

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **SEPTEMBER 11, 2023**

5 **MINUTES**

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

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-Communication Coordinator; Megan
11 Herrington-Health Impact Assessment; Jack Rossiter-Munley; Sam Restino; Mike Bethel; Vickie
12 Lampron; Nancy White; Shirley Adams; 15 citizens; Jim Therrien-Bennington Banner; Josh
13 Boucher-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 and followed by a Moment of Silence in
17 recognition of our losses on the 22nd Anniversary of the 9/11 Tragedy.

18 **2. VISION STATEMENT**

19 Mr. Haley 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 AUGUST 28, 2023**

25 **B. WARRANT**

26 *Ed Woods moved and Jim Carroll seconded to approve the Consent Agenda amended*
27 *as follows:*

28 *Minutes of August 28, 2023, Lines 11 and 70, Change “Chloe” to “Glory”*

29 *Minutes of August 28, 2023, Line 17, Change “Ms. Conner” to “Mr.*
30 *Haley”*

31 ***The motion carried with Sarah Perrin absent.***

32 **4. PUBLIC COMMENT**

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

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

47 _____

48 Jack Rossiter-Munley: 1. Resettlement - A thank you to the Board for his ECDC presentation as
49 an agenda item at the last meeting. Since then the refugees referenced in that report have
50 arrived. A refugee that came to Bennington in 1949, and is now living in California, sent a
51 donation to our current resettlement project. 2. The Community Café is serving 50-60 meals
52 each week. There will be musicians there this coming week and the Apple Barn is now
53 contributing food regularly.

54 Mike Bethel: We have 2 weeks to get 500 signatures on a petition for a vote as to whether or
55 not the Senior Center Building should be transferred to Chris Gilbert as part of the Benn High
56 Project. The petition, itself, will be in the Bennington Banner this weekend and can be signed
57 and brought to the Mini Mart, Nancy White, or himself. The Dutchman’s Café will also have
58 petitions to sign. He doesn’t feel the Select Board has been very “candid” about the project.
59 Any questions contact him at 802-442-9196.

60 Sam Restino: 1. Thankful for the Moment of Silence 9/11 recognition. 2. Kudos to the Town’s
61 Highway Department for their diligence in cleaning up after the storm. 3. The work across from
62 the Moose Club was done quickly by the Fire Department. 4. The Select Board meeting wasn’t
63 on the Facebook page this time and he relies on that for his information. 5. Questioned if the

64 curbing had changed the historical nature of Bennington Station. 6. The bridge on Depot Street
65 needs to be replaced.

66 Nancy White: Stated that the voters have 30 days to sign a petition if they don't want the
67 Senior Center Building transferred to Chris Gilbert. If 5% of the voters (486 voters) sign the
68 petition then it will be put to a town vote. The signed petitions must be in the Town Office no
69 later than September 29th.

70 Vickie Lampron: Explained what Window Dressers are and how they stop drafts. Volunteers
71 are needed and the "build" of the window dressers is from October 6th thru October 11th at the
72 Monument Arts Cultural Center on Gypsy Lane. Sign up at www.windowdressers.org for how
73 you would like to volunteer.

74 **5. HEALTH IMPACT ASSESSMENT FOR BENN HIGH**

75 Megan Herrington from the Vermont Department of Health did the following
76 presentation:

- 77 • A Health Impact Assessment (HIA) determines the positive and negative effects of a
78 policy, program, or project and makes recommendations accordingly on how to achieve
79 those with procedures, methods, and tools.
- 80 • HIA's can be done rapidly in a couple of days or more comprehensive over a longer
81 period of time. We chose to do a comprehensive HIA on Benn High.
- 82 • All HIA's contain screening, scoping, assessment, recommendations, reporting, and
83 evaluation.
- 84 • We are currently in the reporting phase as we continue to consider all data from which
85 we will then establish an evaluation.
- 86 • Our Steering Committee considered 5 basic topics - housing, health and safety, social
87 inclusion, community services, and assessment methodology.
 - 88 ○ Housing - those surveyed were happy to have housing
 - 89 ○ Health and Safety - building activity with additional lighting will improve health
90 and safety
 - 91 ○ Social Inclusion - will negate the loneliness of an aging population
 - 92 ○ Community Services - programming to create intergenerational connections and
93 diverse communication

94 *Board comments/questions answered by Ms. Herrington:*

95 Ms. Conner: What is a spatial stigma? *It is the negative perception related to a particular place.*

96 Ms. Conner: Realizes that all of the affordable housing must be together to access the funding,
97 however, should we pursue mixing the affordable with the market value units in other projects?
98 *All of the units are very similar regardless of what section they're in and they all utilize the same*
99 *services.*

100 Ms. Jenkins: What is best practice when looking at the outcomes? *We first evaluate our process*
101 *having been done correctly and then work with Hale Resources out 2, 5, and 10 years to*
102 *streamline this project.*

103 *Public comments/questions answered by Ms. Herrington:*

104 Sam Restino: 1. Are you working with the Bennington Regional County Commission (BCRC)? 2.
105 The location near Pleasant Street will be a hard battle to fight. *There are conditions that*
106 *everyone is aware of that renewed activity at the Benn High will help to minimize.*

107 Nancy White: 1. Why weren't there Bennington residents on the Steering Committee? *Lesson*
108 *learned. There should have been more residents on the Steering Committee.* 2. Why is this a
109 Bennington County project that only the Town of Bennington will be carrying the financial role
110 for? *As part of socialization, there will be various community agreements.*

111 **6. BENN HIGH DEVELOPMENT AGREEMENT**

112 Ms. Jenkins thanked Hale Resources and Town Staff for the time and efforts that have
113 been put into this project. This project puts together the 3 top priorities that the Select Board
114 has had for the last decade:

- 115 1. Resources and services for Seniors
- 116 2. Recreational opportunities for everyone "cradle to cane"
- 117 3. Expand our housing options

118 Mr. Monks and Ms. Barsotti did the following presentation:

- 119 ➤ The main reason that we're here is to discuss the Development Agreement between
120 Hale Resources, LLC and the Town of Bennington.
- 121 ➤ The property is the Benn High building of 100,000 square feet on 2.29 acres built in
122 1914, is on the National Register of Historic Places, and has been vacant since 2004.
- 123 ➤ The Town's space will be ~27,000 square feet with 14,000 square feet of that for the
124 Senior Center and Meals on Wheels. The current space for both of these is ~5,000
125 square feet.
- 126 ➤ There will also be 13,000 square feet of gym space, locker rooms, changing rooms, and
127 exercise rooms operated by the YMCA.
- 128 ➤ The housing portion will be 70,000 square feet with a mix of market rate and affordable
129 housing, and child care that will be managed by the YMCA.
- 130 ➤ And, there will be 3,000 square feet of office space occupied by the Council on Aging
131 and UVM Extension.
- 132 ➤ There will be more green space, an additional entrance, and a drop off area.
- 133 ➤ The property is currently owned by Chris Gilbert and the Town has control of the site
134 with a long term lease.
- 135 ➤ The Development Agreement formalizes the terms that have been previously seen and
136 discussed. They are:

- 137 ✓ Hale Resources will purchase the building and the Town will be a tenant.
- 138 ✓ Hale Resources will secure funding for the entire building including the Town's
- 139 portion.
- 140 ✓ Once funding is secured, the Town will sign the Lease Option with Hale
- 141 Resources which must be done by October 2024 to satisfy the ARPA usage
- 142 requirements.
- 143 ✓ Once the Benn High space is ready for occupancy by the Senior Center and Meals
- 144 on Wheels, the current Senior Center will be transferred to Chris Gilbert and
- 145 returned to the tax roll.
- 146 ✓ Hale Resources will construct the Town space but the Town will be responsible
- 147 for supplying its own furnishings.
- 148 ✓ The Town will then lease some of its space to Meals on Wheels and the YMCA.
- 149 ✓ The cost of fitting up the Town's space is ~\$8M and the Town will contribute
- 150 \$2M of ARPA funds towards that.
- 151 ✓ The initial Town lease will be for 15 years with a 35 year renewal term or a
- 152 capital investment by Hale Resources of all of the ARPA funds that the Town has
- 153 spent on the project.
- 154 ✓ The original term of the Town lease was to be 20 years but the 15 years was
- 155 predicated by tax credits, however, the overall 50 years remains from before.
- 156 ✓ Lease documents will include shared use of interior spaces, shared use of
- 157 exterior facilities, shared use of utility services, and parking.
- 158 ✓ Hale Resources will maintain repair of the whole building minus the interior
- 159 space occupied by the Town including janitorial services.
- 160 ✓ The Town will be responsible for plowing and mowing but not capital
- 161 improvements like paving.
- 162 ✓ The cost of the entire project is \$29M for Hale Resources.
- 163 ✓ The various funding sources of tax credits and grants were shared which
- 164 included those that have been secured and those that have been applied for.
- 165 ✓ Funding sources have required that the project be considered in two separate
- 166 "condos" - one for the affordable housing section and one for the rest.
- 167 ✓ Hale Resources will partner with NeighborWorks as some funding sources have
- 168 required them to partner with a non-profit.

169 Next steps:

- 170 ✓ For the Select Board to approve the Development Agreement.
- 171 ✓ The Town will continue to work with Hale Resources to secure funding.
- 172 ✓ Be back at a Select Board meeting within 90-150 days to update the public on
- 173 the project.

174 *Board comments/questions answered by Mr. Monks, Ms. Barsotti, and Zak Hale:*

175 Ed Woods: When he moved to Bennington 19 years ago there was talk of what to do with Benn
176 High and it has taken 19 years to get us to this point. He is very thankful for all the heavy lifting
177 and is appreciative of where we are today.

178 Mr. Corey: Will the building remain on the tax rolls or will it be affected by the non-profit? *Yes,*
179 *and as it is improved, it will be on at a much higher assessment. The non-profit has no effect on*
180 *the tax roll.*

181 Mr. Haley: Explain how the non-profit eliminates taxes. *Because you want all of the money*
182 *flowing in to be for the project and not for paying taxes.*

183 Mr. Haley: Is it fair to say that the funding chart looks so complicated because of the
184 government involvement? *It is primarily due to the tax credits and the affordable housing.*

185 Ms. Conner: Believes that the HIA would look favorably on the fact that there's child care in the
186 building. *The more services there are in the building the better off we are.*

187 *Public comments/questions answered by Mr. Monks, Ms. Barsotti, and Zak Hale:*

188 Sam Restino: 1. Does the property that Hale Resources owns on the corner of Pleasant Street
189 and Main Street affect the funding? *There is no impact.* 2. Will the funding be affected by a
190 change of managers that are not local? *Hale Resources will be the manager.*

191 Nancy White: Had the following questions:

192 1. Will there be tax stabilization? *This is a topic that will be discussed and we have a*
193 *policy that's been in place for 30 years on tax stabilization..*

194 2. Explain the \$26,000 in school tax? *Not sure but this may have been mentioned and*
195 *would be a wash as we may pay the tax but then it would come back to us.*

196 3. Where is the breakdown of the \$197,000/year that this will be in the Town budget
197 and does that include the 1 or 2 additional custodians the Town will need, and if not, what is
198 that cost? *Costs to the Town were included in detail in the last presentation and the*
199 *\$197,000/year is for the lease that includes a line item for custodians.*

200 4. Why will we be maintaining the plowing and mowing of the property when the Hale's
201 own it? *If this were contracted out we would have to pay our portion of that so it was*
202 *determined that it would be more cost effective for us to have our own staff and equipment do*
203 *it. They are doing it now so we have a sense of that expense.*

204 5. Who will be paying to renovate the gym? *Hale Resources will complete the*
205 *renovation that Mr. Gilbert had started.*

206 6. Who will be paying to renovate the gym and did a grant for \$190,000 go through, and
207 if so, what happened to the money? *No answer.*

208 7. When can Bennington residents tour the building? *The building inspector won't allow*
209 *in person tours of the building, however, we could do a video of it to be aired on CAT-TV.*

210 8. How many children will be in child care and how will they be fed hot meals? *104 and*
211 *the YMCA will have to answer how they will feed them. They have a similar facility in Pittsfield*
212 *where they do just fine.*

213 9. What will the 2 houses on Pleasant Street be used for if the playground is out back?
214 *Those 2 houses will remain as apartments.*

215 10. Will the Town or the YMCA operate the Senior Center? *No answer.*

216 11. Are there any parking spaces dedicated to the apartments or is it first come, first
217 *serve? There was a detailed presentation on parking at the last update with the only designated*
218 *parking spots for Meals on Wheels and the Senior Center during the day.*

219 12. Does maintaining the interior of the Town's space include repairs? *Only if needed*
220 *specifically for our space.*

221 13. Is this the first time NeighborWorks will work with apartments? *Yes, and it would be*
222 *similar to what the BCIC did for the Putnam and they didn't have any experience either.*
223 *NeighborWorks was only brought in as a lender and have experience in renovating many*
224 *apartments in Town.*

225 14. Can you tell the taxpayers now how much this will cost them going forward? *There*
226 *was a detailed presentation on this at the last update.*

227 15. Is the YMCA going to do anything with after school programs on the first floor or will
228 *they all be in the basement? No answer.*

229 Zak Hale added that there will be 24 new jobs created for the project with 17 of those
230 retained.

231 Shirley Adams: Had the following questions:

232 1. Is there a percentage of how much of the funding has been secured? *At this time 60%*
233 *and are confident that we will be able to raise the rest.*

234 2. Is the \$160,000 grant from the Town Program Income (TPI) funds from the Town's
235 *revolving loan fund? There are a couple of difference loan funds and they were all created from*
236 *housing projects several years ago. We have to report to the State on the larger revolving loan*
237 *fund and do not have to report the fund that has the \$160,000 in it that we basically haven't*
238 *used. So the State has given us permission to give this money out as a grant as long as it is*
239 *invested in this project.*

240 3. And, if it is from the revolving loan fund, does it get repaid or does it reduce the
241 *amount in that fund? Explained in question #2.*

242 4. What is triple-net? *This is a term used in commercial leases and means that the tenant*
243 *is responsible for electricity and other similar costs in addition to the lease payment.*

244 ***Jim Carroll moved and Ed Woods seconded to authorize the Town Manager to execute***
245 ***the Development Agreement as presented on behalf of the Town. The motion carried with***
246 ***Sarah Perrin absent.***

247 **7. ERRORS AND OMISSIONS**

248 ***Jim Carroll moved and Ed Woods seconded to adjust the existing assessment of Parcel***
249 ***20504300 at 2613 Chapel Road from \$97,200 to \$41,200 as presented. The motion carried***
250 ***with Sarah Perrin absent.***

251 **8. APPOINTMENT TO BOARDS AND COMMISSIONS**

252 ***Jim Carroll moved and Jeanne Conner seconded to approve the appointments to***
253 ***Boards and Commissions as follows:***

254 ***Community Policing Advisory Review Board (CPARB) for 3 year terms (2026)***

255 ***Lindsay Brillion Kathleen Kost Vickie Lampron***

256 ***Historic Preservation Committee (HPC) to fill an unexpired term (2024)***

257 ***Thomas Scheetz***

258 ***The motion carried with Sarah Perrin absent and Tom Haley abstaining.***

259 All four appointees were present and introduced themselves to the public.

260 **9. MANAGER'S REPORT**

261 Mr. Hurd did the following report.

262 *UCS Superhero 5K Road Closures* -

263 ***Jim Carroll moved and Ed Woods seconded to approve closing Main Street from***
264 ***Benmont to Branch and Gage Street from Bradford to Safford on November 4, 2023 from***
265 ***8:00am until 10:30am for the UCS Superhero 5K.***

266 Mr. Woods asked if this is an annual event, and Mr. Hurd answered that it is.

267 Mr. Corey asked if we had closed Main Street before, and Mr. Hurd answered that we
268 had for Mayfest and Harvestfest but this will be for a shorter period of 2.5 hours at the most.

269 ***The motion carried with Sarah Perrin absent.***

270 Mr. Hurd stated that the curbing to Bennington Station is all part of connecting the
271 Riverwalk to the Rail Trail and was grant funded.

272 Willow Park Playground Equipment Closure - The replacement equipment has arrived and the
273 playground will be fully open once again by September 16th.

274 Brush at Transfer Station - We currently only charge commercial haulers for brush at \$120/ton
275 which means they have to weigh in and weigh out which is causing some traffic congestion at
276 the Transfer Station. We are recommending a \$10 per load brush fee for all residential
277 customers and \$30 per load for commercial customers. A load is a pickup truck load or any
278 vehicle that is all brush - no leaves or grass. We are also talking to Casella about adding another
279 scale. Ms. Conner added that she was told on Saturday that they didn't have to wait in line if all
280 they had was recycling.

281 **7. UPCOMING AGENDAS**

282 September 25, 2023 - Turning Point - Outreach Update

283 September 25, 2023 - Health Dashboard

284 September 25, 2023 - Energy Committee

285 **8. OTHER BUSINESS**

286 Ms. Conner: Received an e-mail on the exciting things that are coming to the
287 Bennington Theatre.

288 ***At 7:56pm, Jim Carroll moved and Ed Woods seconded the adjournment of the***
289 ***meeting. The motion carried with Sarah Perrin absent.***

290 Respectfully submitted,

291 Nancy H. Lively

292 Secretary