

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **MARCH 14, 2022**

5 **MINUTES**

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

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

9 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Assistant Town Manager; Jonah
10 Spivak-Communication Coordinator; Shannon Barsotti-Community Development Director; Paul
11 Dansereau-Director of Facilities; Dr. Trey Dobson-SVMC; Eric Peterson; Kelly Carroll; Nancy
12 White; Jenny Dewar; Shirley Adams; Clarke Evans; Lynn Mazza; Rose Telford; 5 citizens; Jim
13 Vires-CAT-TV; and Nancy H. Lively-Secretary.

14 At 6:00pm, Chair Jeannie Jenkins called the meeting to order.

15 **1. PLEDGE OF ALLEGIANCE**

16 The Pledge of Allegiance was recited.

17 **2. VISION STATEMENT**

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

20 "Bennington is a welcoming, engaged, inclusive, resilient community where everyone
21 regardless of identity shares in our vitality and benefits from an outstanding quality of life."

22 **3. CONSENT AGENDA**

23 **A. MINUTES OF FEBRUARY 14, 2022 AND FEBRUARY 21, 2022**

24 **B. WARRANTS**

25 **C. LIQUOR LICENSES**

26 *Bruce Lee-Clark moved and Jim Carroll seconded to approve the Consent Agenda*
27 *amended as follows:*

28 *February 14, 2022 Minutes -*

29 *Line 141, Change "warfed" to "morphed"*

30 *Line 163, Change "Gentleman from Pownal" to "Marsh Hudson-Knapp"*

31 *Line 271, Change <https://vtdeclarationofinclusion.org/support-for-the-declaration/> "*
32 *to <https://benningtonvt.org/community-policing> "*

33 *February 21, 2022 Minutes -*

34 *Line 25, Add "Jim Vires"*

35 *Line 174 and Line 225, Change "NOCALE" to "NACOLE"*

36 *Line 210, Change "Ms." To "Mr."*

37 *The motion carried unanimously.*

38 4. COVID UPDATE

39 Dr. Trey Dobson did the following presentation:

- 40 • In our area, the CDC has indicated that mask wearing is "optional" by the CDC and
41 "recommended" for those who are at risk for getting a severe case of COVID 19.
- 42 • Even though not vulnerable, he is wearing a mask because he has travelled and out of
43 respect for others.
- 44 • We are moving toward individualism in our decision making.
- 45 • Being current on vaccinations is the best strategy we have.
- 46 • Case numbers are skewed because people aren't testing, however, the number of
47 admissions to the hospital with COVID is accurate, which for SVMC recently, has been 2-
48 3.
- 49 • If you get sick and are vulnerable, self-test, and if positive, get treatment right away.
50 The treatments are more readily available that they were originally. There are two oral
51 medications and one administered with an IV. Prescriptions for these are available at
52 Express Care or the Emergency Room at the hospital.
- 53 • If you get sick and are not vulnerable, self-test, and if positive, isolate for 5 days or until
54 no longer sick. The treatment is not available to the non vulnerable population.

55 *Board questions/comments answered by Dr. Dobson:*

56 Ms. Perrin: Questioned that those not vulnerable could not get the treatment? Dr. Dobson
57 clarified that this fall those not vulnerable with symptoms will be able to get a prescription for
58 the treatment.

59 Mr. Carroll: Pfizer is recommending a 2nd booster shot. What are your thoughts? The FDA has
60 not approved that yet and there isn't enough data now to verify that this is helpful.

61 Mr. Carroll: Does Bennington have an unusually high level of cancer cases? We have a higher
62 evidence of late stage lung cancer which could be due to an unforeseen variable or due to
63 people not being screened in the earlier stages. The New York Times released erroneous data
64 on this that they have redacted. Overall, the total number of cases is not higher.

65 Ms. Conner: Will the hospital close the COVID Resource Center? Vaccinations are now done at
66 Express Care but we are still testing. We will try to keep it open as long as possible but reassess
67 the numbers in April. And then be ready to open back up in the fall if needed.

68 **5. PUBLIC COMMENT**

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

72 1. Public Comment is to allow residents an opportunity to share information or make
73 announcements that benefit the community at large.

74 2. The topic should not be related to an agenda item. If a member of the public wants
75 to comment on an agenda item they can do so during the discussion of that item.

76 3. Comments should be 3 minutes or less.

77 4. You are required to state your real name and town of residence.

78 5. Sharing comments, announcements and concerns are encouraged rather than asking
79 questions. Public Comment is not a time for discussion. If you have specific questions it is best
80 to call the Town Manager to get a full explanation and accurate information.

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

83

84 Kelly Carroll: Invited everyone to the Walloomsac Riverwalk on March 19th at 10:00am at
85 People's Park. It's free, pet friendly, child friendly, and a great way to start Spring. Also, the
86 Bennington American Legion Post #13 is having a takeout spaghetti supper on March 26th.
87 Tickets are \$10.00 and can be purchased at the Legion. Proceeds will benefit the Bennington
88 Free Library for a Lego table in the children's section in memory of Natalie Hammond.

89

90 Nancy White: Why wasn't the public told the tax increase if the agencies passed on the ballot?
91 Mr. Hurd explained that when he speaks of the budget increase (3.4%), that doesn't relate
92 directly to the tax rate increase. The combined increase from all of the budgets was 4.1%, and
93 if the agencies were approved, that increased it another 1%, which got us to ~5.2%. The tax
94 rate is based on last year's Grand List and the problem with projecting a budget out 18 months.
95 It is confusing and next year's presentation will be clearer.

96

97 Jenny Dewar-BBC Executive Director: We will start bringing some of the small downtown
98 merchants to the Select Board meetings. There is no St. Patrick's Day Parade this year but there
99 will be some buskers downtown that will be playing for tips. The hope is that they will be doing
100 this multiple times this year. Also starting Thursday, March 17th, and running through Sunday,
101 March 20th, there will be Shop for Shamrocks at participating merchants. On Monday, March
102 21st, there will be a raffle with 1st prize \$50 Downtown Dollars, 2nd prize \$25 Downtown Dollars,
103 and 3rd prize \$10 Downtown Dollars. Participating merchants were listed.

104

105 6. COMMUNITY POLICING ADVISORY AND REVIEW BOARD

106 Ms. Jenkins stated that we have had a 4-week comment period. All of the comments
107 are in tonight's packet and will be online tomorrow. We also have asked Town Counsel
108 questions concerning parameters.

109 Mr. Hurd explained that one of the questions to Counsel was concerning the authority
110 of a Committee to review police complaints, and Counsel stated that all of the authority that a
111 municipality has flows through State statute. Currently State Law does not authorize a citizen
112 review panel to investigate personnel issues. A Committee, such as CPARB, can review data
113 trends and police decisions but they are unable to take any actions.

114 Ms. Jenkins spoke to Brian Corr from NACOLE this afternoon and he didn't feel what is
115 allowed is very different from what we had. We need to get more information. Ms. Jenkins
116 suggested that we look through Sections 1 through 4 of the Final Recommendations of the
117 Safety and Equity Task Force tonight - first the Board and then the Public. Then the Community
118 Policing Work Group (Ms. Jenkins, Ms. Conner, and Mr. Lee-Clarke) will work on Sections 1
119 through 4 while gathering information on Section 5. We have received information from the
120 Police Department on their Complaint process, and we will be reaching out to the AG and our
121 legislative delegation.

122 Mr. Lee-Clarke confirmed that the Board's current process is not to do the investigation
123 but to review the results of the investigation and that will remain in place. Mr. Hurd added that
124 a town with a Select Board but no Town Manager would do the investigation, however, where
125 there is a Town Manager, that responsibility is passed on to that position.

126 *Board comments/questions/changes/discussion on the Final Recommendations, Safety and*
127 *Equity Task Force, Sections 1 through 4:*

128 *Public comments/questions/changes will be in BOLD.*

129 SECTION ONE: PURPOSES FOR THE COMMUNITY POLICE ADVISORY AND REVIEW BOARD
130 (CPARB)

131 ✓ "3. Building accountability: a. by developing a clear process and timetable for reviewing
132 and investigating complaints, recognizing compliments, and reporting those findings"

- 133 ○ *A timetable should be set so those interested in applying for CPARB knows what*
- 134 *is expected of them.*
- 135 ○ *Delete "investigating complaints"*
- 136 ○ *Add "c. analyzing data for reviewing trends"*
- 137 ✓ "1. Rebuilding and sustaining trust: c. by conducting reviews free from any external
- 138 influences and control"
- 139 ○ *Is this actually attainable?*

140 SECTION TWO: SCOPE AND PRACTICE OF THE CPARB

- 141 ✓ "The CPARB serves as an independent board that works in collaboration with the Town
- 142 of Bennington, Bennington Select Board, Bennington Police Department, community
- 143 partners and the public. The task is to ensure the fair and equitable police work within
- 144 our community through the following recommendations:"
- 145 ○ *Delete "the fair and equitable police work within our community"*
- 146 ○ *Replace with "the safety and equity of the community"*
- 147 ✓ "2. Complaints/Compliments: f. Review process and outcome of complaints, including
- 148 looking at records, Body Worn Camera (BWC) footage, interviewing witnesses or other
- 149 actions required to get a full understanding of what happened and other actions
- 150 required for a conclusion."
- 151 ○ *Delete "interviewing witnesses"*
- 152 ✓ "2. Complaints/Compliments: e. Complaint/Compliment forms will support multiple
- 153 learning styles. Forms and assistance in completing them will be available through the
- 154 BPD, the Town Communication Coordinator, and representatives of a variety of
- 155 community groups who will receive training about assisting with the process."
- 156 ○ *Delete "the Town Communication Coordinator," - not germane to the position*
- 157 *and the CPARB should be doing this*
- 158 ○ *Nancy White - the Town Communication Coordinator is the perfect person to*
- 159 *assist in completing complaints*
- 160 ✓ "2. Complaints/Compliments:....."
- 161 ○ *All of 2. Complaints/Compliments will be reformatted*
- 162 ✓ "5. Community Relations: a. Community Agency education: supporting the BPD in how
- 163 they might get efficient education about every town agency/organization, regardless of
- 164 their size, specific to their services. The organizations believe this will provide them
- 165 with relevant referral information that is not specifically a policing issue. Introductions
- 166 of new officers and members of the department has been suggested. Consider how the
- 167 agencies may support the BPD, for example, in education, vicarious trauma reduction,
- 168 and providing written resources to use as hand-outs."
- 169 ○ *Would like to see some relationship to the existing policy*
- 170 ○ *Add "h. Give Select Board an Annual Report on trending and opportunities within*
- 171 *the BPD"*
- 172 ✓ "3. Policies and Procedures:

- 173 ○ *Add "reviewing existing policies to determine which policies need revision"*
174 ✓ "4. Data:
175 ○ *Add "review and request Community Policing data from other communities and*
176 *statewide*

177 SECTION THREE: COMPOSITION OF THE CPARB

- 178 ✓ "2. Qualifications: A resident in the Town of Bennington or a strong, long-time
179 relationship with the Town of Bennington."
180 ○ *Define "long-time relationship". There is language to acknowledge those that*
181 *have dedicated their efforts to Bennington but live in another town. This*
182 *language is too "loosey-goosey".*
183 ○ *Clark Adams - For example, our logic for "long-time relationship" is a member of*
184 *the Task Force was a minister in Bennington and very involved with the*
185 *community for "eons" but lived in Pownal and the Chief of Police lives in*
186 *Shaftsbury.*
187 ○ *Must be a Vermont resident.*
188 ✓ "3. Expectations: e. Appointees must attend 75% of the meetings of the board (in
189 person, or remotely); multiple unexcused absences in a year will be considered as
190 resigning."
191 ○ *Needs a process and greater clarity. "will be considered as resigning" sounds too*
192 *backwards.*
193 ○ *Need to know how many 75% of the meetings would be*
194 ✓ "7. Number of Members: Five to seven members."
195 ○ *Seven should be a minimum so 7-9 members*
196 ○ *Comfortable with 5-7*
197 ○ *Three Board members voted for 5-7; 3 Board members voted for 7-9; and one*
198 *Board member found either acceptable.*
199 ○ *Clark Adams - At 5-7 members we were being realistic as to the number of*
200 *people that would be willing to serve.*
201 ✓ "8. Term Length and Limits: a. Initial members will be appointed for 3 or 4 year terms to
202 allow for rotating appointments. Future appointments will be for 3 years or to complete
203 the term of a person they are replacing. No one may serve more than 7 years
204 consecutively. After three years not serving, a person may be reappointed."
205 ○ *Would be more comfortable with a 2 or 3 year term instead of a 3 or 4 year term.*
206 *A 4 year term is "a lifetime".*
207 ○ *Term length should be a minimum of 4 years because of the training involved.*
208 ○ *Regardless of the frequency of the trainings, the assumption is that all training*
209 *would be completed within six months.*
210 ○ *Initially there would be 1 year, 2 year, and 3 year terms with 3 year terms a*
211 *maximum.*
212 ○ *Replace "7 years" with a number of terms.*

- 213 ○ *If we eliminated term limits, we should make the number of members greater.*
- 214 ○ *Limiting the number of terms loses valuable experience and knowledge, as well*
- 215 *as, is more expensive to the Town to pay for additional trainings.*
- 216 ○ *A member of CPARB still has value even if they're not fully trained.*
- 217 ○ *It isn't easy to get people to apply for Boards and Commissions positions.*
- 218 ○ *It is a good idea to review this document every 3 years or so.*
- 219 ○ **Clark Adams** - *We wanted CPARB to be dynamic and show "Nay Sayers" in the*
- 220 *community that we are willing to get things done. He chose to live in Bennington*
- 221 *because it is "a damn fine community".*
- 222 ○ **Lynn Mazza** - *The intent of term limits was to get as many people involved as*
- 223 *possible, however, if there are a lack of applicants, members can reapply.*
- 224 *Regardless of the number of members on the Board, we need term limits to*
- 225 *maintain turnover so there isn't the sense of anyone monopolizing the process.*

226 SECTION FOUR: TRAINING OF CPARB MEMBERS

- 227 ✓ "Each member will participate in the following training:"
- 228 ○ *Add Public Records Law to the list of trainings.*
- 229 ○ *CPARB members should not do any reviews until they are trained and certified.*
- 230 ✓ "1. Initial Training: c. The elements of a thorough investigation including a review of
- 231 actual case files from a closed investigation."
- 232 ○ *Ask our attorney if we can do this.*
- 233 ✓ "3. Removal: A person may be recommended for removal by the Select Board if they no
- 234 longer meet the expectations and qualifications of membership."
- 235 ○ *We need a process in place as to the criteria for removal from CPARB.*
- 236 ✓ "5. Compensation: Members of the Board shall be compensated at the same rate as
- 237 Select Board members."
- 238 ○ *We don't compensate anyone else.*
- 239 ✓ "2. Ongoing Training: c. Training in other areas recommended by the Board, or the Chief
- 240 of Police, or other regulatory, community organizations, or legislative agencies."
- 241 ○ *We can't keep sending people to trainings.*
- 242 ○ **Kelly Carroll** - *Keep an open mind with ongoing training since you never know what*
- 243 *may happen.*
- 244 ✓ "6. Community Resources:"
- 245 ○ *Add Select Board liaison to the list.*

246 The Community Policing Work Group will review the comments on Sections 1-4 and Section 5
 247 as stated above.

248 **7. ECONOMIC DEVELOPMENT STRATEGY AND INFRASTRUCTURE UPDATE**

249 Dan Monks, Assistant Town Manager, did the following presentation:

- 250 ➤ After the public meeting, the Board directed staff to begin work on the projects that
251 were deemed priorities.
- 252 ➤ Criteria for the list was ARPA funding eligibility, project readiness, all stakeholders at the
253 table, a clear role for the Town, and whether or not the project could be funded using
254 other sources.
- 255 ➤ After that work, these are the Current ARPA Projects -
- 256 ▪ Benn High (former Middle School) / Gymnasium / Senior Center & Programming
257 / Youth Housing and/or other possible services such as social services offices
258 - Working with current owner to gain site control
 - 259 ▪ Willow Park Playground Replacement
260 - Paul Dansereau to present this evening
 - 261 ▪ Skate Park / Outdoor Skating Rink (synthetic ice)
262 - Much public support and presentation by a local architect at the next Board
263 meeting
 - 264 ▪ County Street / Benmont Avenue Sewer Line Upgrades
265 - Being designed now for an idea of the cost. May be funded by State
266 Infrastructure Funding
 - 267 ▪ South Street/Union Street Stormwater Management Improvements
268 - Been monitoring this year, design and cost to be done this fall/winter. May
269 be funded by State Infrastructure Funding.
 - 270 ▪ Premium Pay/Benefits to Eligible Workers
271 - Stuart Hurd to present this evening
 - 272 ▪ Digitization of Town Records - APPROVED 2/14/22
- 273 ➤ Recommend Moving From Current ARPA List:
- 274 ▪ Downtown Market - Other sources of funding available.
 - 275 ▪ Putnam Block Phase II - Timing and other sources of funding available.
 - 276 ▪ Capitalization of the Revolving Loan Fund - Complicated eligibility issues. Only
277 loan subsidy is eligible.
- 278 ➤ Next Steps - we will continue to work on these projects and update the Board and public
279 regularly, the website will be updated, and presentations will be made for action as
280 needed.

281 *Board questions/comments answered by Mr. Monks:*

282 Ms. Conner: There is something here for everyone.

283 Mr. Corey: The sewer line project and/or the stormwater project could each take all of the
284 ARPA funds. Correct - we don't expect the implementation of those to be ARPA funded.
285 Probably only the engineering piece, if anything.

286 *Public questions/comments answered by Mr. Monks:*

287 Rose Telford: What is involved with the Senior Center? We are not ready to talk about specifics
288 at this time but should have a better idea in 30-60 days which projects we will be going forward
289 with.

290 **A. WILLOW PARK PLAYGROUND**

291 Paul Dansereau, Director of Facilities, did the following presentation:

- 292 ➤ To recommend project award for the proposed ARPA funded Willow Park Play
293 Structures & Park Upgrade to Play by Design, Ithaca, New York not to exceed \$500,000..
- 294 ➤ Our current play structure built in 1999 has non-compliant safety issues and does not
295 incorporate universally accessible (UA) design principles.
- 296 ➤ In December 2021, the Willow Park Working Group identified key design parameters,
297 requirements, specifications, and features to incorporate into a new large playground,
298 small playground, and a six station fitness trail.
- 299 ➤ On January 21, 2022, Request for Proposal (RFP) was sent to 10 vendors, announced on
300 Social Media, posted on the webpage, and published in the Bennington Banner for 3
301 days.
- 302 ➤ New play structures must meet and/or exceed all Federal, CPSC, ASTM, IPEMA, and ADA
303 guidelines; incorporate play structures for toddlers, ages 2-5, and ages 5-12; include
304 removal of the old and new play structures; and provide three conceptual designs to
305 present for public engagement and input to develop final design.
- 306 ➤ Six proposals were received and evaluated for experience and qualifications, project
307 understanding and knowledge, ability to meet project schedule, cost, quality, clarity,
308 and completeness of submittal package.
- 309 ➤ Next steps are:
 - 310 ▪ Meeting with Willow Park Working Group as soon as possible
 - 311 ▪ Submit 3 conceptual designs no later than 4/6/22
 - 312 ▪ Community engagement on conceptual designs 4/6/22-4/27/22
 - 313 ▪ Final design selected no later than 4/28/22
 - 314 ▪ Demolition of existing structures on or about 4/28/22
 - 315 ▪ Site construction about early June 2022
 - 316 ▪ Completion on or about 7/31/22

317 *Board questions/comments answered by Mr. Dansereau:*

318 Mr. Carroll: Are the all-weather plastics used recycled plastics? Not sure, would have to look at
319 specs.

320 Ms. Conner: Is the location going to be the same? Yes.

321 Ms. Conner: Do you know the schedule of when community engagement will take place? Mr.
322 Spivak answered between 4/6/22 to 4/27/22 the vendor will do a presentation and we will be
323 working with the Supervisory Union to reach out to teachers, parents, and children. There has

324 been no other project in the Town that has had more activity on Facebook than the Willow Park
325 Playground. The details will be in a report to the Select Board.

326 Mr. Lee-Clark: Noted to be sure to include grandparents, daycares, etc. when reaching out.

327 Ms. Perrin: Will there be anything left of the original playground? Yes, we will be incorporating
328 the bricks as part of the design.

329 *Gary Corey recused himself from the Willow Park Playground agenda item.*

330 *Bruce Lee-Clark moved and Sarah Perrin seconded to accept for ARPA Funding not to*
331 *exceed \$500,000.00 for the Willow Park Play Structures & Park Upgrade project to Play by*
332 *Design, LLC, 204 North Geneva Street, Ithaca, New York as presented. The motion carried*
333 *with Gary Corey abstaining.*

334 **B. EMPLOYEE PAY AND BENEFITS**

335 Stuart Hurd, Town Manager, did the following presentation:

- 336 ➤ One-Time Hazard Pay - is an opportunity to recognize all current full-time employees of
337 the Town who performed the necessary functions of government from March 2020 until
338 March 2021 when vaccines were not available and we were all at risk.
- 339 ➤ We didn't layoff anyone or ask them to work from home.
- 340 ➤ The Town Office and Police Department, though closed to the public, were open by
341 appointment only.
- 342 ➤ The one-time Hazard Pay would be based on a Tier system based on risk:
- 343 ▪ Tier 1 = Police - \$1.00/hour for hours worked
 - 344 ▪ Tier 2 = Public Work-Highway, Water, Sewer, Buildings and Grounds, and
345 Dispatch - \$.50/hour for hours worked
 - 346 ▪ Tier 3 = Administration - \$.25/hour for hours worked
 - 347 ▪ Total cost = \$86,610.00

348 *Board questions/comments on Hazard Pay answered by Mr. Hurd:*

349 Mr. Haley: Believes that this is the intent for some of the funds and it is up to us to thank those
350 who worked at risk.

351 Mr. Carroll: This is long overdue and an opportunity to recognize our employees.

352 *Public questions/comments on Hazard Pay answered by Mr. Hurd:*

353 Rose Telford: Doesn't think they should get it because they're already paid too much.

354 *Jim Carroll moved and Tom Haley seconded to approve \$86,610.00 of ARPA Funds for*
355 *the One-Time Hazard Pay Tier Payment for full-time current Town Staff for the period of*
356 *March 2020 until March 2021 as follows:*

357 *Tier 1 = Police - \$1.00/hour for hours worked*

358 *Tier 2 = Public Work-Highway, Water, Sewer, Buildings and Grounds,*
359 *and Dispatch - \$.50/hour for hours worked*

360 *Tier 3 = Administration - \$.25/hour for hours worked*

361 *The motion carried unanimously.*

- 362 ➤ One-Time Benefits - Bennington does not currently offer dental or vision plans to our
- 363 employees. ARPA funds would be used to provide these offerings beginning July 1,
- 364 2022.
- 365 ➤ Both plans are available through VLCT at a reasonable rate.
- 366 ➤ In the coming year, we will see our health benefits costs decrease by 7%, a savings of
- 367 \$81,200.
- 368 ➤ Adding these two plans will cost \$88,100 based on January 2022 estimates with the
- 369 anticipation that it will be slightly lower in July 2022.
- 370 ➤ The one-time Benefits would be to purchase these plans for all current employees for
- 371 one year.
- 372 ➤ Future years would be part of the union negotiations, added to the budget where the
- 373 employee would pay 16% of vision and the Town would pay 100% of dental.

374 *Public questions/comments on Benefits answered by Mr. Hurd:*

375 Shirley Adams: Does this potentially commit us to having to pay for these benefits in future
376 years? This would be a part of the negotiation with both contracts so only if they agree to it.

377 Shirley Adams: I will take that as a yes because once you give someone a benefit it is difficult to
378 retract it. It will more than likely continue if the Select Board agrees.

379 Clark Adams: It is important that the employees and the community understand that this is a
380 thank you for their work during COVID and not a commitment for ongoing benefits.

381 *Jim Carroll moved and Jeanne Conner seconded to approve \$88,100.00 of ARPA Funds*
382 *for the One-Time Benefits of Dental and Vision for all current employees for one year*
383 *beginning July 1, 2022.*

384 Ms. Perrin will vote in favor of this but there should be a budget discussion on it.

385 Mr. Haley stated that it is important to note that other towns are already offering this
386 benefit and we are in competition for employees, especially police officers. That alone is
387 enough to implement it.

388 Ms. Conner noted that it is a well-known fact that the dental health of many people in
389 Bennington is "dismal" and she is in favor of anything we can do for our employees in this area.

390 Ms. Perrin agreed that we do want to retain and attract employees.

391 *The motion carried unanimously.*

392 **8. MASK RESOLUTION**

393 *Gary Corey moved and Jim Carroll seconded to rescind the Town of Bennington Select*
394 *Board Resolution where the Board strongly recommends wearing face masks in public indoor*
395 *spaces and leave it up to the individuals to make their own decisions. The motion carried*
396 *unanimously.*

397 **9. PATHWAYS FUNDING SUPPORT**

398 Mr. Hurd explained that Pathways Vermont is requesting \$390,000 from the legislature
399 to expand its contract with the Department of Mental Health to expand Housing First services
400 in Bennington County for an additional 30 households exiting chronic homelessness. They have
401 requested a second letter of support from the Town to be sent to the House Committee on
402 Appropriations. It is very similar to the first letter and we need authorization for the Chair to
403 sign.

404 *Bruce Lee-Clark moved and Jim Carroll seconded to authorize the Select Board Chair to*
405 *sign the second letter of support to be sent to the House Committee on Appropriations for*
406 *Pathways Vermont requesting \$390,000 for an additional 30 households exiting chronic*
407 *homelessness in Bennington County as amended below:*

408 *Last sentence, Change "the Board" to "the Select Board"*

409 *The motion carried unanimously.*

410 **10. ZONING BYLAW AMENDMENT - SET HEARING DATES**

411 Mr. Monks stated that we have a proposed amendment to Town Plan and Land Use &
412 Development Regulations (LUDR) on the Everett Estate (former SVC campus). SVMC has
413 purchased this land and a portion of it needs to have the zoning modified to encourage
414 appropriate development and re-development of the property.

415 *Bruce Lee-Clark moved and Sarah Perrin seconded to acknowledge receipt of the*
416 *Proposed Amendment to Town Plan and Land Use & Development Regulations (LUDR) -*
417 *Everett Estate (former SVC campus), and to set two Public Hearing dates at the regularly*
418 *scheduled Select Board Meetings on May 9, 2022 and May 23, 2022, respectively. The motion*
419 *carried unanimously.*

420 **11. SUPPORT FOR ARTS GRANT**

421 Eric Peterson stated that Vermont is planning a big celebration of the 250th anniversary
422 of the Battle of Bennington. There will be events all year long and the local committee is
423 working on creating a new play based on the events leading to, and including, the battle. His
424 expectation is that the research needed to write the play will take ~18 months and the actual

425 writing of the play will take an additional 18 months. Mr. Peterson is applying to the Vermont
426 Arts Council for a \$4,000.00 Creation Grant to facilitate the work and is requesting a letter of
427 support from the Select Board.

428 *Bruce Lee-Clark moved and Jeanne Conner seconded for the Select Board to write a*
429 *letter of support to the Vermont Arts Council for the \$4,000.00 Creation Grant for the writing*
430 *of the play to commemorate the Battle of Bennington 250th anniversary and send to Eric*
431 *Peterson by March 31, 2022. The motion carried unanimously.*

432 12. IMPLEMENTING THE TOWN VISION

433 A. DECLARATION OF INCLUSION

434 Mr. Haley noted the 5 following items from the Community Suggestions on Action Steps
435 for the Declaration of Inclusion that he and Ms. Jenkins had selected:

- 436 ❖ Review Town Accessibility Plan with an eye to what we can do that goes beyond the
437 basics - *will bring back to the Select Board*
- 438 ❖ Review accessibility in playgrounds and recreation to include equipment, cost, and
439 location - *will see Paul Dansereau on this*
- 440 ❖ VLCT resources on Equity and Inclusion should be utilized as appropriate - Explore
441 resources
- 442 ❖ Select Board should continue to evaluate and discuss the Town vision at their meetings
- 443 ❖ Include inclusivity clauses on websites, and in ads and flyers for community meetings,
444 events, forums with 1) wording that actively invites people with disabilities to attend
445 and 2) Includes specific contact information for assistance

446 Mr. Haley added that the Community Driven Action Steps need to be reviewed.

447 All of the Action Steps will ultimately come back to the Board, however for now, Ms.
448 Conner will join Mr. Haley and Ms. Jenkins to work on them.

449 Ms. Jenkins read the following quotes:

450 "Every attractive person has their moment whether it's at a traffic stop, or going to the
451 DMV, or getting access to SNAP, that is where democracy is happening. If we can get all of
452 those small interactions right, then we can create a society of government that is responsive to
453 it's citizens and citizens trust that it will never be insensitive to them."

454 *It was the consensus of the Board for Ms. Conner, Mr. Haley, and Ms. Jenkins to continue*
455 *pursuing the Community Suggestions on Action Steps for the Declaration of Inclusion list.*

456 13. MANAGER'S REPORT

457 ▪ Events with Road Closures

458 *Tom Haley moved and Gary Corey approved the following road closures:*

459 *Mayfest - May 28, 2022, close Main Street from the 4 Corners to Valentine Street,*
460 *School Street from Pleasant Street to Main Street, and Silver Street from Union Street to*
461 *Main Street from 5:00am until 6:00pm.*

462 *Hemmings Cruise-ins - May 19, 2022, June 16, 2022, July 7, 2022, and August 18, 2022,*
463 *close Main Street from the 4 Corners east to Union Street from 5:00pm until 8:00pm. The*
464 *BBC will seek to clear the on-street parking to allow the cruise-in vehicles to park*
465 *diagonally.*

466 *Harvest Fest - October 8, 2022, close Main Street from the 4 Corners to Valentine*
467 *Street, School Street from Pleasant Street to Main Street, and Silver Street from Union*
468 *Street to Main Street from 5:00am until 8:00pm.*

469 *Annual Food Truck Festival - August 13, 2022, close School Street from Pleasant Street*
470 *to Main Street from 8:00am until 8:00pm.*

471 *The motion carried with Sarah Perrin abstaining.*

- 472 ▪ *Bennington Sports Foundation - The newly created entity is introducing itself to the*
473 *community and seeks partners that will offer support by lending its name to a list of*
474 *organizations. The goal is to support teamwork among youth through sports. We will*
475 *invite them to a meeting to share their mission. This does not mean financial support.*

476 *Sarah Perrin moved and Bruce Lee-Clark seconded to approve the Bennington Sports*
477 *Foundation to name the Town of Bennington as a partner on their website.*

478 Ms. Perrin asked if we lend our name to other organizations, and Mr. Hurd
479 answered we have actually sponsored a few other organizations financially. This is a
480 unique request.

481 Mr. Spivak added that the Appalachian Trail Community Designation had also
482 asked only for our name without any financial transaction.

483 *The motion carried with Jeannie Jenkins abstaining.*

- 484 ▪ *Support Ukraine Sign for Town Office Lawn -*

485 *Jim Carroll moved and Bruce Lee-Clark seconded to name Jim Carroll as Board Sponsor*
486 *and approve the placement of the Support Ukraine Sign on the Town Office front lawn. The*
487 *motion carried unanimously.*

- 488 ▪ *Legislative Concern - S.254 has been entirely rewritten and it isn't clear where this is all*
489 *going at this time.*
490 ▪ *Stormwater Permit Issues - Still no word on next steps.*

491 **14. UPCOMING AGENDA**

492 March 28, 2022 - CPARB Discussion

493 March 28, 2022 - Economic Strategy Update

494 **15. OTHER BUSINESS**

495 Mr. Corey: Reminded everyone of the St. Gobain class action suit with significant dollars coming
496 back to people. Any questions contact David Silver at 802-442-6341 or go to
497 www.benningtonvtclassaction.com.

498 Mr. Haley: Thanked Jim Vires for his steadfastness at a long meeting.

499 Ms. Conner: Congratulations to everyone who worked on CLUE, and we are working with the
500 Banner to have a designated spot in the paper where we can update the public on our
501 meetings.

502 Mr. Lee-Clark: Thanked Mike Bethel for his article in the Banner on voting and we hope we can
503 develop strategies to encourage more people to vote.

504 Mr. Carroll: Thanked the people that did vote.

505 Ms. Perrin: Thanked anyone still watching and acknowledged the great show that was at the
506 Bennington Theatre this weekend.

507

508 Clark Adams: Expressed his love for Bennington and wished more people would get involved.

509

510

511

512 *At 9:00pm, Bruce Lee-Clark moved and Sarah Perrin seconded the adjournment of the*
513 *meeting. The motion carried unanimously.*

514

515

516

517 Respectfully submitted,

518 Nancy H. Lively

519 Secretary