

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 3rd shot is available now to those that qualify for it.
- 46 • The 3rd shot will be available to everyone in the beginning of November that received
47 their 2nd 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 3rd 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 3rd 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.

87

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 20th from 11:00am-2:00pm with October 22nd 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 2nd 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 2nd 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 7th 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 21st 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 , 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 12th 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 - 2nd 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 29th 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 25th 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

**SELECT BOARD
MINUTES ADDENDUM**

October 11, 2021

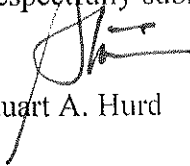
Present: Jeanne Conner, V. Chair, Jeannie Jenkins, Chair, Jim Carroll, Bruce Lee-Clark, Gary Corey, Tom Haley, and Sarah Perrin

The Board went into executive session at 7:45 pm for a personnel matter.

The Board came out of executive session at 8:11 pm. No action was taken.

There being no other business, the meeting adjourned at 8:11 pm.

Respectfully submitted,



Stuart A. Hurd