

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **April 11, 2022**

5 **MINUTES**

6 **SELECT BOARD MEMBERS PRESENT:** Jeannie Jenkins-Chair; Jeanne Conner-Vice Chair; Bruce Lee-Clark;
7 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; Dr. Trey Dobson-
10 SVHC Medical Director; Joe Wiah-Ethiopian Community Development Council; Grace Winslow-Open
11 Arms; Marsh Hudson-Knapp; Clark Adams; Shirley Adams; Denise Main-Sunrise Family Resource Center
12 Executive Director; Jenny Dewar-BBC Executive Director; Jay Iskowitz; Nancy White; Rose Telford; 15
13 citizens; Jim Vires-CAT-TV; and Nancy H. Lively-Secretary.

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

15 *Jim Carroll moved and Bruce Lee-Clark seconded to amend the Agenda by adding “#5A.*
16 *Ethiopean Community Development Council”. The motion carried unanimously.*

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 August
21 24, 2020:

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

24 **3. REORGANIZATION**

25 *Gary Corey moved and Sarah Perrin seconded to nominate Jeanne Conner as Vice-Chair of the*
26 *Select Board. The motion carried unanimously.*

27 *Jim Carroll moved and Bruce Lee-Clark seconded to nominate Jeannie Jenkins as Chair of the*
28 *Select Board.*

29 Mr. Carroll listed the many areas of work during the past year, such as, continued support of
30 Economic Development, the TIF District, Recreation and Pathways, Seniors, and Energy Preservation.

31 *The motion carried unanimously.*

32 **4. CONSENT AGENDA**

33 **A. MINUTES OF MARCH 25, 2022 AND MARCH 28, 2022**

34 **B. WARRANTS**

35 **C. LIQUOR LICENSES**

36 *Tom Haley moved and Jim Carroll seconded to approve the Consent Agenda amended as*
37 *follows:*

38 *March 14, 2022 Minutes -*

39 *Line 88, Change "Hamman" to "Hamann"*

40 *March 25, 2022 Minutes -*

41 *Line 140, Change "Led" to "Leddy"*

42 *March 28, 2022 -*

43 *Line 12 and Line 130, Change "Piedmont" to "Pedemonti"*

44 *Line 107, Change "Knits Knats" to "Nix Nax"*

45 *Line 495, Change "Janowski" to "Cichanowski"*

46 *The motion carried unanimously.*

47 **5. COVID UPDATE**

48 Dr. Trey Dobson, SVHC Medical Director, did the following presentation:

- 49 • Vermont has one of the lowest hospitalization and death rates in the country.
- 50 • Our mission is to decrease transmission as much as possible and protect the vulnerable. There
- 51 are 5 ways to do that:
- 52 ✓ Be up-to-date with vaccinations.
 - 53 ✓ If you are at risk, vulnerable, around someone who is vulnerable, or in proximity to
 - 54 others, such as on a plane, you should still wear a mask.
 - 55 ✓ If you have symptoms, do a home test.
 - 56 ✓ Have a plan if someone in your household tests positive.
 - 57 ✓ Know how to get treatment if you are at risk.

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

59 Mr. Carroll: Have we seen a rise in numbers at SVHC? Not at SVHC but there has been a rise within the

60 State with 80%-85% of those unvaccinated.

61 Mr. Carroll: Have we seen any of the BA2 variants? Most likely but we don't test for it.

62 Mr. Carroll: Do you know the percent of Benningtonians that have been inoculated? Would have to
63 look up the numbers for Bennington but we are probably similar to the State which is 67%.

64 Ms. Conner: What is your recommendation on getting the additional booster? The first booster
65 created the highest degree of protection and, if you are eligible for the second booster - over 65, over
66 50 with an immune depression, or if you're anxious about getting it - then get it. However, the data
67 doesn't show that others really need it.

68 *Public questions/comments answered by Dr. Dobson:*

69 Clark Adams: Where do we fall with the fact that people "can be killed without being ill"? Although it
70 may be beneficial to test when asymptomatic or with mild symptoms, it isn't practical with the
71 resources available.

72 **5A. ETHIOPIAN COMMUNITY DEVELOPMENT COUNCIL**

73 Joe Wiah, Director of the Ethiopian Community Development Council (ECDC) did the following
74 presentation:

- 75 ○ The main office of ECDC is in Arlington, VA with 20 other offices around the country including
76 one in Brattleboro.
- 77 ○ We have 25 to 100 Afghan refugees with 19 families, 19 singles, and 5 families in Bennington.
- 78 ○ There are very positive reports from the families in Bennington for the support that they are
79 receiving and we are receiving requests from other families to come to Bennington.
- 80 ○ The Vermont ECDC is currently getting requests from other states for sponsorships to their
81 refugees that don't have any.

82 Grace Winslow from Bennington County Open Arms added:

- 83 ○ If you would like to volunteer with Open Arms contact bcopenarms@gmail.com .
- 84 ○ Also, we shop at an Afghan Circle Pizza and Market on Central Avenue in Albany, NY for Halol
85 meat.

86 **6. PUBLIC COMMENT**

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

- 90 1. Public Comment is to allow residents an opportunity to share information or make announcements
91 that benefit the community at large.
- 92 2. The topic should not be related to an agenda item. If a member of the public wants to comment on
93 an agenda item they can do so during the discussion of that item.
- 94 3. Comments should be 3 minutes or less.

- 95 4. You are required to state your real name and town of residence.
- 96 5. Sharing comments, announcements and concerns are encouraged rather than asking questions.
- 97 Public Comment is not a time for discussion. If you have specific questions it is best to call the Town
- 98 Manager to get a full explanation and accurate information.
- 99 6. If the topic requires much discussion the item will be considered as an agenda item at a future
- 100 meeting.

101

102 Ms. Jenkins shared that a suggestion was made for Public Comment and the question period of

103 an agenda item for those making their statement to sit down so any clarification, comment, or follow-

104 up by the Select Board can be made to allow for a smoother flow and allowing everyone to speak once

105 before anyone speaks twice. The Board will try this suggestion this evening.

106 Jay Iskowitz: A veteran of the Vietnam War, who “dodged bullets” with a black man who is still his

107 “brother”, stated that the Black Lives Matter flag doesn’t belong on the same flag pole as the Vietnam

108 Veterans flag. “The Vietnam War was all races, all genders, all religions, and All Lives Matter.” He also

109 noticed that on March 29th, Welcome Home Vietnam Veterans Day, the Black Lives Matter flag was still

110 flying and the Vietnam War flag was down. “If that flag is so important, put up another flag pole.”

111 Jay Iskowitz: Is it possible to have a traffic light at Burgess Road for traffic coming down? Ms. Jenkins:

112 We will have staff look into that and get back to you at the next meeting.

113 Nancy White: Takes offense to the “censorship” of the public’s comments and feels that the Board is

114 not welcoming the public. Ms. Jenkins: We made the change so that people are comfortable coming to

115 the meetings and having a question asked and answered in a timely way.

116 Nancy White: How many public hearings is the Select Board required to hold before proposed zoning

117 changes are made? Mr. Hurd: Two. Each meeting in May will have a Public Hearing. Mr. Monks: A

118 Bylaw change only requires one Public Hearing whereas a Town Plan change requires two.

119 Nancy White: The grocery store in the downtown was required to raise \$350,000 before they received

120 a \$200,000 loan from the Town. They have raised half of that and are already spending the money. It

121 seems like there should be policies that are fair to all. Ms. Jenkins: The Select Board is privy to who is

122 getting a loan and can express any objections that we may have concerning it, but we do not

123 administer the loan. Mr. Hurd: The loan program has always been a reimbursable program for monies

124 spent and we are following protocol with this project. They have been working and purchasing

125 supplies nearly up to the loan amount at this time.

126 Nancy White: Why is it said that there is a “desert” around Bennington when anyone can take a Green

127 Mountain Bus to go grocery shopping. Ms. Jenkins: The term “desert” is a USDA government term, not

128 ours, and they consider Bennington to be a “food desert”. We have gotten USDA grants in the past

129 because of this designation.

130 Nancy White: Why is the Town not having an Easter Egg Hunt this year? Mr. Hurd: The YMCA does our
131 recreational programming and they are doing something at the pool this year.

132 Jenny Dewar, BBC Executive Director: We have reached the fund raising goal of \$5,000 this weekend so
133 we will be receiving the \$10,000 from the State so Thursday Nights Live will be happening from June
134 2nd through September 29th. We have a rain location and are looking for 10 vendors. Our setup is at
135 the Splash Pad only - no road closures or use of the parking lot - so vendors will only be set up on
136 tables. Any vendors that can accommodate a table setup are welcome. We have until May 9th to
137 continue to raise money for it.

138 Jenny Dewar: Mayfest planning is “full steam ahead” for May 28th with many vendors lined up.

139 Jenny Dewar: Our membership meeting is coming up, so if you wish to become a member, go to
140 www.betterbennington.com .

141 Jenny Dewar: The market going up in the downtown is working with ~50 farms and she is excited about
142 its opening.

143 Jenny Dewar: Thanked the Board for being “super welcoming” to the public and having Public
144 Comment at the beginning of the evening. In her town they have it at the end of the evening, keep a
145 stop watch, and will stop you in mid-sentence.

146 Rose Telford: People don’t like that they can’t talk when they want to at the meetings.

147 **7. COMMUNITY POLICING ADVISORY AND REVIEW BOARD**

148 *Discussions on the Resolution for CPARB:*

149 Page 2, Line 27-30, “**Composition and Eligibility**, The CPARB will consist of seven members from the
150 community. Community is defined as a resident of the Town of Bennington, Old Bennington or North
151 Bennington or someone who works or has demonstrated a significant (8 hours per week or more)
152 commitment to volunteerism in Bennington. Members must be Vermont residents.”

- 153 ❖ Line 27, Change “seven members” to “up to seven members” - it may be hard to find 7 people
154 to serve on the Board.
- 155 ❖ Prefer to keep it at “seven members” because “up to seven members” indicates that a Board of
156 3 members would be satisfactory and that isn’t the case.
- 157 ❖ Change “seven members” to “at least five members and as many as seven members” - with just
158 “up to” there could only be 2.
- 159 ❖ Prefer to leave it at “seven members” because we should be able to do that and be what we
160 aspire to.
- 161 ❖ Line 30, “Members must be Vermont residents.” - should we reconsider this due to our
162 proximity to New York and Massachusetts and the number that people that work in Bennington
163 from those states?

- 164 ❖ Wants a commitment to the locality - this is a Vermont board based in a Vermont town and
165 living is very different than living in New York or Massachusetts even if an individual works in
166 Vermont.
- 167 ❖ Those that work in Vermont and live in another state can still voice their opinion before the
168 Board, just not be a member of the Board.
- 169 ❖ **Clark Adams:** The Vermont resident requirement should remain to enforce the “Vermont
170 integrity” established by Ethan Allen.
- 171 ❖ **Beth-Bennmont Marketing:** Just because we don’t live in the Town doesn’t mean that we don’t
172 have a vested interest or that we wouldn’t move to the Town if there were housing available.
173 We do want to be a part of this Town and this organization.
- 174 ❖ Page 3, Lines 37 and 38, “**Definitions**”, Complaint - A complaint documents when a person
175 witnesses or experiences a personal.....” - should we reference the companion document there?
176 We won’t change this tonight.
- 177 ❖ Page 2, Line 26, “**Composition and Eligibility**” - should we include only one member/family can
178 serve on CPARB at a time? This isn’t necessary because the Select Board will decide who is on
179 the Board.

180 *Public questions/comments:*

181 Marsh Hudson-Knapp:

- 182 1. Thanked the Board for their vigilance in instituting Community Policing in Bennington.
- 183 2. “It is an urgent problem for our community” that our Charter doesn’t allow the Select Board to
184 delegate the review of our Police Department. We need to work together to get this
185 permission.
- 186 3. We need to get every aspect of CPARB legally possible established now. The police are looking
187 forward to being trained on how to become more of a team with the community and vice
188 versa.
- 189 4. Urged members of the community to serve on CPARB.

190 Nancy White: Takes issue with all of the “deep dark problems” in our Police Department. The Police
191 Department has gone out of their way to make things work and it would be nice if we had that same
192 transparency from the Select Board.

193 **FILE A COMPLIMENT OR A COMPLAINT**

194 *Discussion on Filing a Compliment or a Complaint:*

- 195 ❖ Page 1, Line 32, Change “mailing” to “mail”
- 196 ❖ Page 1, Line 27, Change “Complaints” to “Compliments and Complaints”
- 197 ❖ Page 1, Line 27-Page 2, Line 9 - should that be at the top of the document instead of at the
198 bottom?
- 199 ❖ The opening is an introduction on the importance of filing a compliment or a complaint.
- 200 ❖ Page 1, Lines 11 and 12, Reword to make submitting a Compliment broader.

201 ❖ Page 1, Line 18, Add “These questions and concerns will be logged and if the caller agrees that
202 their complaint is resolved it will be recorded as such.”

203 *Public questions/comments:*

204 Marsh Hudson-Knapp: Having 5 ways to make a complaint is a good step in making people safe when
205 doing so.

206 Shirley Adams: Suggested being able to make compliments/complaints on the Town’s website,
207 however, Ms. Jenkins stated that the Board chose not to do that because it would create a second
208 portal when there are other ways to remain anonymous. Mr. Lee-Clark added that not only the
209 complaintants can file, for example, third party witnesses or juveniles with a parent guardian or
210 advocate can file. It’s important to keep it as open as possible so the police receive the information
211 that they want to receive.

212 ***Jim Carroll moved and Bruce Lee-Clark seconded to amend the Resolution for Community
213 Policing Advisory Review Board as follows:***

214 ***Page 2, Line 27, Change “of seven members” to “of at least five and as many as seven
215 members”***

216 Ms. Perrin noted that she is concerned that the Board could consist of an even number of
217 members at six.

218 Ms. Jenkins added that the Select Board functioned with six members for a year.

219 ***The motion carried with Sarah Perrin opposed.***

220 ***Bruce Lee-Clark moved and Jim Carroll seconded to adopt the Resolution for Community
221 Policing Advisory Review Board as amended. The motion carried unanimously.***

222 Mr. Lee-Clark stated that when the Resolution gets posted by our Communications Director to
223 the Town website there can always be an active link to any place in the website.

224 Ms. Jenkins added that we have shared that Burlington had authorized their police commission
225 to review complaints with Senator Sears and Senator Jeannette White who chairs the Committee
226 where the review legislation has been, and ask her if she would recommend for Bennington to go to a
227 Charter change or would she prefer general legislation. We haven’t heard back from her yet.

228 Mr. Carroll clarified that any Charter change has be approved by the voters, then approved by
229 the Government Ops Committee, then approved by the House of Representatives, then approved by
230 the Senate, and then goes in reverse of that.

231 Ms. Conner noted that the group that benefits the most from a Community Review Board are
232 the police. This is a positive thing for them and they have embraced it.

233 **8. ECONOMIC DEVELOPMENT STRATEGY AND INFRASTRUCTURE UPDATE**

234 Ms. Jenkins stated that the Economic Development Strategy and Infrastructure Subcommittee
235 voted 2-1 to move forward with a recommendation to fund the proposal from Sunrise Family Resource
236 Center at \$5,000 contingent on approval of grant funds of \$75,000 from the O’Neill Foundation.

237 Denise Main, Executive Director of Sunrise, did the following presentation:

- 238 ➤ Sunrise was asked to participate in the statewide effort of Whole Family Approach to Jobs at
239 the beginning of the pandemic.
- 240 ➤ Over the past 2 years, we have worked with Rutland and formed the Families at the Center of
241 Southwestern Vermont Team.
- 242 ➤ We have surveyed over 150 people in Bennington and Rutland counties, we’ve had focus
243 groups for parents and service providers, and wrapped up the pilot phase last fall with an 18-
244 month grant.
- 245 ➤ During the pilot we hosted events on sharing of food, sharing of company, and feeling less
246 isolated.
- 247 ➤ After the pilot we will enter the Implementation Phase of the program where we will expand
248 our numbers with the 3-year grant from the O’Neill Foundation.
- 249 ➤ Over the 3 years we will have 60 families - 20 each year - participate to help teach us how to
250 better help them to reach their full potential.
- 251 ➤ Our goal is to make them feel like more of a member of the community, undo the generational
252 poverty history that they have, and provide them with a sense of dignity and pride.
- 253 ➤ The cost of the project is \$85,000 - \$75,000 from the O’Neill Foundation; \$5,000 from ARPA
254 funds, and \$5,000 from the Vermont Community Foundation.

255 *Board questions/comments answered by Ms. Main:*

256 Mr. Carroll: Are the families impoverished? Many are but they don’t have to be. The navigators would
257 help them navigate the system to improve their respective situations.

258 Ms. Conner: Is struggling with the idea that Sunrise can’t comfortably raise \$5,000, which is not a lot in
259 the fundraising world, so how will you raise the \$5,000 in the 2nd and 3rd years? I’m confident that our
260 newly formed Board and Fundraising Committee would be able to do that in the future, however, we
261 have a time crunch this year because we decided to do this in February and the grant is due in May.
262 Also, the O’Neill Foundation wants to know that our community is behind us, but if we don’t get the
263 ARPA funds, we’re still going ahead with the project.

264 Mr. Corey: Are these funds focused toward COVID recovery for families? Not completely but they are
265 struggling because of COVID.

266 Mr. Corey: Are the 20 families served in the 1st year from Bennington County? Yes. 80% of those we
267 serve in general are from Bennington County and we expect a similar percentage with this, as well.

268 Mr. Haley: Is this \$5,000 separate from what Rutland is doing? Yes, they are doing the same process in
269 Rutland.

270 Ms. Jenkins: We are all affected when families are happier and feel that they belong to the community.

271 *Public questions/comments answered by Ms. Main:*

272 Rose Telford: Volunteered to help at Sunrise.

273 ***Gary Corey moved and Bruce Lee-Clark seconded to approve funding the Sunrise Family***
274 ***Resource Center proposal with \$5,000 of ARPA funds contingent on successful approval of grant***
275 ***funds from the O’Neill Foundation for \$75,000.***

276 Ms. Perrin isn’t comfortable voting on this now.

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

278 **9. IMPLEMENTING THE TOWN VISION**

279 Mr. Haley reported:

- 280 ▪ He and Ms. Jenkins met with Paul Dansereau and the process has started with the ADA
- 281 Plan.
- 282 ▪ He and Ms. Jenkins met with Jonah Spivak on having inclusive language in our meeting
- 283 documents.
- 284 ▪ Slowly but surely we are ticking things off the list.

285 Ms. Conner reported:

- 286 ▪ Having Mr. Miah here from ECDC is an example of implementing our town vision.
- 287 ▪ April 12th is the planning meeting for the Juneteenth Celebration and 8-10 partners have
- 288 been identified so far. Ms. Jenkins will be attending that meeting.
- 289 ▪ The Juneteenth Celebration will take place on June 18th at the Middle School.

290 Ms. Jenkins reported:

- 291 ▪ She, Ms. Conner, and Mr. Haley met with the Department of Health and they are looking
- 292 for health equity initiatives. They will report to the Select Board next month on the
- 293 work they are doing.
- 294 ▪ The week of May 9th is Statewide Inclusion Week with a proclamation by the Governor.
- 295 There will be opportunities for community members, businesses, and town governance
- 296 to share practices and talk about steps for equity and inclusion.
- 297 ▪ The Southern Vermont Economy Summit is on May 12th at Mt. Snow and one of the
- 298 threads there is looking at hiring, support, and retention of a diverse work force. Many
- 299 businesses have been invited to discuss this issue.
- 300 ▪ The Pathways of Vermont funding of \$390,000 for Bennington to work with 30
- 301 chronically homeless individuals was taken out of the House Appropriations bill.
- 302 Senator Sears has put it on the list for items to be put back in for the Senate version of
- 303 the Appropriations bill and is asking for us all to send our letters/e-mails of support to

304 him and the other members of the Appropriation this week. They are Jane Kitchel-
305 Chair; Alice Nitka-Vice-Chair; Robert Starr; Richard Westman; Becca Balint; and Philip
306 Baruth. The bill comes out on April 15th.

307 **10. MANAGER'S REPORT**

308 *Tom Haley moved and Jim Carroll seconded to close Union Street from Silver Street to*
309 *Valentine Street from 6:00pm until 9:00pm on August 6, 2022 for the Bennington Free Library's*
310 *Street Dance. The motion carried unanimously.*

311 April 13th at 7:00pm there will be a Putnam Block Phase II presentation at the Bennington
312 Performing Arts Center.

313 The Morgan Springs Delivery System relocation has the fill station nearly completed, the
314 building 50% done, and the pipe to be moved from the existing fill station to the new fill station soon.
315 Completion is forecast for May/June 2022.

316 There were 22 vendors that were interested in doing our website development ranging from
317 \$5,000 to \$300,000. We chose Revize for \$7,800 with the entire project not costing more than
318 \$12,000. EightOhTwo chose not to submit an RFP.

319 The Willow Park Redesign Meeting is also on April 13th at 6:30pm at the Mount Anthony Union
320 High School.

321 Green Up Day is May 7th so contact the Town Office to reserve your bags.

322 **11. UPCOMING AGENDA**

323 April 25, 2022 - Compliments and Complaints

324 April 25, 2022 - Public Hearing - Zoning Changes

325 Boards and Commissions, including CPARB, will be on the website soon.

326 **12. OTHER BUSINESS**

327 Mr. Carroll: Shared that today would have been his parents' 63rd wedding anniversary and honored
328 them for their service to their family and their community, as well as, those who serve our community
329 now.

330 Ms. Conner: Expressed her frustration in the repeated negative articles about Bennington in Vermont
331 Digger.

332 Ms. Perrin: Verified that the Willow Park meeting on April 13th will be recorded so people could attend
333 the Putnam Block meeting and see the Willow Park meeting at a later date.

334 Mr. Lee-Clark: Recognized that this is Holy Week for the Christians and Ramadan for the Muslims and
335 wished them all a good holiday.

336

337

338 ***At 8:12pm, Jim Carroll moved and Bruce Lee-Clark seconded the adjournment of the meeting.***

339 ***The motion carried unanimously.***

340

341

342 Respectfully submitted,

343 Nancy H. Lively

344 Secretary