

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **MARCH 28, 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;
11 Michael McDonough-BBC Committee Chair; Jenny Dewar-BBC Executive Director; Geoff
12 Metcalfe and Nick Piedmont-Skate Park; Ilsa Svoboda-Meals on Wheels Executive Director;
13 Kayla Becker and Taylor McGuire-YMCA; Stephanie Lane-Shires Housing Executive Director;
14 Clark Adams; April Dunham; Kelly Carroll; Nancy White; Jennifer Jasper; Debbie Mann; Rose
15 Telford; 15 citizens; Jim Vires-CAT-TV; and Nancy H. Lively-Secretary.

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

17 *Jim Carroll moved and Sarah Perrin seconded to amend the Agenda by adding “#3A.*
18 *John Shannahan Proclamation”. The motion carried unanimously.*

19 **1. PLEDGE OF ALLEGIANCE**

20 The Pledge of Allegiance was recited.

21 **2. VISION STATEMENT**

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

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

26 **3. CONSENT AGENDA**

27 **A. MINUTES OF MARCH 7, 2022 AND MARCH 14, 2022**

28 **B. WARRANTS**

29 **C. LIQUOR LICENSES**

30 *Bruce Lee-Clark moved and Tom Haley seconded to approve the Consent Agenda*
31 *amended as follows:*

32 **March 14, 2022 Minutes -**

33 **Line 12, Change “Clarke Evans” to “Clark Adams”**

34 **Line 56, Change “Questioned that those not vulnerable could not get the treatment?”**
35 **to “I have a question regarding treatments, it seems to me if one tests positive for Covid and**
36 **is eligible for treatment they would probably call a primary care provider. What would you**
37 **recommend for someone that doesn’t currently have a PCP?”**

38 **Line 88, Change “Natalie Hammond” to “Emily Hamman”**

39 **Lines 449-453, Change “Ms. Jenkins read the following quotes: ‘Every attractive person**
40 **has their moment whether it’s at a traffic stop, or going to the DMV, or getting access to**
41 **SNAP, that is where democracy is happening. If we can get all of those small interactions**
42 **right, then we can create a society of government that is responsive to its citizens and citizens**
43 **trust that it will never be insensitive to them.’ to “Ms. Jenkins read the following Bryce Covert**
44 **quotes from This Is the Difference Between a Family Surviving and a Family Sinking: “Every**
45 **interaction that a person has with their government, whether that’s a traffic stop or going to**
46 **the D.M.V. or getting access to SNAP - that’s where democracy is happening.” “If we get all**
47 **of those small interactions right, then we have created a society where the government if**
48 **responsive to its citizens, and citizens trust that it will delivery when it says it’ll deliver.”**

49 **The motion carried unanimously.**

50 **3A. JOHN SHANNAHAN PROCLAMATION**

51 Mr. Carroll explained how a proclamation is approved and read the following to honor
52 John Shannahan for his years of dedication as a “truly heroic figure who never gave up” for the
53 Town of Bennington:

54 “State of Vermont Senate Chamber, Montpelier, Vermont

55 Senate Concurrent Resolution - SCR17 - John Shannahan for His Extraordinary
56 Contribution to the Economic and Cultural Life of the Town of Bennington.

57 WHEREAS, John Shannahan starts an exciting new life in Bennington, and

58 WHEREAS, his effective institutional leadership at the Downtown Bennington Alliance and later
59 at the Better Bennington Corporation reflected a strong dedication to creating a welcoming and
60 nurturing climate in which existing businesses can expand and new ones can be established,
61 and

62 WHEREAS, John Shannahan’s role as Ambassador Extraordinaire was pivotal in discussions with
63 our town corporate officials when testifying before our Committee and working with funding
64 organizations, and

65 WHEREAS, as an Executive Director of the Better Bennington Corporation, John Shannahan
66 promoted a vision of Bennington as a center of artistic, business, entertainment, and
67 recreational activity, and as a community who's downtown exhumes in authentic small town
68 Vermont Main Street character, and

69 WHEREAS, during his tenure at the Better Bennington Corporation the Tax Increment Financing
70 District was established creating a taxing mechanism providing economic incentives for new
71 development initiatives, and

72 WHEREAS, the Putnam Block Redevelopment Project has attracted new businesses and
73 residents to downtown Bennington and John Shannahan's expert guidance was a critical
74 element in projects of creation and fruition, and

75 WHEREAS, he served on the Board of the Bennington Arts Council and was a unique
76 informational resource for newcomers to the community, and

77 WHEREAS, John Shannahan has concluded his role as the Executive Director of Better
78 Bennington Corporation and Benningtonians are grateful for his active community service.

79 NOW, THEREFORE may it be resolved by the Senate and House of Representatives that the
80 General Assembly honors John Shannahan for his extraordinary contribution to the economic
81 and cultural vitality to the Town of Bennington. And, be it further Resolved, that the Secretary
82 of State be directed to send a copy of this Resolution to John Shannahan and the Better
83 Bennington Corporation."

84 Mr. Carroll also announced that the FAA has approved the lighting of the Monument.

85 **4. PUBLIC COMMENT**

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

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

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

100

101 Kelly Carroll: The American Legion raised a little over \$1,800 that will be donated to the
102 Bennington Free Library for a lego table and books in honor of her daughter, Emily Hamman.
103 Also, the River Walk in April will be a week later, the day after Earth Day on April 23rd. Plan on
104 doing some clean up along the way.

105 Jenny Dewar, BBC Executive Director: There were two ribbon cuttings in the past week and a
106 half - The Angry Egg Two and the Village Garage Distillery, and on April 4th, there will be ribbon
107 cutting for Knits Knats that's moving to 514 Main Street.

108 Jennifer Jasper, Bennington Performing Arts Center Executive Director: Coming up at the
109 Theatre is Brand New Day, March 31st -April 2nd, for 'pay as you will' on Thursday, and \$15-\$20
110 otherwise. We are also hosting our Fundraising Gala at Mt. Anthony Country Club on April 30th
111 and Old Castle Theatre Company's 50th Season opens in June. All tickets are now available.

112 5. BETTER PLACES GRANT AWARD

113 Jenny Dewar did the following presentation:

- 114 • Bennington was the first town in Vermont to receive the Better Places Grant Award.
- 115 • We are bringing Thursday Nights Live, from 5:30pm-7:00pm, from June 2nd through
116 September 29th, with a large range of performers at Merchants Park - all grant funded,
117 free to the public.
- 118 • A requirement of the grant is that we have to raise \$5,000 from "crowd funding" by May
119 9th. One person writing a check for \$5,000 does not fulfill the requirement.
- 120 • Donations can be made at bit.ly/tnl2022 . The full link is on the Better Bennington
121 Corporation website and Facebook.
- 122 • When we reach \$5,000 (we have already raised \$1,970), we will get \$10,000 from the
123 State. The \$15,000 is just under the necessary funding to make this program happen.
- 124 • The money will pay for the entertainers, sound technology and engineers, advertising,
125 snacks, and gift baskets.

126 6. ECONOMIC DEVELOPMENT STRATEGY AND INFRASTRUCTURE UPDATE

127 A.SKATE PARK

128 Dan Monks, Assistant Town Manager, stated that the skate park by far received the most
129 positive input from the public of all of the choices.

130 Geoff Metcalfe, an architect from North Bennington, and Nick Piedmont did the following
131 presentation:

- 132 ➤ He is helping a group of people that have been interested in building a skate park for
133 some time with infrastructure questions.
- 134 ➤ “A simple skate park would be great, but a destination skate park would be better.”
- 135 ➤ The skate park would bring skate boarders from all over and competitions could be
136 established. Food trucks and businesses that the skateboarders and their families would
137 frequent when they are here would thrive.
- 138 ➤ The users of the park help to maintain it and it brings the community together.
- 139 ➤ In 2020, skateboarding became an event in the Olympics.
- 140 ➤ We believe that the south end of the Bennington Station parking lot would be a good
141 site for a park of this magnitude.
- 142 ➤ We would install a concrete skate park with an indoor structure for year round use and
143 a place for tournaments and events.

144 *Board questions/comments answered by Mr. Metcalfe or Mr. Piedmont:*

145 Mr. Carroll: Define Town participation. Monetary - rough estimates are \$1M-\$1.5M.

146 Ms. Conner: Shared that she had spoken to a man who would tear up over the excitement of a
147 skate park noting that they are a place where everyone is welcome.

148 Ms. Conner: How far away is a skate park like the one you’re dreaming of? There are ~20
149 smaller ones throughout Vermont but Burlington has one similar to the scale we would like to
150 do. Rutland was the only indoor operation that was inside a hockey rink but that one may or
151 may not still be open.

152 Ms. Jenkins: Added that she is also in favor of going forward with it in response to the
153 community popularity.

154 *Public questions/comments:*

155 Nancy White: Is concerned that there won’t be enough parking for the apartment building
156 tenants, the skate park participants, and those shopping in the downtown. Ms. Jenkins replied
157 that we are only exploring it and deciding if we want to move forward with it. Ms. White added
158 that if this is a regional project to be sure that other communities take money from their
159 budgets, too.

160 Michael McDonough, BBC Committee Chair: The skate park has been incorporated into the
161 scoping of the River Walk and in the Downtown Transportation grants to fund the first phase of
162 improvements to the River Walk from the Park east to Park Street. This is not just a concept
163 from those passionate about skateboarding but fits very well into the plans for the River Walk.
164 Ms. Jenkins added it would also fit nicely in the Rail Trail head.

165 Debbie Mann: Have other locations been considered like the Ben Mont Tissue location? Mr.
166 Monks answered that we were focusing on this location because it is centrally located in the
167 downtown and the Town owns the property.

168 *Jim Carroll moved and Bruce Lee-Clark seconded to have Town Staff continue to work*
169 *on the skate park concept at the Bennington Station parking lot. The motion carried*
170 *unanimously.*

171 **B. BENN HIGH**

172 Shannon Barsotti, Community Development Director, did the following presentation:

- 173 ➤ The Benn High building was built in 1913 and was a high school from 1914-1967 and a
174 middle school until 2004 with renovations in 1939, 1958, and 1975. Adjacent is a newer
175 building where the auditorium, cafeteria, and science class rooms are.
- 176 ➤ Discussions took place concerning the Town taking ownership of some of the spaces in
177 the building which led to discussions of taking over the whole building.
- 178 ➤ The building is over 100,000 square feet and the Town intends to enter into a lease to
179 own agreement with the current owner.
- 180 ➤ The Town is interested in approximately 30,000 square feet of the building with other
181 core partners interested in redeveloping the rest.
- 182 ➤ Uses would be:
 - 183 ✓ Bennington Senior Center - relocate current and new Senior programming and
184 will double the space at the current Senior Center. We have met with, and will
185 continue to meet with, the seniors for their input on the transition.
 - 186 ✓ Bennington County Meals on Wheels - relocate from the current Senior Center
187 and will double their space at the current Senior Center. The Town would
188 renovate the former cafeteria and auditorium but not charge them more rent.
 - 189 ✓ Southwestern Vermont Council on Aging - will offer programming for seniors
190 including their Bone Builders and Green Mountain Retired Senior Volunteer
191 Programs, as well as, support for the Meals on Wheels program.
 - 192 ✓ Berkshire Family YMCA - will offer senior exercise classes and will manage and
193 operate recreational activities in the auditorium and gymnasium.
 - 194 ✓ Shires Housing - will seek funding to develop approximately 40 additional
195 housing units of affordable and market rate rents, including some dedicated to
196 the homeless, along with creating a Support and Services at Home (SASH)
197 location to offer classes and support for seniors.
- 198 ➤ An environmental assessment of the building would need to be done before any
199 renovations began.
- 200 ➤ Green Mountain Express would have a dedicated bus for the seniors to get to the Benn
201 High building, to the Rec Center for swimming, and back home.

202 Dan Monks stated the following:

- 203 ➤ This project would not be possible without our partners.
- 204 ➤ The Lease & Purchase Agreement will give control of the space to the Town and we will
205 be the only tenant.

- 206 ➤ We can pay our monthly payment for 30 years and own the building or decide at any
 207 time during the 30 years to buy it outright.
- 208 ➤ Next steps are:
- 209 ✓ Having the Select Board sign the Lease Agreement and give the go-ahead to
 210 proceed with our due diligence work.
 - 211 ✓ Get the permitting.
 - 212 ✓ Get a design professional on board and be sure that all partners are happy with
 213 the design.
 - 214 ✓ Take a second look at the environmental issues. We have done a preliminary
 215 look at it with an environmental consultant who feels confident that there aren't
 216 any issues.
 - 217 ✓ Put out Requests for Proposals.
- 218 ➤ Our goal is to get Phase 1 (the Senior Center and Meals on Wheels) completed within a
 219 year but no later than 18 months.
- 220 ➤ At 18 months - but actually within 60 days - we will be making the decision on
 221 transferring the current Senior Center building to the owner of the Benn High building.
- 222 ➤ Benn High partners stated the following:
- 223 ✓ Ilsa Svoboda, Meals on Wheels Executive Director:
 - 224 ○ The Town has subsidized our current rent at the current Senior Center for
 225 25 years.
 - 226 ○ Keeping seniors under one roof is important.
 - 227 ○ We prepare over 300 meals/day for all of Bennington County and
 228 remained open throughout COVID with the same staff and "fabulous
 229 volunteers".
 - 230 ○ Preparing 300 meals in the same space we used to prepare 93 has been
 231 very challenging.
 - 232 ○ It is a proven fact that seniors who have nutrition and socialization live
 233 longer. Feeding them well and giving them the right programming that
 234 fits their abilities will enhance their lives.
 - 235 ○ It is necessary for the seniors to have the bus for transportation, to feel
 236 safe and secure, and have ample programming.
 - 237 ✓ Kayla Becker and Taylor McGuire, YMCA Representatives:
 - 238 ○ Agrees that keeping seniors under one roof is important.
 - 239 ○ Have been at the Benn High building for a year and currently have 8
 240 senior classes there.
 - 241 ○ The use of the gymnasium year round would be a great place for the kids
 242 to go after school so there are multiple activity possibilities for all age
 243 groups.
 - 244 ○ Kudos to the Buildings and Grounds crew for the work that they do.
 - 245 ✓ Stephanie Lane, Shires Housing Executive Director:

- 246 ○ This is a wonderful opportunity for the private/public partnership as
- 247 having a strong partner goes both ways.
- 248 ○ There are several sources of funding for the housing portion of this
- 249 project but may not have been possible if we had tried to tackle this on
- 250 our own.
- 251 ○ Having the SASH program in the same building as potential senior
- 252 housing and other services is “ideal”.
- 253 ○ SASH is a statewide program that serves ~5,500 Medicare eligible
- 254 Vermonters with support services to keep them as home as long as they
- 255 choose to be.

256 *Board questions/comments:*

257 Mr. Lee-Clark: Have we tested the site for PCB’s? Mr. Monks: We haven’t yet but there will be a
258 complete report done by us, as well as, rigorous testing also done by Shires Housing. This is
259 part of what needs to be done when one takes over an old building.

260 Mr. Corey: Is the lease payment in the agreement similar to what we’re paying now? Mr.
261 Monks: Now we’re paying \$3,000 just for the auditorium spaces so the additional spaces for us
262 would bring it up to ~\$7,000 so this lease payment is much less and we will have control of the
263 building.

264 Ms. Conner: Will the spaces not designated to Meals on Wheels or the Senior Center be
265 available for rent for birthday parties, meeting space, etc.? Ms. Barsotti: Yes, such as the winter
266 Farmer’s Market. The YMCA will be keeping track of those.

267 Ms. Conner: The collaborative office space is a good idea.

268 Ms. Perrin: Do you see the kitchen as being commissary to rent out to people starting a
269 business? Ms. Svoboda: It’s a possibility.

270 *Public questions/comments:*

271 Nancy White: The meeting at the Senior Center could have gone twice as long as was not well
272 publicized. We could have bought the Benn High building when the middle school moved to
273 East Road for \$1 and we refused. We should have gone to the Rec Center instead of UCS and
274 parking at the Benn High building will be an issue with 40 apartments and all the people that we
275 hope to draw there. Someone please explain the flipping of the Benn High building with the
276 current Senior Center? Ms. Jenkins: Your first stop is with Mr. Hurd for the explanation you
277 have requested and your other comments have been previously addressed.

278 Nancy White: Continued about the Senior Center being regional, that the 40 apartments were
279 to be for work force tenants and won’t be, that the public is never aware, and again, the
280 acquisition of the Senior Center by the existing Benn High owner, Chris Gilbert. Ms. Barsotti
281 added that, if the Town makes the renovations to the Benn High building and moves the Senior

282 Center there, then Chris Gilbert would take possession of the current Senior Center to develop
283 into housing, probably at the market rate. For that to go forward, he has to invest the value of
284 the Senior Center building back into Benn High within a timeline to complete the gym and the
285 surrounding spaces which will happen in tandem with the Town’s improvements.

286 Jenny Dewar: Thanked the Town staff for all of their work on this exciting project.

287 Clark Adams: Sees the hard work that everyone is doing to benefit the Town. Does the Town
288 have a policy to hire local contractors for project work? Mr. Monks: Absolutely.

289 Debbie Mann: Is concerned about the air quality citing the obvious odors during the Open
290 House, also agrees that parking is going to be an issue at the Benn High, and wonders what
291 maintenance has been done to the existing Senior Center. The roof was only partially replaced,
292 slate is falling into the flower garden and boards are falling off of the outside window frames.
293 Mr. Monks: The building will be completely sealed with a new HVAC air quality system that
294 creates fresh air at the rate set by the Federal and State standards. When complete the air
295 quality will be better than any other building in town. When it was the Middle School, there
296 were lots of teachers and kids going in and out and “it wasn’t a catastrophic parking situation
297 then and it shouldn’t be now, but if it is, we’ll be happy to deal with that issue”. Mr. Hurd: The
298 main part of the current Senior Center roof has been completed, however, we may not have
299 finished the small additional building. Also, the other kinds of repairs are done as they occur.
300 “The building is in constant maintenance.”

301 ***Jim Carroll moved and Bruce Lee-Clark seconded to accept the Lease & Purchase***
302 ***Agreement between Bennington High, LLC and the Town of Bennington as presented. The***
303 ***motion carried unanimously.***

304 Ms. Jenkins noted that we received one more request for ARPA Funding from Sunrise
305 Family Resource Center for \$5,000 of an \$85,000 3-year project. The Economic Development
306 Infrastructure Committee will review this request and we will have more information at the
307 next meeting.

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

309 Ms. Jenkins stated that we have a Draft Resolution for Community Policing Advisory
310 Review Board (CPARB) looking at all of the different kinds of comments from the public, town
311 staff, town counsel, and the Attorney General’s (AG’s) office. Mr. Lee-Clark will be following up
312 on the AG’s office resources on the complaint process and will be meeting with the Bennington
313 Police Department (BPD). In the Resolution there is no distinction between a formal and
314 informal complaint. Also, the State is not preparing training materials for review boards so we
315 are asking the Select Board to authorize the Community Policing Working Group to explore
316 working with Brian Corr on trainings for CPARB in conjunction with the BPD, as well as, explore
317 a training for the CPARB and the Select Board. We have monies left over from working with the
318 Vermont Partnership on Diversity.

319 Ms. Conner reminded everyone that this only deals with the first four sections.

320 *Discussion on the Resolution for CPARB:*

321 Page 1, Lines 3-5, "The Bennington Select Board, through its authority, hereby
322 establishes a Town Board to be known as the Community Policing Advisory Review Board
323 (CPARB), to provide meaningful community involvement in safety, equity, and law enforcement
324 decision-making."

325 ❖ *Line 5, the BPD would like a clearer definition of 'law enforcement decision-making'.*

326 ❖ *Line 5, the BPD would like to Add "the BPD Mission Statement".*

327 Page 1, Lines 26-29, **Activities**, In collaboration with the BPD, the CPARB will:, Provide an
328 alternative, confidential entry portal where members of the public can enter complaints
329 and/or compliments directed toward the Bennington Police Department." AND

330 Page 1, Line 42, **Considerations** AND

331 Page 2, Lines 3, "The CPARB will not receive, or review complaints initiated against
332 personnel of the police,"

333 ❖ *Mr. Corey: How can CPARB submit complaints/compliments but not receive
334 them?*

335 *Ms. Jenkins: The Task Force heard that the community wanted an alternate way
336 to submit a complaint so CPARB would be trained to help an individual file a
337 complaint only but they cannot receive the actual complaints for review.*

338 *Mr. Lee-Clark: Part of that will come in Section 5, and under State Law, no one
339 except the Select Board is allowed to do a civilian review of a complaint. There is
340 a distinction between helping someone fill out a complaint, submitting it, and
341 reviewing it.*

342 *Ms. Conner: The difficult part of this is that CPARB will have knowledge of the
343 complaint if they help someone fill it out but that is as far as they can go with it.
344 Part of the training will be confidentiality.*

345 Page 2, Lines 8-14, "**Meetings**, The CPARB will meet monthly, in person, or in a virtual
346 setting. It is expected that each member will contribute and provide input on the
347 topics on the agenda set by the chair. The CPARB may form sub-groups and engage the
348 community in CPARB work, as appropriate. The Chief of Police or designee will attend
349 all CPARB meetings and report on BPD matters as directed by CPARB Chair. A Select
350 Board member or staff liaison will be appointed to provide assistance as needed by the
351 CPARB."

352 ❖ *The BPD questioned the frequency of the meetings citing that other review
353 boards in the State meet quarterly.*

354 Page 2, Line 16-20, "**Composition and Eligibility**, The CPARB will consist of seven
355 members from the community. Community is defined as a resident of the Town of
356 Bennington, Old Bennington or North Bennington or someone who works or has
357 demonstrated a significant (8 hours per week or more) commitment to volunteerism in
358 Bennington."

359 ❖ *The BPD and the Select Board, Line 20, Add "CPARB members must be Vermont*
360 *residents."*

361 ❖ *The BPD also had questions on eligibility, recruitment, application process,*
362 *interview process, etc.*

363 Page 3, Lines 15-19, "**Training**, Members must complete training authorized by the
364 Bennington Police Department Chief prior to active participation on the CPARB. CPARB
365 members shall take additional training over their term; not less than one additional
366 training per year. Training costs will be borne by the Town of Bennington."

367 ❖ *The BPD had questions on training, and the Select Board realizes they need to*
368 *follow up on trainings, as well.*

369 Page 3, Lines 25-31, "**Definitions**, Complaint - A complaint documents when a person
370 witnesses or experiences a personal encounter with Bennington Police Department
371 personnel that involves criminal conduct, misconduct, abusive or discriminatory
372 behavior, neglect of duty, corrupt activity, inappropriate conduct or a violation of rules
373 and regulations of the Bennington Police Department. Complaints can be made in-
374 person, by phone, letter, or on the web. While more difficult to investigate,
375 anonymous complaints are accepted.

376 Page 3, Lines 33-36, Compliment - A compliment documents when a person witnesses
377 or experiences a personal encounter with Bennington Police Department personnel
378 that warrants special recognition as conduct that goes above and beyond the
379 expectations of the community. Compliments may be made in-person, by phone,
380 letter, or on the web."

381 ❖ *Mr. Corey: Line 27, Change "that involves" to "that they believe involves"*

382 ❖ *Line 30, the BPD questioned the necessity to have alternate ways to make*
383 *complaints.*

384 ❖ *Line 31, the BPD questioned if anonymous compliments would be accepted, as*
385 *well as, anonymous complaints.*

386 ❖ *Mr. Corey: Line 35, Change "that goes" to "that they believe goes"*
387 *Ms. Jenkins: Line 36, Change "letter, or" to "letter, anonymously, or"*

388 Questions and comments from the Board and the public:

389 Ms. Perrin: Will the entire document be reviewed by Town Counsel?

390 Ms. Jenkins: Yes, as well as, final review by the BPD and the Town Manager. We also hope to
391 get a draft of the complaint process from Town Counsel by April 11th.

392 Mr. Haley: Doesn't feel that this document is strong enough but that it is the best we can do
393 under State Law. "It makes no sense to me that one law recommends a civilian review board
394 but another one says we can't appoint one." He encouraged everyone to voice their opinions
395 to the Legislature. "Any step is a step forward and I don't want the community to think that
396 this is necessarily done."

397 Mr. Lee-Clark: Agreed that this is not the last step so what anyone can do is communicate with
398 your Senators and Representatives with particular attention to the Chair of the Judiciary
399 Committee, Dick Sears.

400 Ms. Jenkins: Added that Mr. Sears is aware of this.

401 Clark Adams: When the Task Force reviewed the BPD policies, one of their policies restricted
402 the receipt of complaints to supervisory staff only. He is concerned about taking complaints
403 over the phone because someone could just be "venting". CPARB should be at the end of the
404 complaint process, and to involve them in the beginning, "is mixing things that shouldn't mix".
405 Even with the current legal limitations that CPARB has, it is important that the community
406 realizes that the Town wants to make things right.

407 Ms. Jenkins: Even though CPARB isn't going to be able to do the level of review that we had
408 thought, what CPARB can do is have the data to see how trends are going and why we do what
409 we do. Not distinguishing between formal and informal complaints is a normal practice in most
410 towns so we don't want to discourage people from venting.

411 Ms. Conner: It is important to be able to retrieve the data and be able to know that it can be
412 quantified and qualified as accurate.

413 April Dunham: Thinks this is a step in the right direction, but because of our legal limitations,
414 there's a lot more we can do and is glad that CPARB will be able to see the data from the
415 complaints; thinks CPARB will eventually see a change in the Statutes; is glad that all complaints
416 will be taken without distinction; thinks that complaints should be taken by a neutral party - not
417 by the BPD or a CPARB member; may be difficult for some to enter complaints online or feel
418 confident that anonymity would be maintained if doing so; this document isn't set in stone, it is
419 a living document.

420 Mr. Carroll: We all recognize that there is more work to be done.

421 Rose Telford: Why did this start? Ms. Jenkins: The IACP assessment in 2020 recommended that
422 we look at a review board to increase trust and transparency in the community. Much work
423 was done by the Select Board, BPD, and community members prior to this step and we are now
424 considering the consummation of this review board.

425 Rose Telford: Thinks the police do a good job and doesn't think someone that is not a police
426 person should second guess what they do. Ms. Jenkins: We certainly appreciate the police and
427 they have been a part of this every step of the way. We are looking to attain our Town Vision
428 and this is part of it.

429 Mr. Hurd: The last thing you want is for the review committee to be part of the complaint
430 process as that will create advocacy.

431 ***Jim Carroll moved and Bruce Lee-Clark seconded to adopt the Draft Resolution for***
432 ***Community Policing Advisory Review Board in principal as amended.***

433 Ms. Perrin: If we adopt this tonight, send it back to Town Counsel, then we'll have
434 another discussion, and send it back to Town Counsel again? Ms. Jenkins answered that this is
435 not final. We are only adopting it in principal tonight, it goes out for one last review by Town
436 Counsel, BPD, and the Town Manager, and we'll adopt what comes back.

437 Mr. Corey: Will we have language on filing a complaint when it comes back? Mr. Lee-
438 Clark: Yes, on April 11th. CPARB providing a confidential portal doesn't mean that they will be
439 submitting the complaints.

440 ***The motion carried unanimously.***

441 **8. IMPLEMENTING THE TOWN VISION**

442 **A. DECLARATION OF INCLUSION**

443 Mr. Haley stated the following:

- 444 ■ In the process of reviewing the Town Accessibility Plan and encourages the public to
445 contact Ms. Jenkins, Ms. Conner, or himself with any comments on this.

446 Ms. Jenkins added:

- 447 ■ Mr. Spivak has also followed up with Ted Brady from VLCT for their resources on this.
- 448 ■ A community suggestion from SVSU was specifically looking at hiring retention and
449 support for the diversity work force and this will be discussed at the Summit in June.

450 **B. JUNETEENTH PARTNERSHIP WITH SVSU**

451 Ms. Conner reported:

- 452 ■ Jonathan Phipps, SVSU Ethnic Coordinator, is collaborating with many groups across
453 southern Vermont for the June 18th Juneteenth Celebration at MAUMS. SVSU has
454 received a grant to perform this task. The goals are:
 - 455 ○ Provide a community building and affirming experience for the black
456 community in southern Vermont.

- 457 ○ Provide a space to educate and express black culture and histories to others
458 inside Vermont.
- 459 ○ Provide an initial collaborative effort to create a working relationship between
460 institutions and organizations across southern Vermont who all share a firm
461 belief of the importance of black culture and history. It is hoped this
462 mechanism carries on for decades to come and is able to collaborate on various
463 projects beneficial to the black community in southern Vermont. Ideally this
464 celebration would become a yearly event that moves region to region in
465 southern Vermont while also strengthening the bonds and collaboration
466 between all notable participants' institutions/organizations.
- 467 ▪ This speaks to the statement we read every week.

468 *It was the consensus of the Board to be involved in the Juneteenth Celebration as a*
469 *partner.*

470 Mr. Carroll explained that Juneteenth is when the slaves in Texas learned they had been
471 emancipated on June 19, 1865 even though the Emancipation Proclamation had taken place
472 two years prior.

473 **9. MANAGER'S REPORT**

- 474 ▪ *Bennington Representative to the State-wide 250th Battle of Bennington Celebration* -
475 Mr. Spivak has been named to a State-wide group as a private citizen. We recommend
476 formal appointment to the State-wide group as the Town's representative which will put
477 him in a position to join in activities of a local group.

478 ***Jim Carroll moved and Bruce Lee-Clark seconded to appoint Jonah Spivak as***
479 ***Bennington's Representative to the State-wide 250th Battle of Bennington Celebration group.***
480 ***The motion carried unanimously.***

481 *Willow Park Playground Public Forum* - The first public forum by Play By Design will
482 tentatively be held on April 15, 2022 at MAUHS during the evening hours and not at the Fire
483 Facility as previously announced.

484 Ms. Perrin suggested inviting the Young Professionals and that will be done.

485 **10. UPCOMING AGENDA**

486 April 11, 2022 - Select Board Reorganization

487 April 11, 2022 - Economic Strategy Update

488 April 11, 2022 - CPARB Discussion

489 April 11, 2022 - Implementing the Town Vision

490 April 11, 2022 - Update with Casella

491 **15. OTHER BUSINESS**

492 Mr. Corey: The St. Gobain class action suit map is now on the Town's website for property
493 owners in 2016.

494 Ms. Conner: The Bennington Banner will be announcing the highlights of our upcoming
495 meetings in the Friday paper and thank you to Kathy Janowski for donating the Support Ukraine
496 signs.

497 Ms. Perrin: Thanked everyone that attended the meeting.

498 Ms. Jenkins: Received a note from Chief Doucette and Lt. Grande thanking us for the Safety and
499 Hazard Pay and the Insurance benefit.

500

501

502 ***At 9:00pm, Jim Carroll moved and Sarah Perrin seconded the adjournment of the***
503 ***meeting. The motion carried unanimously.***

504

505

506 Respectfully submitted,

507 Nancy H. Lively

508 Secretary