A. TASK FORCE UPDATE**

154 Ms. Conner reported the following:

- 155 ○ The Task Force had their first meeting on October 7<sup>th</sup> at around 7:30pm on Zoom and  
156 are “off and running” researching and forming sub-committees.
- 157 ○ The meeting was recorded by CAT-TV and is available for viewing.
- 158 ○ Their next meeting is October 21<sup>st</sup> from 4:30pm-6:30pm on Zoom.
- 159 ○ Zoom is going to work for the first two meetings but they will be in person after that.
- 160 ○ The Select Board is taking a “back seat” and not micromanaging the Task Force. They  
161 will determine what they share with the public.
- 162 ○ The Open Meeting Law does apply to the Task Force.

### 163 **B. PROCEDURES POSTING**

164 Mr. Lee-Clark reported the following:

- 165 ○ The Bennington Police Department (BPD) has drafted the procedures for the first set of  
166 policies approved by the Board and they will be posted on the BPD website.
- 167 ○ The Working Group will be meeting soon to see that the second set of procedures are  
168 also ready to post.

## 169 **8. STOCKLEE LANE SOLAR SITE**

170 Mr. Monks reported the following:

- 171 ❖ The Allco Renewable Energy Limited and the Melone’s have reached a settlement with
- 172 the Apple Hill Subdivision.
- 173 ❖ Allco has acquired the preferred site on Stocklee Lane and have filed a petition with the
- 174 Vermont Public Utility Commission (PUC) to approve the relocation of the Chelsea and
- 175 Apple Hill Solar projects to there.
- 176 ❖ Allco is requesting that the Select Board support this petition which, would be expected,
- 177 because the Select Board has already accepted Stocklee Lane as a preferred site.
- 178 ❖ However, the Select Board has no say in the acceptance, or not, of the pricing.
- 179 ❖ The Apple Hill Association has submitted a letter of support for the project.
- 180 ❖ The perimeter will still need to be screened and they will still need to abide by all of the
- 181 other site criteria requirements.
- 182 ❖ The PUC has exclusive authority over renewable energy generation.
- 183 ❖ This may, or may not, take a long time to come to fruition.

184 ***Bruce Lee-Clark moved and Sarah Perrin seconded for the Town to send a Letter of***  
 185 ***Support for the Allco Renewable Energy Limited Petitions 21-3191 and 21-3192 as requested***  
 186 ***subject to final review of the project based on our Town Plan. The motion carried***  
 187 ***unanimously.***

188 **9. MANAGER’S REPORT**

189 Mr. Hurd reported the following:

- 190 ✓ SVC Fields Use and Recommendation - Staff are recommending a continuation of the
- 191 maintenance and use agreement currently in place. We currently maintain the baseball
- 192 field, soccer field, and their adjacent parking areas.

193 ***Sarah Perrin moved and Bruce Lee-Clark seconded to continue the Maintenance and***  
 194 ***Use Agreement that we currently have with the SVHC for up to two (2) years. The motion***  
 195 ***carried unanimously.***

- 196 ✓ Citizen Survey - Will be launched on October 12, 2021 and available online at
- 197 [www.benningtonvt.org/survey](http://www.benningtonvt.org/survey) , by mail upon request to 442-1037, or in person at
- 198 Town Offices, the Community Center (Rec Center), and the Senior Center on Pleasant
- 199 Street. The survey will close on November 3, 2021.
- 200 ✓ Mandatory Vaccination/Testing for All Town Employees - Effective November 1, 2021,
- 201 all Town employees must be vaccinated or submit to weekly testing. This will allow
- 202 some to begin the vaccination regime before the deadline. Both the Public Works and
- 203 Police Union agreed with the mandate.
- 204 ✓ Coffee with the Seniors - Spent an hour at the Center on Wednesday talking with 20-25
- 205 seniors. Many of the questions and comments focused on senior safety on the streets
- 206 including bike riders on sidewalks, skateboarders on sidewalks, panhandlers, and loud
- 207 mufflers. Many are concerned about the possible move to the Benn High building, we need

208 to do a better job of voting notification, and many are interested in getting more  
209 information, more often.  
210  
211 ✓ Additional Comments - On October 12<sup>th</sup> we will begin 3 weeks of hydrant flushing. After  
212 flushing, use the cold water only until it clears. The purpose of the flushing is to get dirt  
213 and sediment out of the system, as well as being mandated by the State.

214 **10. UPCOMING AGENDA**

215 October 25, 2021 - 2<sup>nd</sup> Discussion on the Downtown Funding  
216 October 25, 2021 - Rotary Discussion  
217 October 25 or November 8, 2021 - BCRC Community Priorities Update

218 **11. OTHER BUSINESS**

219 Mr. Lee-Clark: Thank you to the Town employees who have been working on Washington  
220 Avenue and elsewhere putting in 1,800 feet of sidewalk.  
221 Mr. Lee-Clark: Between today and October 29<sup>th</sup> the Bennington Police Department will be  
222 participating in Socktober to bring new socks to the homeless. Bring your new socks to the  
223 Police Department and they will bring them to the Coalition for the Homeless for distribution.  
224 Ms. Conner: Thank you to whoever put the Easy Slow Cooker Potato Soup recipe in the Town's  
225 Newsletter.  
226 Mr. Corey: The MAU Board has an informational meeting on the Spinelli Complex on October  
227 25<sup>th</sup> at 6:00pm at the Central Office and on Zoom.  
228 Ms. Jenkins: PAVE is organizing Warm the Children this year so contact them if you would like  
229 to contribute financially and/or with your time.

230 **10. EXECUTIVE SESSION**

231 **A. PERSONNEL**

232 *At 7:45pm, Sarah Perrin moved and Bruce Lee-Clark seconded that the meeting was*  
233 *adjourned finding that an Executive Session be held on Personnel as premature public*  
234 *knowledge would place a person involved in the subject matter at a substantial*  
235 *disadvantage. There will be no actions taken on these items when going back into Open*  
236 *Session. The motion carried unanimously.*

237 Respectfully submitted,  
238 Nancy H. Lively  
239 Secretary