

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **DECEMBER 13, 2021**

5 **MINUTES**

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

8 **SELECT BOARD MEMBERS ABSENT:** Tom Haley.

9 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Assistant Town Manager; Shannon
10 Barsotti-Community Development Director; Jonah Spivak-Communications Coordinator; Matt
11 Willey; Donald Washun; Seth Barrows; Amanda Bates; Ray Gifford; Jack Ripper-Mask Mandate
12 Discussion; Betsy Rathbun-Gunn-United Children’s Service; Cyndi Thomayer-Sunrise Family
13 Resource Center; Nancy White; Rose Telford-CDBG-CV Grants; 10 citizens; Jim Vires-CAT-TV;
14 and Nancy H. Lively-Secretary.

15 At 6:02pm, Ms. Jenkins called the meeting to order and asked those not able to wear a
16 mask to sit in the designated area and for everyone to be social distancing. There are wipes to
17 wipe down the microphone if you wish to speak.

18 **Jeanne Conner moved and Bruce Lee-Clark seconded to amend the Agenda as follows:**

19 **Item #4. COVID UPDATE - Cancelled**

20 **Item #9. IMPLEMENTING THE TOWN VISION - Moved to the #4 slot**

21 **The motion carried with Tom Haley absent.**

22 **1. PLEDGE OF ALLEGIANCE** The Pledge of Allegiance was recited.

23 **2. VISION STATEMENT**

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

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

28 **3. CONSENT AGENDA**

29 **A. MINUTES OF NOVEMBER 22, 2021 AND DECEMBER 6, 2021**

30 **B. WARRANTS**

31 **C. LIQUOR LICENSE**

32 *Jim Carroll moved and Gary Corey seconded to approve the Minutes of November 22,*
33 *2021 amended as follows:*

34 *SELECT BOARD MEMBERS PRESENT; Line 7, Add "Tom Haley"*

35 *Line 94, Change "BCRC" to "VCRD"*

36 *The motion carried with Tom Haley absent.*

37 *Bruce Lee-Clark moved and Jim Carroll seconded to approve the Minutes of December*
38 *6, 2021, B. Warrants, and C. Liquor License. The motion carried with Tom Haley absent.*

39 **9. IMPLEMENTING THE TOWN VISION**

40 Mr. Lee-Clark reported that the Procedures for the last set of policies have been open to
41 public comment and the Police Department is reviewing those comments. They expect to have
42 them out on the website by the end of the month. Mr. Spivak is putting together an appendix
43 for the public if they want to know something about a specific Procedure.

44 Ms. Conner reported that the materials the Task Force is working on for the Citizen
45 Review Board structure are on the website under Boards and Commissions/Task Force.

46 Ms. Jenkins reported that she and Mr. Haley are still working on action steps for the
47 Declaration of Inclusion. Many people have provided information that will be shared with the
48 public when we have completed gathering it.

49 **5. PUBLIC COMMENT**

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

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

64 6. If the topic requires much discussion the item will be considered as an agenda
65 item at a future meeting.

66

67 Donald Washun: Where can I get an Agenda? Mr. Hurd answered they are available on the
68 Town’s website, at the Town Office, on the kiosk, and in the Banner. Going forward, there will
69 also be agendas available at the meetings with fewer acronyms for better public understanding.

70 **6. MASK MANDATE DISCUSSION**

71 Ms. Jenkins stated that the Board has received many comments from the public on
72 COVID, mask wearing, vaccinations, and anything else related to the disease. “We (the Board)
73 all believe that COVID is a real health threat and can lead to death, and that we all believe that
74 the suffering called ‘long COVID’ can be devastating, that vaccination is the best step that we
75 can take to be safe and to get the booster is also important. That masking is an effective way to
76 protect ourselves in the community from the spread of the virus and that COVID numbers in the
77 county are through the roof.”

78 The Legislature is allowing communities to institute a mask mandate that can last for up
79 to 30 days at a time. However, we are seeing enforcement issues - as we did with the first
80 mandate. Personal gatherings are the most prevalent way of contracting COVID and we are
81 concerned with polarizing the community. The Resolution we are considering tonight “Strongly
82 Recommends Wearing Face Masks in Public Indoor Spaces”.

83 Ms. Conner read the Resolution as presented.

84 *Board questions/comments:*

85 Mr. Carroll: Doesn’t like wearing a mask but feels that he has an obligation to everyone in the
86 community to do so. “We as a Board have a moral, legal, and ethical obligation to serve the
87 greater good.”

88 Ms. Perrin: The recommendation from the Board “is the way to go and the mandate should
89 come from the State going forward”. Also feels that under “Exceptions” in this Resolution,
90 “under age 5” should be changed to “under age 2”.

91 Mr. Haley, is absent, but sent a statement: Favors a mask mandate - it isn’t about people’s
92 rights, it’s about neighbors protecting neighbors. “We should be better than this.” “The Select
93 Board should not be in this position - this is, once again, Governor Scott showing a lack of
94 leadership. He should have declared a State of Emergency weeks ago. Instead, he chose
95 politics over the safety of Vermonters.” “I trust that every member of this Board has
96 Bennington’s best interests in mind and I will support whatever decision they will arrive at
97 tonight provided that, in some way, promotes masking in public.”

98 Mr. Lee-Clark: Would prefer stronger language but knows that cannot be enforced. "This is an
99 issue of public health so there are no private rights to not wear a mask." This last surge has
100 taken a big toll on health professionals in our community. Business owners can require that
101 anyone entering their business must wear a mask, just like they can require shoes, shirts, etc.

102 Ms. Jenkins: Per the SVMC Update from Dr. Dobson, the hospital is postponing any elective
103 surgeries that require an overnight stay and there are 15 of the 72 statewide hospitalized
104 COVID patients at SVMC as of this morning.

105 *Public questions/comments:*

106 Matt Willey: Owns four businesses in Town and thanked the Board for recommending instead
107 of mandating as it would have been very difficult to police that decision in the restaurant
108 business.

109 Donald Washun: Where do you get your data from? Ms. Jenkins: The State Department of
110 Health and the COVID Hotline at the Department of Health has health professionals that will
111 answer any question you may have.

112 Seth Barrows: Was pleased with the decision to recommend and not mandate, and quoted the
113 State Commissioner of Health in that "very few people are infected when going to the
114 supermarket and other public places so requiring a mask in a low transmission environment
115 doesn't really do much."

116 Amanda Bates: Wears a mask when required - at work and certain businesses, however, will
117 avoid those businesses if I don't need what they're selling. "I believe in personal responsibility.
118 I believe that if you believe that masks work and you want to wear one, then by all means,
119 please do. I believe that if you want multi-masked people in your store or business you have
120 calculated that it is not financially detrimental to alienate potential customers, you should be
121 allowed to enforce that decision. What I don't believe in is any form of government telling me
122 that I'm responsible for other people's health. Healthy people's rights do not end where other
123 people's fears begin."

124 Jack Ripper: Since only 32 people have died in Bennington County - less than 1% - is an alarming
125 number. "You have a better chance of winning the Mega-Lottery than dying from COVID." Is
126 concerned that the SVMC posted false information by altering the Department of Health's
127 graphs. On December 11th, the Department of Health had 12 hospitalized and 71 unvaccinated
128 without any definition of what unvaccinated meant, where SVMC used the numbers 14 and 74.

129 ***Sarah Perrin moved and Gary Corey seconded to adopt the Town of Bennington Select***
130 ***Board Resolution COVID-19 RULE Select Board Strongly Recommends Wearing Face Masks in***
131 ***Public Indoor Spaces amended as follows:***

132 ***Exceptions:, Change "age 5" to "age 2"***

133 ***The motion carried unanimously including the in writing absentee vote from Tom Haley.***

134 If anyone would like to use the Town of Bennington signage it can be obtained on the
135 website or in the Town Office.

136 **7. FINAL PUBLIC HEARING FOR CDBG-CV GRANTS**

137 Ms. Barsotti presented the following:

- 138 • This is the Final Public Hearing on the Community Development Block Grant-COVID
139 Grants.
- 140 • The grants flow through the Town to sub grant to other organizations after an in-depth
141 selection process.
- 142 • Bennington businesses received 3 of these grants for responding, in some way, to
143 COVID.
- 144 • The CARES Act funds have been used up but, hopefully, there will be other CDBG grants
145 available in the future. Historically, those have been primarily for housing.
- 146 • One recipient - Betsy Rathbun-Gunn, Director of United Children’s Services (UCH),
147 explained their use of the funds - \$48,478:
 - 148 ➤ This grant helped UCH do two major things - upgrade the flooring to enhanced
149 flooring that will last for years; and, air care filtration systems that keeps the air
150 clean throughout the building.
 - 151 ➤ Before this building we used to serve 121 preschoolers - 80 of which were
152 Bennington/Shafsbury residents.
 - 153 ➤ Because of the Gage Street addition, we now are able to serve 193 - with 160 of
154 those being Bennington residents.
 - 155 ➤ We are pleased with the community kitchen and our relationship with the YMCA.
- 156 • A second recipient - the YMCA - \$30,000:
 - 157 ➤ The grants use was for school aged programs - daycare, after school, summer
158 camp, and 6 months’ rent for the old Benn High with cleaning and program
159 supplies. Over 90 children were served.
- 160 • The third recipient - Cyndi Thomayer, Sunrise Family Resource Center - \$19,000:
 - 161 ➤ Explained the multiple services that Sunrise provides, and has provided, to
162 families in Bennington County for over 50 years that include housing, high school
163 diploma program, case management, and early care child program.
 - 164 ➤ They used their grant to buy heat pumps for all of their four buildings.
 - 165 ➤ They also have partnered with the Vermont Food Bank to keep their recently
166 constructed Food Pantry stocked. One of the heat pumps went into that Pantry.

167 *Public questions/comments:*

168 Ray Gifford: Where is there a PDF of exactly how this money was spent? Contact
169 sbarsotti@benningtonvt.org .

170 Donald Washburn: Is this program just designed for children? No, these dollars were specifically
171 targeted to COVID response.

172 Rose Telford: Can this money be used for seniors, too? These funds were not available to
173 seniors, however, some of the results of the funding will benefit the entire community,
174 including seniors. Work should be done to obtain senior specific grants.

175 Debbie Matte: How do you know what grants are out there to apply for? Generally someone
176 comes up with a plan and then you start looking for funding sources. Many times it is very last
177 minute.

178 *At 7:07pm, the Public Hearing was closed.*

179 **8. VCRD AT 10 YEARS**

180 **A. ADVANCING A BENNINGTON COMMUNITY CENTER/IMPROVISING REC CENTER**

181 **B. COLLABORATING TO ADDRESS POVERTY**

182 Ms. Barsotti did the following presentation:

- 183 ○ At the last Select Board Meeting, we discussed our progress from the 2012 report to
184 Develop a Bennington Vision Statement, Advance Community Communications and a
185 Positive Town Image, Making Downtown Bennington a Destination, and Build a New
186 Bennington Town Green.
- 187 ○ Advancing a Bennington Community Center/Improvising Rec Center -
 - 188 ■ With the Berkshire YMCA managing the Rec Center (now named the Bennington
189 Community Center) we have expanded programs and facilities to accommodate
190 our needs, i.e., the old Benn High, green spaces around the Rec Center, and the
191 Bennington Sports Center (the old Catamount School).
 - 192 ■ There are programs that promote youth mentoring and team leadership.
 - 193 ■ The Bennington Community Garden is also more utilized with the UVM Master
194 Gardeners as is the swimming pool which is well maintained by Town staff with
195 its extended use.
 - 196 ■ The addition built by United Children’s Services has also augmented the use of
197 the Rec Center building and grounds.
- 198 ○ Collaborating to Address Poverty -
 - 199 ■ Some areas of help and guidance are The Bennington Area Hunger Free Council,
200 the Continuum of Care Network (housing), the Alliance for Community
201 Transformation (youth organizations and prevention), the School’s Equity
202 Committee, the Work Force in Education Committee, and the Bennington
203 Equity and Safety Task Force - just to name a few.
 - 204 ■ Expanded dental care is spearheaded by the Greater Bennington Interface
205 Community Services (GBICS) free clinic, as well as, the food and fuel for
206 emergency needs, the Kitchen Cupboard Food Pantry, the Food Fit Kitchen

- 207 (cooking lessons), and Empty Bowls collaboration with Bennington College and
208 the Middle School.
- 209 ■ GBICS has a list of the organizations that provide food to those in need most of
210 which is distributed by volunteers, including the farmers that grow it.
 - 211 ■ The Mellon Foundation Mini-Grants have provided funding to ensure the
212 availability of food in Bennington (Sunrise Food Pantry and Willy’s Market).
213 Plans are being considered for a downtown food market in the near future.
 - 214 ■ Meals on Wheels continues to serve and have quadrupled the number of meals
215 they are providing during COVID.
 - 216 ■ Safe, Sober and Community Housing (Shires Housing), Bennington Coalition for
217 the Homeless, Project Against Violent Encounters (PAVE), Turning Point, and
218 Mission City Church have allied to help those with drug addictions and
219 homelessness.
 - 220 ■ There are several houses that are/will be available for low income family
221 occupancy.
 - 222 ■ Sunrise partners with 30 different organizations with the goal to provide a
223 safety net for families and they serve over 1,600 families/year with 80% of
224 those families coming from Bennington.
 - 225 ■ UCH has made great strides over the last 10 years by locating at the Rec Center
226 to help families by having a walk in cooler for parents to pick up food from
227 without having to go elsewhere, mentoring not only the parents but the
228 extended family of grandparents, aunts, and uncles, providing child care so
229 parents can work, and being able to serve an additional 72 children.

230 *Public questions/comments:*

231 Nancy White: The people of Bennington have waited 30 years for a gym and we still don’t have
232 it. Ms. Jenkins read from the report from 10 years ago - “we should have a big activity center
233 like a field house, or the YMCA where activities could range from basketball to dances, from
234 pool and weight room to a sparring committee. And, a community center could include
235 features ranging from three outdoor activities and trips for youth to community gardening, a
236 music room, gym, and skate park and other athletic facilities. The Community Center could also
237 systematically invite college students to contribute their time and energy to youth programs.”

238 *Board questions/comments:*

- 239 ■ Mr. Lee-Clark stated that this topic is the one that needs substantially more
240 work and noted the work the Charlie Gingo had contributed to it. The housing
241 needs are huge and getting people to recognize the impact of dental issues on
242 their general health is a challenge.
- 243 ■ Ms. Jenkins stated that the work of the Seedlings Program that no longer exists
244 due to COVID has now been rejuvenated by the YMCA with their youth
245 programs.

- 246 ▪ Ms. Conners noted that most of these organizations that are doing all of this
247 work now were not even formed 10 years ago. We have done a lot but there is
248 always more to do.

249 **10. MANAGER’S REPORT**

250 Mr. Hurd reported the following:

- 251 ✓ *Snow Plowing Protocol* - When it snows we focus on the hills first and for sidewalks we
252 start in the downtown area, the schools, the post office, and the churches first. Snow
253 removal is weather sensitive in that if a thaw is forecast, we may wait to judge its
254 impact before getting the crews out. Snow removal is labor and equipment intensive
255 and costly. We are one of the few major communities in Vermont that removes snow.
256 Remember, we maintain more than 120 miles of road and more than 40 miles of
257 sidewalks. Please be patient. If we damage your property by plowing, call the Town
258 Office and we will fix it. The parking ban runs from November 15th to March 15th or
259 April 1st. The police will place reminders on vehicles that are parked on the street after
260 November 15th and if you continue to leave your car on the street between 2:00am and
261 6:00am, you will ultimately be ticketed. And, if you continue to not respond, then your
262 vehicle will be towed.
- 263
- 264 ✓ *Workforce Vaccine Compliance* - We have achieved a 90% vaccination rate for the Town
265 employee workforce. Weekly testing is done on those that are unvaccinated.
266

267 **11. UPCOMING AGENDA**

- 268 December 27, 2021 - Short Business Meeting only.
- 269 January 3, 2022 - Budget Meeting at 6:00pm.
- 270 January 8, 2022 - Budget Meeting at 8:00am.
- 271 January 10, 2022 - Presentation on the Energizer Report.
- 272 January 10, 2022 - Presentation on the White and Burke ARPA Report.
- 273 January 15, 2022 - Budget Meeting at 8:00am - if needed.
- 274 January 24, 2022 - Audit Presentation.

275 **12. OTHER BUSINESS**

276 None.

277 **13. EXECUTIVE SESSION**

278 **A. CONTRACTS**

279 **B. LEGAL MATTER**

280 *At 8:03pm, Sarah Perrin moved and Bruce Lee-Clark seconded that the meeting was*
281 *adjourned finding that an Executive Session be held on Contracts and a Legal Matter as*
282 *premature public knowledge would place a person involved in the subject matter at a*
283 *substantial disadvantage. There will be no actions taken on these items when going back*
284 *into Open Session. The motion carried with Tom Haley absent.*

285

286 Respectfully submitted,

287 Nancy H. Lively

288 Secretary