

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **SEPTEMBER 27, 2021**

5 **MINUTES**

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

8 **SELECT BOARD MEMBERS ABSENT:** Sarah Perrin.

9 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Assistant Town Manager; Shannon
10 Barsotti-Community Development Director; Jonah Spivak-Communications Coordinator; Carrie
11 Fabricious-Senior Program Program Manager; Kayla Becker-YMCA; Sarah Krinsky and Michael
12 McDonough-BBC; Nancy White; Rose Telford; Debbie Matte; 1 citizen; Josh Boucher-CAT-TV;
13 and 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 9, 13, 15 AND 16, 2021**

26 **B. WARRANTS**

27 *Bruce Lee-Clark moved and Jim Carroll seconded to approve the Minutes of September*
28 *13, 2021 and the Warrants. The motion carried with Sarah Perrin absent.*

29 *Bruce Lee-Clark moved and Jim Carroll seconded to approve the Minutes of September*
30 *9 and 15, 2021 and the Minutes of September 16, 2021 amended as follows:*

31 *Line 8, Change "7:02" to "7:20"*

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Line 21, Change "7:23" to 7:33"

The motion carried with Tom Haley abstaining and Sarah Perrin absent.

4. PUBLIC COMMENT

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

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

Sarah Krinsky, Member of the Economic Vitality Committee, and Michael McDonough, Interim Executive Director, of the Better Bennington Corporation (BBC) did the following presentation on the upcoming BBC Open House:

- In recognition of the efforts from the Downtown businesses to make it through COVID with a new vitality on Main Street, we will be hosting a Downtown Open House over Indigenous People Weekend, the evening of October 7th , the evening of October 8th , and October 9th.
- Among those businesses are new businesses that opened during this time and we want to celebrate them, as well.
- On Thursday there will be a Dine Off at participating restaurants, on Friday there will be a performance at Merchants Park from 6:00pm-8:00pm, and on Saturday from 10:00am-6:00 where all businesses, including the recreation facilities, will have punch cards that will be drawn at the end of the day to win \$100.
- Additional information will be in the Banner prior to the event and we hope this will be an uplifting experience for the community.

5. Y UPDATE

69 Kayla Becker from the YMCA did the following update:

- 70 ✓ It was a busy summer with 201 unduplicated youth served, 855 camp week instances,
71 and 32 in Early Summer Care from June 8th thru June 18th.
- 72 ✓ We also partnered with SVSU for 15 Leaders in Training throughout the summer.
- 73 ✓ A thank you to the Town of Bennington Buildings and Grounds crew for all of their help,
74 for the grant from the State of Vermont, and for the work of the YMCA staff which
75 included 17 high school students.
- 76 ✓ During the fall there will be soccer for 3-5 year olds, Kids Night Out on Fridays, and many
77 swim lessons.
- 78 ✓ We also have an After School Program that can serve many schools at the Bennington
79 Sport Center (old Catamount School) for \$12/day - and we do offer financial aid.
- 80 ✓ We provide services at the Old Benn High, at the Rec Center, and outside whenever
81 possible.
- 82 ✓ Going forward we plan to do more programs in the basement of the Rec Center,
83 broaden our Teens Leadership Group, Family Yard Games, Pumpkin Patch in the Water,
84 Turkey Tri (run, swim and bike), and we will participate in the Downtown Open House
85 for the three facilities that we are using on October 9th from 10:00am-noon which will
86 tie into the teens painted mural.

87 *Board questions/comments answer by Ms. Becker:*

88 Ms. Conner: Kudos to Kayla and Taylor for all of the planning that goes into these programs.

89 Ms. Conner: Are most of these programs new? Yes.

90 Ms. Conner: Are most of the people that participate the same people or are there new people
91 coming? It's a mixture.

92 Ms. Jenkins: Describe the Leaders in Training. The 15 Leaders in Training this summer had
93 responsibilities during camp, take a lunch break, etc. and see this as job training. They often
94 return and potentially may become staffed employees.

95 Ms. Jenkins: Do you have plans on the horizon that would require community or town support?
96 More activity in the After School Programs for teens.

97 *Public questions/comments:*

98 Nancy White: Can the Y keep all of the income? Mr. Hurd answered yes, but if that exceeds a
99 certain amount then it is either returned to the Town or used as a credit against a future
100 contract. The better the Y does, the more the Town benefits. We have a Memorandum of
101 Understanding with the Y which is subject to change. The Town, and the Y, are doing
102 everything within the parameters of that document.

103 Nancy White: How can you verify the amount of money they are taking in if they deposit it into
104 their own account? We have no reason to believe that they are falsifying records.

105 Nancy White: Feels that we should “keep the public money separate from the private” by
106 having the YMCA at Benn High and have our own recreation center at the Rec Center.

107 Mr. Monks added that we are “paying less now and getting more services” and thanked
108 the Y for the work they are doing.

109 Ms. Barsotti also added that, in addition to the agreement with the Y, there has also
110 been over \$100,000 in grants as a result of both the efforts of the Y and the Town.

111 **6. SENIOR CENTER UPDATE**

112 Mr. Hurd reported the following:

- 113 • We - some staff, some Select Board members, and representatives from Meals on
114 Wheels, Council on Aging, and RSVP - toured the Benn High facility coming away with it
115 is “in rough shape”.
- 116 • However, there is enough space to house our Senior Center, triple the space for the
117 Meals on Wheels program plus an additional 2,500 square feet for office space for other
118 agencies that also serve Seniors.
- 119 • The gymnasium space/courtyard is an outdoor space to sit and enjoy the outside.
- 120 • There is more parking space than is available at the Senior Center.
- 121 • “It has potential.....and a ton of opportunities.”
- 122 • Floor plans have been sent to the other agencies for them to consider and we have yet
123 to speak to the owner.
- 124 • Work to do is:
 - 125 ○ Other agencies interest.
 - 126 ○ Owners schedule for renovations.
 - 127 ○ Anyone can tour the building on October 9th from 10:00am-noon.

128 *Board questions/comments answered by Mr. Hurd:*

129 Mr. Lee-Clark: Was there a timeframe discussed? No. The other agencies will be considering
130 their budgets and we would need to know their intent by November to get a sense of any
131 impact to our budget.

132 *Public questions/comments answered by Mr. Hurd:*

133 Rose Telford: Doesn’t understand why consideration is being given to moving the Senior Center
134 when we have a place now that is dedicated to only seniors. Seniors don’t want to be mixing
135 with younger people. Mr. Hurd stated that there have not been any decisions made to move
136 the Senior Center to Benn High or to sell the existing Senior Center building.

137 Debbie Matte: What is the cost of running the Senior Center? On the average it is \$40,000-
138 \$45,000 but the replacement of the roof has added \$68,000 to that, and adding staff and
139 programs, adds another \$60,000-\$70,000. The combined total is ~\$150,000-\$160,000.

140 Nancy White: Parking is going to be an issue.

141 Ms. Fabricious added that on October 6th we are having coffee with The Manager at
142 10:30am and we have set up a Health Lecture Series with the hospital. The first lecture will be
143 on November 16th at 1:00pm on Diabetes.

144 Ms. Becker also added that the water exercise classes have different instructors so they
145 are different but we want to hear from anyone what they want.

146 Ms. Barsotti stated that we are considering what can be done with a space that has
147 been vacant for years at a time when grant funding is plentiful.

148 7. MORGAN SPRINGS AGREEMENT

149 Mr. Hurd reported the following:

- 150 ❖ Our Morgan Spring contract on Bradford Street will terminate on January 1, 2023.
- 151 ❖ The cost to build the facility on Main Street (across from Domino's) will be ~\$608,000
152 plus engineering costs of \$70,000 so we will need vendor support.
- 153 ❖ Construction costs include piping the water from Morgan Spring to Main Street.
- 154 ❖ We have negotiated a contract with Primo Waters. They will pre-buy in two
155 installments, each \$250,000 - one in January 2022 and one in February 2022 - and will
156 grant them a discount on the cost of water over the first five years, or our current rate
157 of \$0.0095/gallon.
- 158 ❖ The contract will include three renewal periods of five years each with no discount.
- 159 ❖ The new contracts will provide an annual escalator clause at 3%.
- 160 ❖ The contract sets the hours of operation according to the DRB permit conditions; it sets
161 the access route to and from the facility; it restricts parking on Main Street and other
162 streets in Bennington; it sets a minimum annual draw of 5M gallons; and provides for a
163 maximum annual draw of 15M gallons - an average 52,500 gpd.
- 164 ❖ Our existing contract did not have these conditions so it was a struggle to get them to
165 accommodate any changes that we had requested throughout the 20-year agreement;
166 such as, accessing through town and parking/idling on Bradford Street while awaiting
167 access.
- 168 ❖ There is no loss of revenue for the Town.
- 169 ❖ Our new proposed rate is \$0.015/gallon, or 50% higher. This is the rate all new vendors
170 would pay including Primo Waters once their discounted pricing ceases.
- 171 ❖ Casella has indicated that they want to start work on this project from October 2021
172 thru December 2021 realizing that they won't be paid until after December 2021.

173 *Board questions/comments answered by Mr. Hurd:*

174 Mr. Lee-Clark: Through the Wholesalers Association with many variables the rate range for
175 water is \$0.0125 thru \$0.06. Our use of Primo Waters investment of \$.5M while not losing any
176 revenue is a good move for the Town.

177 Mr. Haley: Did similar due diligence research as Mr. Lee-Clark with the same results. Is there
178 any restriction in the contract that prohibits a community spigot and when would we have to
179 decide to do that? No, and we would be able to decide on that at any time.

180 Mr. Carroll: How old is the current pump house and how much did it cost? Sometime in the
181 1980's and around several hundreds of thousands of dollars plus \$27,000 for the ultraviolet
182 system.

183 *Public questions/comments:*

184 Nancy White: Feels this location is unsafe.

185 *Jim Carroll moved and Gary Corey seconded to approve the Water Supply Agreement*
186 *with DS Services of America, Inc. DBA Primo Water North America as presented. The motion*
187 *carried with Sarah Perrin absent.*

188 8. COMMUNITY POLICING UPDATE

189 Ms. Jenkins reported the following:

- 190 ○ The Bennington Police Department (BPD) will post the policies and procedures no later
191 than early next week on the BPD website. Thank you to all that participated in their
192 development.
- 193 ○ The Working Group hopes to wrap up looking at the draft procedures this week for the
194 Spring policies so they can be posted on the Town's website for the community to
195 comment on within a couple of weeks.

196 Ms. Conner reported the following:

- 197 ○ The Task Force has been appointed and their trainings will take place on September 28th
198 and 29th with Chloe Viner Collins, Executive Director of the Bennington County Coalition
199 for the Homeless. The training on September 30th will be done by the Bennington Police
200 Department.
- 201 ○ These three trainings are not open to the public.
- 202 ○ The first Task Force meeting will be on October 7th via Zoom and the public will be
203 allowed to attend as observers but not participants.

204 9. MANAGER'S REPORT

205 Mr. Hurd reported the following:

206 *Bruce Lee-Clark moved and Tom Haley seconded to waive the reading of the*
207 *Resolution and authorize the Chair to sign on behalf of the Board to establish seven (7)*
208 *deposit accounts to deposit Tax Sale Payments for each property sold for the next 12 months*
209 *or until a property is redeemed. The motion carried with Sarah Perrin absent.*

- 210 ✓ ARPA Funding Update - Town departments, BCRC staff, BBC staff, and the Select
 211 Board's Economic Development and Infrastructure sub-committee have pulled together
 212 a lengthy list of potential projects to consider for use of the ARPA funds. It has not
 213 been vetted by the sub-committee and is not yet ready for public review. The total
 214 amount expected to receive is just under \$4M that we have 5 years to use. We have
 215 received the first half of the funds and placed them in a separate reserve. We expect
 216 the other half of the funds around this time next year. Next steps include vetting and
 217 prioritizing the list, seeking public input, finalizing the list and planning for future use of
 218 the funds. White & Burke will be helping us with that. TIF funds may be part of it and
 219 we know that water and sewer infrastructure is an acceptable use. However, the
 220 complete list of uses criteria has yet to come out.
- 221 ✓ EPA Led Furnace Brook Clean Up - The project is now completed. EPA representatives are
 222 satisfied, MSK must certify the work, and EPA will conduct a formal project completed
 223 review.
- 224
- 225 ✓ Public Works Projects - The Town and its contractors are nearing the completion of our
 226 seasonal work including PFOA related water line extensions, the south end water system
 227 improvements, and lead line removal finish work. Sidewalk work continues - although not
 228 as much as we had planned - and Washington Avenue is not yet paved. Kudos to the Town
 229 crews for the work they've done.
- 230
- 231 ✓ Additional Comments - The Orchard Village Path is open and is fully lit.

232 **10. UPCOMING AGENDA**

- 233 Near Future - Report on the Use of the SVC Fields
- 234 October 11, 2021 - COVID Update - Dr. Trey Dobson
- 235 October 11, 2021 - BBC Discussion
- 236 When Available - Energizer Report

237 **11. OTHER BUSINESS**

- 238 Mr. Lee-Clark: Attended the Open House at 226 Union Street - kudos to the carpenters that put
 239 that together - and for the use of heat pumps that were purchased with Community Grant
 240 dollars.
- 241 Mr. Carroll: Had Jonah Spivak, the Town's new Communications Coordinator, speak to his new
 242 position. With only being at his new job for 1 week, Mr. Spivak intends to add information on
 243 Bennington to social media. His article on the rail trail, 90% of which was funded from grants,
 244 garnished 10,000 hits. "This is huge for Bennington."
- 245 Ms. Jenkins: Also enjoyed the Sunrise Open House - especially the pantry.

246 Ms. Jenkins: Attended the dedication of the last Habitat house on Corcoran's Way and noted
247 the nice neighborhood that they have created.

248 **10. EXECUTIVE SESSION**

249 **A. PERSONNEL**

250 *At 7:44pm, Bruce Lee-Clark moved and Jim Carroll seconded that the meeting was*
251 *adjourned finding that an Executive Session be held on Personnel as premature public*
252 *knowledge would place a person involved in the subject matter at a substantial*
253 *disadvantage. There will be no actions taken on these items when going back into Open*
254 *Session. The motion carried with Sarah Perrin absent.*

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256

257 Respectfully submitted,

258 Nancy H. Lively

259 Secretary

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**SELECT BOARD
MINUTES ADDENDUM**

September 27, 2021

Present: Jeanne Conner, V. Chair, Jeannie Jenkins, Chair, Jim Carroll, Bruce Lee-Clark, Gary Corey and Tom Haley.

Absent: Sarah Perrin

The Board went into executive session at 7:43 pm for a personnel matter.

The Board came out of executive session at 8:20 pm. No action was taken.

There being no other business, the meeting adjourned at 8:21 pm.

Respectfully submitted,



Stuart A. Hurd