

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **JUNE 13, 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; Shannon
10 Barsotti-Community Development Director; Geoff Metcalfe-Keefe & Wesner Architects, PC; Eric
11 Hatch-Southern Vermont Communications Union District; Jamie Carey; Clark Adams; Kelly
12 Carroll; Evan Yadeski; Will Greer; Michael McDonough; Robert Ebert; Tordis Isselhardt; Nancy
13 White; 10 citizens; Jim 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, and reminded everyone of the importance of, the Town’s Vision
19 Statement that was adopted by the Select Board on 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 MAY 23, 24, 25, 26, AND JUNE 1, 2022**

24 **B. WARRANTS**

25 **C. LETTERS**

26 *Jim Carroll moved and Tom Haley seconded to approve the Consent Agenda with the*
27 *May 23, 2022 Minutes amended and Letters read and clarified as follows:*

28 *Lines 14, 228, and 323 Change “Wayne” to “Wayn”*

29 *Line 116, Change “State” to “Skate”*

30 ***Letter of Thanks to Charles Copp for his 21.5 years of service to the Town as a member***
31 ***of the Development Review Board and Planning Commission.***

32 ***Letter of Support to the Ethiopian Community Development Council (ECDC) for the***
33 ***Town of Bennington to become a resettlement affiliate partner and begin a Reception and***
34 ***Placement program to resettle refugees in Bennington was sent to the Bureau of Population,***
35 ***Refugees, and Migration, U.S. Department of State in Washington, D.C.. ECDC is one of nine***
36 ***resettlement agencies in the country. There are currently approximately 30 refugees in the***
37 ***Bennington area which will hopefully increase to 90 individuals by 2025. Also by 2025,***
38 ***Rutland is likely to see 150, Brattleboro 120, and Colchester 350. Families are participating in***
39 ***Town recreational opportunities including summer camps, swimming, and gardening, as well***
40 ***as, public transportation, educational support for children and adults, and connections to***
41 ***employment.***

42 ***The motion carried unanimously.***

43 **4. PUBLIC COMMENT**

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

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

58 _____
59 _____

60 Jamie Carey, Sales Manager, Village Garage Distillery: Explained the history of the Village
61 Garage Distillery that began in 2018. They are a distillery that serves food and produces
62 bourbon, whiskey, and vodka with grains and food that are grown locally. Then the byproducts
63 of the distillery go back to the farms to feed the cattle that furnish the meat on the menu to

64 complete the circle. There is a 13-seat bar, 60-seat indoor dining, and 50-seat outdoor dining.
65 All spirits can be purchased at the distillery with the bourbon and whiskey are available in liquor
66 stores. Our website is www.villagegarage.com, Instagram is villagegaragedistillery, and our
67 hours are Thursday, Friday, Saturday 5:00pm-9:00pm and Sunday noon-4:00pm.

68 Nancy White: There has been a property on Spring Street that has been an “eye sore” with
69 garbage for 5 years. *Ms. Jenkins: Town staff will look into it. Mr. Monks: Added that we’re*
70 *under active litigation with that project and can’t enter the property until we get a court order.*

71 Clark Adams: The ACLU and NAACP are making accusations that our police behavior is
72 mistreating the public but he hasn’t seen any evidence of that. Do we have documentation that
73 our police have been mistreating, racist, or bigoted toward our citizens? *Ms. Jenkins: I have*
74 *had requests for all of my correspondence with the legislature and every town has a history.*
75 *She referred Mr. Adams to the IACP Report and the materials on the Town’s webpage on*
76 *community policing.* Mr. Adams added that it was said that the Task Force he served on was
77 trying to form an investigative body and that is false. He would like to see a more assertive
78 response in defense of the people of Bennington who are trying to do good. *Ms. Conner:*
79 *Encouraged Mr. Adams to write a Letter to the Editor in response to the article. She and Mr.*
80 *Lee-Clark noted the Board’s frustration on this issue.*

81 Kelly Carroll: Reminded everyone that this Saturday is the Walloomsac River Walk now known
82 as the Walloomsac Downtown River Walk that will start in People’s Park, over Park Street,
83 down Pleasant, over School, down Main, and over North Street making a loop and recognizing
84 some businesses. Everyone is welcome.

85 **5. SKATE PARK UPDATE**

86 Geoff Metcalfe, with Keefe & Wesner Architects, PC, did the following presentation:

- 87 • Keefe & Wesner Architects, MSK Engineers, and the Skate Park Committee have been
88 working on the Skate Park Project as volunteers so far.
- 89 • The proposed Skate Park location is to be on the south end of the existing Town parking
90 lot on the corners of River Street and Depot Street adjacent to the existing Bennington
91 Station structure.
- 92 • We can put the majority of our plan in this area without affecting parking and also
93 utilize the flood plain that has limited usefulness.
- 94 • The concept allocates approximately 13,000 square feet of grassy landscape plus 2,000
95 square feet of existing parking lot.
- 96 • The majority of the area would be concrete with skating features scattered in a
97 “flowing” style conducive to modern skating styles of continuous lines.
- 98 • We would be incorporating some greenspace and trees to soften the landscape,
99 relocate a portion of the existing bike path, and find ways to blend the two.

- 100 • We also have a 50'x60' building to house an indoor skating bowl for year round skating,
101 a small office, bathroom, and a retail space.
- 102 • The insulated and heated building would be metal framed with a metal roof and six
103 garage doors that can open in the warmer months to become part of the Park.
- 104 • The Skate Park Committee would like at least one staff person to be full time to manage
105 the building activities.
- 106 • We still need to figure out the hours of operation, do we charge for use or is it open to
107 the public, do we charge membership fees, charging for training/coaching the kids, and
108 fees for competitions, etc. are all topics of discussion.
- 109 • Estimated cost is \$50-\$55/square foot for the Park, itself, or \$750,000, and the building
110 at \$500,000 for a total estimated cost of \$1.25M.
- 111 • Some funds have been allocated by the Town and we will be consulting with a
112 fundraising professional.
- 113 • We are talking with a couple of Skate Park Designers and are asking ~\$5,000 to hire one
114 of them to produce a final design in color for review by the Board and to use as
115 fundraising material going forward.

116 *Board questions/comments answered by Mr. Metcalfe:*

117 Mr. Carroll: You mentioned charging membership fees? *The outdoor Park would be open to the*
118 *public but that was a conceptual discussion on how to fund a staff person and indoor skating*
119 *during the winter. This will be owned by the Town and any membership fees will be set by the*
120 *Select Board.*

121 Ms. Conner: Is the outdoor Park open all the time or are there hours of operation? *It would be*
122 *open all the time and there have been discussions on whether to light it or just utilize the*
123 *existing pathway lights. We do want it available throughout the day but don't want to*
124 *necessarily promote skating at 2:00am.*

125 Ms. Conner: Is it fenced off? *Technically it isn't fenced off, however, we will do something to*
126 *maximize safety.*

127 Ms. Conner: Will there be insurance on the Park? *Mr. Hurd: If it's operated by the Town there*
128 *will be Liability Insurance.*

129 Ms. Jenkins: Is this an all or nothing or is it phased depending on how much money is raised? *It*
130 *can be designed in such a way to phase it if needed.*

131 Ms. Jenkins: How will you decide who will be paid the \$5,000 for the design? *It would come*
132 *down to price and so far much has been donated from friends. As we go forward, there would*
133 *be a bidding process for the actual build.*

134 Mr. Lee-Clark: This is a public/private partnership so does the Town have any requirements?
135 *Mr. Hurd: The State requires that it must be open to the public and we don't know if there are*
136 *any restrictions about the private portion of it.*

137 Mr. Lee-Clark: Do we require an RFP for the \$5,000? *Mr. Monks: We could enforce the Town's*
138 *policy of getting 3 bids at this point or the Board could recognize the work that has already been*
139 *done and decide to give the \$5,000 to them to continue on with the project to get the final plan.*

140 Ms. Perrin: Will the design be up to competitive standards? *Yes, we want something that will be*
141 *conducive to a competition site.*

142 Mr. Hurd: Would like to see the trees donated by NSK to be saved. *Will do.*

143 ***Bruce Lee-Clark moved and Sarah Perrin seconded for the Select Board to allocate up***
144 ***to \$5,000 of ARPA Funding to Keefe & Wesner Architects for the Skate Park design work and***
145 ***to obtain a designer. The motion carried unanimously.***

146 **6. SOUTHERN VERMONT COMMUNICATIONS UNION DISTRICT UPDATE**

147 Eric Hatch, Chair of the Southern Vermont Communications Union District (CUD) did the
148 following presentation:

- 149 ➤ Southern Vermont CUD is made up of 14 towns that were faced with getting
150 universal internet access.
- 151 ➤ CUD formed a public/private partnership with Consolidated and funding has
152 fallen into place.
- 153 ➤ Everyone in Bennington who is on the grid will have high speed internet access
154 by the end of this year except for a few folks on Skiparee Road and Mt. Anthony
155 Road who will get it next year.
- 156 ➤ There is a three phase plan:
 - 157 ✓ Phase 1, 2022 - Bennington, most of Shaftsbury, Woodford, Glastenbury,
158 and a little bit of Pownal.
 - 159 ✓ Phase 2, 2023 - the rest of the communication districts - the rest of
160 Pownal, up to Peru, Dorset, Londonderry, and Landgrove.
 - 161 ✓ Phase 3 - is for the people that are extremely remote and cannot be
162 reached by Consolidated. They will be visited by CUD for other providers
163 such as Verizon or Xfinity.
- 164 ➤ You can find out when it will be available in your area by keying in your address
165 at www.benningtonvermontfiber or www.fidiumfiber .
- 166 ➤ The lowest package is \$40/month the first year and \$50/month thereafter with
167 \$30 credits available to some.
- 168 ➤ "It's blazingly fast, future proof, and easier to maintain."
- 169 ➤ Thank you to all that have been involved in this process.

170 *Board questions/comments answered by Mr. Hatch:*

171 Ms. Conner: Are you all volunteers? Yes. Ms. Conner noted with the Skate Park presentation
172 and this one that the volunteerism in this community is “incredible”.

173 *Public questions/comments answered by Mr. Hatch:*

174 Tordis Isselhardt: What about people that already have contracts with Consolidated? *Your*
175 *current contract can be converted to a lower rate plus, if you wish to keep your land line, a*
176 *phone charge will be added to that. They don’t offer TV but have U-Tube TV and other*
177 *screening services.*

178 Clark Adams: Does this program have an impact on cell phone coverage? *It does not, however,*
179 *once the infrastructure is established in our town and county, it will be easier for the cell phone*
180 *service providers to come in.*

181 **7. BOARDS AND COMMISSIONS APPOINTMENTS**

182 Ms. Jenkins explained that there were more applicants than there were open seats and
183 they were all very well informed about the Town. Of the 18 appointments, 11 are new and 7
184 are reappointments.

185 ***Bruce Lee-Clark moved and Tom Haley seconded to appoint the following to the 2022***
186 ***Town Boards and Commissions:***

187	<u>Name</u>	<u>Board/Commission</u>	<u>Term Expiration</u>
188	<i>Jane Raddochia</i>	<i>Development Review Board</i>	<i>6/2025</i>
189	<i>Dan Malmborg</i>	<i>Development Review Board</i>	<i>6/2025</i>
190	<i>Ron Hachey</i>	<i>Development Review Board</i>	<i>6/2024</i>
191	<i>Sharyn Brush</i>	<i>Housing Authority</i>	<i>6/2027</i>
192	<i>Evan Yadeski</i>	<i>Planning Commission</i>	<i>6/2024</i>
193	<i>Nick Lasoff</i>	<i>Planning Commission</i>	<i>6/2026</i>
194	<i>Mary Rogers</i>	<i>Energy Committee</i>	<i>6/2023</i>
195	<i>Chris Bates</i>	<i>Energy Committee</i>	<i>6/2023</i>
196	<i>Dan Monks</i>	<i>Regional Commission</i>	<i>6/2024</i>
197	<i>Carol L. Holm</i>	<i>Board of Listers</i>	<i>6/2024</i>
198	<i>Peter Green</i>	<i>Board of Listers</i>	<i>6/2024</i>
199	<i>Marsh Hudson-Knapp</i>	<i>Community Policing Advisory Review Board</i>	<i>6/2024</i>
200	<i>Will Greer</i>	<i>Community Policing Advisory Review Board</i>	<i>6/2024</i>

<u>Name</u>	<u>Board/Commission</u>	<u>Term</u>
Robert Ebert	Community Policing Advisory Review Board	6/2024
Jeff Vickers	Community Policing Advisory Review Board	6/2024
David Burch	Community Policing Advisory Review Board	6/2025
Kelly Carroll	Community Policing Advisory Review Board	6/2025
Scott Richmond	Community Policing Advisory Review Board	6/2025
Jeannie Jenkins	Bennington Free Library Select Board Liaison	
	6/2023, non-voting	
Bruce Lee-Clark	Better Bennington Corporation Select Board Liaison	
	6/2023, non-voting	
Sarah Perrin	Better Bennington Corporation Select Board Liaison	
	6/2023, non-voting	
Gary Corey	Energy Committee Select Board Voting Member	
	6/2023, non-office	

216
217 **holding**

218 Ms. Perrin was disappointed that Bob Walker wasn't appointed to the CPARB Board as
219 she felt that his years of service in the Police Department would have brought balance to the
220 Board.

221 **The motion carried unanimously.**

222 Evan Yadeski, Kelly Carroll, and Will Greer thanked the Board for their appointments and
223 are looking forward to serving on their respective Boards/Commissions.

224 **8. IMPLEMENTING THE TOWN VISION**

225 **A. ADA PLAN UPDATE**

226 Ms. Conner stated the following:

- 227 ❖ She, Ms. Jenkins, and Paul Dansereau met with two employees of the Vermont Center
228 for Independent Living (VCIL) via Zoom on May 25th to discuss the outdated 1995 ADA
229 Self Evaluation and Transition Plan.
- 230 ❖ Many different ideas were considered during the meeting including building code
231 changes and what other towns are doing.

232 ❖ A walk-about/roll-about with a few VCIL staff is scheduled for June 29th where we will
233 look at buildings and see what improvements can be made to them.

234 On another note, Ms. Jenkins added that the CPARB Training Schedule is being finalized and it
235 will be made clear what meetings are open to the public.

236 **9. MANAGER'S REPORT**

237 Mr. Hurd did the following report:

238 Road Closures -

239 ***Bruce Lee-Clark moved and Tom Haley seconded to close Pleasant Street from Main***
240 ***Street to the entrance to the public parking lot during the Thursday Evening Events and***
241 ***expand the Harvest Fest closure to include Pleasant Street from North Street to School Street.***

242 Mr. Hurd clarified that all the neighboring businesses have been notified of the Thursday
243 Evening Events closures.

244 ***The motion carried unanimously.***

245 Water/Sewer Fund Budgets Work Session - The work session was set for June 22nd from
246 5:00pm-8:00pm at the Fire Facility.

247 Juneteenth - The Town Offices will be closed on June 20th in honor of Juneteenth.

248 Morgan Springs Delivery System Relocation - The station will be open on June 17th , however,
249 there is no fencing or landscaping done so consultation will be done with staff if trucks will be
250 able to enter on that date.

251 New Workout Equipment at the Community Center - The YMCA has replaced the older
252 equipment with all new equipment.

253 **10. UPCOMING AGENDA**

254 June 27, 2022 - Appalachian Trail Committee Update on Trailfest.

255 July 11, 2022 - Opioid Task Force Update

256 **11. OTHER BUSINESS**

257 Mr. Corey: Rode his bike on the Ninja Trail to where the bridge is out and walked the Rail Trail.
258 He looks forward to both of those being complete.

259 Mr. Haley: Encouraged everyone to attend the Thursday Night Events.

260 Mr. Carroll: Reminded everyone of the Hemmings Cruise-In on June 16th.

261 Ms. Conner: The Juneteenth Event is on June 18th at the Middle School from noon-3:00pm.

262 Ms. Perrin: Knotty Pine is celebrating their 50th anniversary this week.

263 Mr. Lee-Clark: Kudos to the Town Staff who are communicating with businesses to trim the
264 grass as necessary for visibility and safety.

265 **12. EXECUTIVE SESSION**

266 **A. CONTRACTS**

267 **B. PERSONNEL**

268 *At 7:34pm, Bruce Lee-Clark moved and Sarah Perrin seconded that the meeting was*
269 *adjourned finding that an Executive Session be held on Contracts and Personnel as premature*
270 *public knowledge would place a person involved in the subject matter at a substantial*
271 *disadvantage. Action will be taken on A. Contracts and no action will be taken on B.*
272 *Personnel when going back into Open Session. The motion carried unanimously.*

273 Respectfully submitted, Nancy H. Lively, Secretary