

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **JULY 25, 2022**

5 **MINUTES**

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

8 **SELECT BOARD MEMBERS ABSENT:** Sarah Perrin.

9 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Assistant Town Manager; Shannon
10 Barsotti-Community Development Director; Jonah Spivak-Communications Coordinator; Tim
11 Van Orden-Prospect Mountain Snowshoe Championships; Jackie Kelly; William Stewart; Donna
12 Alexander; Ned Perkins; David Alexander; Shirley Adams; Debbie Matte; Nancy White; Tordis
13 Isselhardt; 10 citizens; Jim Therrien-Bennington Banner; Jim Vires-CAT-TV; and Nancy H. Lively-
14 Secretary.

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

16 **1. PLEDGE OF ALLEGIANCE**

17 The Pledge of Allegiance was recited.

18 **2. VISION STATEMENT**

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

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

23 **3. CONSENT AGENDA**

24 **A. MINUTES OF JULY 11, 2022**

25 **B. WARRANTS**

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

28 *Lines 12 and 123, Change “Margay” to Margae*

29 *Lines 15 and 216, Change “Urban” to “Urbon”*

30 *Line 15 and 222, Change “Giamowski” to “Cichanowski”*

31 *Lines 15 and 226, Change "Nat" to "Ned"*

32 *Line 82, Change "hours" to "ours"*

33 *Line 103, Change "Savita" to "Savida"*

34 *Line 361, Change "picket" to "split rail"*

35 *The motion carried with Sarah Perrin absent.*

36 **4. PUBLIC COMMENT**

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

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

51 _____
52 Jackie Kelly: The principals of the schools have said that they don't have enough applicants for
53 school jobs with a baseline of \$50,000 because the candidates can't find appropriate housing.
54 Are there any housing plans for middle income people? *Ms. Jenkins: Most of the proposed*
55 *housing is affordable and market rate so this income range would qualify for Shires. Housing*
56 *was listed on our priority list.*

57 Ned Perkins: The Walloomsac Inn is now in probate. Does the Town have any plans on
58 preserving it? *Mr. Hurd: It is the responsibility of the owner to preserve it.*

59 Debbie Matte: Have the parking rules changed? *Mr. Monks: Will speak to Ms. Matte privately*
60 *on this question.*

61 **5. PROSPECT MOUNTAIN SNOWSHOE CHAMPIONSHIPS**

62 Tim Van Orden did the following presentation:

- 63 • The application deadline for hosting the World Snowshoe Championships is July 31,
64 2022.
- 65 • We had hosted the U.S. Snowshoe Championships in 2018 and it is still the best
66 attended Championships.
- 67 • Because 8 countries attended the 2018 U.S. Championships we were asked to apply for
68 hosting the World Championships.
- 69 • The International Association Federation expects the hosting towns to make the
70 international participants feel welcome and make this more than a race.
- 71 • In his personal world competitions experience, Bennington is one of the best training
72 grounds that Mr. Van Orden has ever seen which could create an enormous economic
73 opportunity.
- 74 • There are several other trail and biking events that we can apply for, as well.
- 75 • Bend, Oregon has done this and Bennington has more to work with than they did. This
76 needs to be marketed.
- 77 • The date of the event is March 4, 2023 and the town that is approved will be announced
78 in early September.

79 *Board questions/comments:*

80 Ms. Conner: Do we have adequate facilities, restaurants, etc. to host a world championship?
81 *Yes and no. In the past we had leveraged facilities that weren't specifically meant for that*
82 *purpose but I do think that we have the resources to do this. Numbers, including friends and*
83 *families for the U.S. Championships, were ~600 and we expect 200-300 of only athletes for the*
84 *Worlds.*

85 Mr. Lee-Clark: What are you specifically looking for from the Board? *Working with the state*
86 *and local governments, the Chamber of Commerce, the BBC, etc. for these events is essential*
87 *and what the Town is willing to do to support the area. For example, Saranac Lake had a*
88 *regional parade.*

89 Mr. Corey: Your energy is incredible and anything we can do to support this event is beneficial.

90 *Public questions/comments:*

91 David Alexander: Suggested working with the hospital for the use of the previous Southern
92 Vermont College facilities.

93 **6. ARPA UPDATE**

94 Dan Monks did the following presentation:

- 95 ➤ We have received half of the ARPA funds and expect the other half within the next 3-4
96 months - a total of \$3.9M.

- 97 ➤ Completed, or nearly completed, projects are:
98 ✓ The White-Burke study - done.
99 ✓ Digitizing the Town Records - scanning is done and now working on the indexing
100 of them. All records were digitized from April 2022 forward and back 40 years
101 will be done within the next 2 months.
102 ✓ The Sunrise Family Resource Center request - done.
- 103 ➤ Other Projects to be completed:
104 ✓ The County Street/Benmont Avenue sewer line - design.
105 ✓ The South Street/Union Street "lake" - study being done on how to mitigate the
106 problem.
- 107 ➤ The "big three" projects:
108 ✓ Willow Park - expect to receive equipment tomorrow with construction done in a
109 few weeks and a ribbon cutting thereafter. Kudos to Paul Dansereau and Mark
110 Sawyer for their work on this.
111 ✓ Skate Park - authorization has been given to solicit bids for the design, they are
112 very close to selecting a designer, and we hope schematics will be available in 4-
113 6 weeks when we will be doing a more detailed presentation.
- 114 ➤ Benn High Redevelopment - bid for and selected Goldstone Architecture and bid for and
115 selected Englebert Construction as Construction Manager. Close to hiring design subs,
116 such as a Structural Engineer and an HVAC Engineer. We expect to know costs within 4-
117 6 weeks and to do a "robust presentation" of the schematic design at a public meeting
118 that may be separate from the regular Select Board meeting. After this meeting and
119 public comments, we will need to know if we are to move forward with the project. A
120 reminder - the building is a 100,000 square foot area and the Town is working on 30,000
121 square feet of it with Shires Housing working on the other 70,000 square feet for ~30
122 units of housing as a separate project. Our area will be for the Seniors Center, Meals on
123 Wheels, YMCA, and other community partners.
- 124 ➤ All of the ARPA projects and their statuses are available on the Town's website that is
125 updated every 30 days.

126 *Board questions/comments:*

127 Ms. Conner: Clarification - we will only be looking at the design for our 30,000 square feet. *That*
128 *is correct.*

129 Ms. Conner: Clarification - there will be a contingency in our contract. *That is correct - at least a*
130 *10% contingency.*

131 Ms. Conner: Everyone has an opinion and they should express them. However, that doesn't
132 mean that everyone is going to get their way. *We hope to satisfy the opinions of the majority*
133 *from children to Seniors.*

134 Ms. Jenkins: Kudos to Shannon Barsotti and Jonah Spivak for seeing that the Seniors have input
135 in the Benn High project. For this to be successful, we need to hear from the people that will be
136 using the space.

137 *Public questions/comments:*

138 Nancy White: Benn High - We are spending too much on this building which was supposed to
139 be about a gym, and a gym should be at the Rec Center. *We have a 30-year lease to own*
140 *agreement based on a \$1.1M purchase price on the existing Senior Center, and, we can also just*
141 *walk away from the agreement. As stated, we will be having a public meeting when we know*
142 *the costs and schematics, as well as, a Select Board meeting when the decision will be made to*
143 *proceed, or not to proceed, with the project. We have only been authorized to do a feasibility*
144 *study and that's what we've been doing. Also, to build a gym at another location would cost 5-6*
145 *times as much.*

146 Debbie Matte: Would like a hard copy of the ARPA information that is on the website, is
147 concerned that the Benn High and the Skate Park are presented as one total, would like a hard
148 copy of the square footage that we currently have, and that the YMCA has more space on a
149 map that she has. *The hard copy of the ARPA information is available at the Town Office, the*
150 *Benn High and Skate Park dollars are combined because we don't have actual costs for either,*
151 *Mr. Spivak can get you a hard copy of the current square footage, and, since the Select Board*
152 *hasn't seen the map that Ms. Matte refers to, that will be discussed at the upcoming public*
153 *meeting.*

154 Debbie Matte: Can the sale of the existing Senior Center be done without a public vote? Yes,
155 *the Select Board can decide on the sale of the Senior Center without going to the public.*

156 Shirley Adams: Remind us of what the time lines are for spending the ARPA funds. *We have 2*
157 *years to decide on how to spend the funds and another year to spend them. The only 2 projects*
158 *that won't be expended by the end of this year are the Benn High and Skate Park projects. Ms.*
159 *Jenkins: Kudos to the Town Staff that have moved these projects along when other towns have*
160 *yet to decide on how they will spend their ARPA funds. Ms. Conner: And, kudos to the*
161 *volunteers that have worked on the Skate Park.*

162 Jackie Kelly: Who is partnering with Shires Housing and did this go out to bid? *Shires Housing is*
163 *the only local agency that is large enough to acquire a large portion of ARPA funds that is for*
164 *housing. The ARPA funding for them is separate from the Town's ARPA funding. They do,*
165 *however, need to bid out for anything that they do with those funds.*

166 **7. BENNINGTON FAMILY HOUSING GRANT AGREEMENT RESOLUTION**

167 Shannon Barsotti did the following presentation:

- 168 ❖ This is a Community Development Block Grant for \$500,000 to be sub granted to Shires
169 Housing for the renovation of 300 Pleasant Street for 9 new units for the Bennington

170 Family Housing Project that will replace the 9 current smaller units at the Hatcher House
171 across the street.

172 ❖ Their tenant at this location is the Coalition for the Homeless and the building is on the
173 National Historic Register.

174 ❖ They expect completion to be in September.

175 *Bruce Lee-Clark moved and Jim Carroll seconded to approve the Bennington Family*
176 *Housing Grant Agreement Resolution as presented. The motion carried with Sarah Perrin*
177 *absent.*

178 **8. MORGAN SPRING PUBLIC ACCESS**

179 Ms. Jenkins explained that this has been a long standing discussion if the Morgan Spring
180 water should be free to public access and we want to begin looking at the obvious questions of
181 health and safety, liability, fairness to rate payers or tax payers, and the logistics.

182 Because of their long term involvement with this, it was the consensus of the Board that
183 Tom Haley, Jim Carroll, and Bruce Lee-Clark be the Board's Morgan Spring Sub-Committee to do
184 some fact finding, work with Staff, and report back to the Board.

185 Questions that have been sent to the Town Manager:

- 186 ○ How often is the water at the Pump House near the Rec Center tested?
- 187 ○ Is it possible to assure Bennington residents that the water there is potable?
- 188 ○ What is the Town's liability in having a public water spigot installed there?
- 189 ○ What mitigation strategies can be deployed to reduce any liability?
- 190 ○ What would it cost to install a public spigot at that site accessible from the Rec
191 Center parking lot?
- 192 ○ Can a spigot at the Rec Center have an automatic shutoff and what would be the
193 cost of that?
- 194 ○ What would it cost to install a meter on that spigot in order to measure the
195 amount of water drawn?
- 196 ○ Could a public spigot be winterized to be utilized year round and what would
197 such weatherization cost?

198 *Board questions/comments:*

199 Mr. Lee-Clark: Is open to arguments about the fairness to rate payers.

200 Mr. Carroll: Feels residents would be willing to pay a nominal fee for the water and that it
201 would save the taxpayers a lot of money. There are those that buy bottled water because they
202 don't like water out of the tap.

203 Ms. Conner: Never buys bottled water and has had a Brita filter for 25 years. Filtration systems
204 are much less expensive than bottled water. And, how do we feel about the non-residents that

205 takes the water, i.e., the 2nd home owner that takes gallons of water to their ski lodge in Dover?
206 Mr. Carroll: Perhaps a credit card swipe could be available.

207 Mr. Hurd stated the following:

208 1. Is it possible from an engineering perspective? We are working with MSK as Morgan
209 Spring does not flow into our system by itself. It is run through a disinfectant system before it
210 enters the trucks and re-disinfected when it enters the bottling plant. A residual disinfectant
211 product must remain in that water when it is delivered to the customer. We currently use
212 infrared to disinfect to the trucks, and if we were to disinfect to a spigot, we would more than
213 likely use chlorine. Infrared is not residual. Also, you would require a structure because you
214 will have a pump, a disinfection system, and, if running it to the Rec Center parking lot, you
215 would have to run pipe either over or under the underground existing 36" Morgan Spring
216 overflow. Concerns are:

- 217 ▪ It's a public source.
- 218 ▪ To reduce liability, we would need a residual disinfectant which would most
219 likely be chlorine before it is discharged through the spigot.
- 220 ▪ The cost to do this ranges from \$50,000-\$125,000.
- 221 ▪ People are not going to achieve the pure spring water from Morgan Springs they
222 think they are.
- 223 ▪ So why wouldn't you just filter it coming out of the tap?

224 2. Do we charge for it or not? I am opposed to giving away municipal water when the
225 structure we built is paid for with water funds.

226 *Public questions/comments:*

227 William Stewart: His neighborhood is very quiet now without the 17 years of truck traffic in the
228 area related to the water. He is opposed to the installation of a spigot at the Rec Center
229 because of logistics, it is very costly, and that, too, is a neighborhood where the intrusion of all
230 spigot related traffic would be a "madhouse".

231 Donna Alexander: All of her questions were answered.

232 David Alexander: Suggested that the Banner report the information that Mr. Hurd has provided.

233 **9. IMPLEMENTING THE TOWN VISION**

234 Ms. Jenkins: Noted the presentations from Todd Salvesvold on the Opioid Response Team and
235 from the Bennington Police Department at the last meeting. Both were "candid and frank" and
236 informed the Board what was happening in our community in regard to substance misuse and
237 our safety. The last few years we have asked a lot of our police - to be "more guardian than
238 warrior" while also asking them to walk into danger when the need arises. "It's important for
239 all of us to think about the complexity of what we're trying to do as a community" and our
240 Town Vision really takes us there. "And, we owe a real debt of gratitude to our Police

241 Department and everyone that works with them.” One of the next steps is that Senator Sears
242 has engaged the legislative delegation of Governor Scott’s team, the Town, and local
243 community partners to discuss what we need as a Town and what we need as a county. The
244 Select Board will be bringing in community partners to our meetings to look at the prevention
245 side.

246 Ms. Conner: Added having spent so much time with the police over the past several years has
247 shown how much they care about our safety.

248 Ms. Conner: Following the Americans with Disabilities Act (ADA) tour, Paul Dansereau created
249 the Executive Summary - Town of Bennington Facilities ADA Audit & Improvement Plan. Ms.
250 Conner read some items from the Current Status and Actions Completed Since June 29, 2022
251 Audit from the referenced Plan.

252 ***THE EXECUTIVE SUMMARY PLAN REFERENCED IS ATTACHED TO THE END OF THESE MINUTES***
253 ***IN ITS ENTIRETY.***

254 **10. MANAGER’S REPORT**

255 Mr. Hurd did the following report:

256 Mike Cutler to Represent Town at 3rd Annual Community Leadership Conference - The summit,
257 organized by the Vermont Council on Rural Development (VCRD), aims to bring together new
258 and established voices from across Vermont. Mike’s contributions to the community are
259 extensive so he was selected by myself and the Select Board Chair and Vice-Chair to represent
260 Bennington.

261 Benmont Avenue/County Street Sewer - The 15” diameter sewer main carries ½ to 2/3 of the
262 downtown’s sewage system. We are going to replace it with a 24” diameter main and will cost
263 - depending how much our own staff can do - \$1.1M to \$1.6M. We will be replacing the
264 Benmont Avenue section this year paid for with funds from the Sewer Fund Fund Balance and
265 hoping that infrastructure funds will be coming in from the State. The Benmont Avenue job will
266 be bid and contracted out and our staff will be working along with them in the same trench.
267 This project was considered for being paid for with ARPA funds, however, the collapse has
268 caused us to move faster than originally anticipated.

269 DPW Fleet Manager Position - We are working on developing a job description for a Fleet
270 Manager position. This individual will be a certified mechanic and supervise all of the other
271 employees on how they handle and maintain their vehicles. We estimate a salary of \$70,000-
272 \$75,000/year and a savings of an estimated \$82,000/year.

273 **11. UPCOMING AGENDA**

274 August 8, 2022 - Bike and Pedestrian Pathways Update

275 August 8, 2022 - Community Partners Presentation

276 August 22, 2022 - Opioid Response Team Update

277 **12. OTHER BUSINESS**

278 Ms. Conner: Vote early now or in person on August 9th and Thursday Night Live performance
279 this week is a Drum Circle from 5:30pm-7:00pm. If you have a drum, bring it, and if you don't,
280 you'll still be able to drum.

281 Mr. Lee-Clark: Met 4 new residents at the Farmers Market that have moved here because it's
282 "beautiful and not where I was". Ms. Conner added that she had met 3 new residents, as well.

283 Mr. Lee-Clark: Walked Spring Street and it did look better, however, we need to stay on top of
284 the owner to continue cleanup. Mr. Haley agreed.

285 **13. EXECUTIVE SESSION**

286 **A. REAL ESTATE/CONTRACTS**

287 *At 7:54pm, Bruce Lee-Clark moved and Gary Corey seconded that the meeting was*
288 *adjourned finding that an Executive Session be held on Real Estate/Contracts as premature*
289 *public knowledge would place a person involved in the subject matter at a substantial*
290 *disadvantage. There will be no actions taken on these items when going back into Open*
291 *Session. The motion carried with Sarah Perrin absent.*

292 Respectfully submitted,

293 Nancy H. Lively

294 Secretary