

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **OCTOBER 9, 2023**

5 **MINUTES**

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

8 **SELECT BOARD MEMBERS ABSENT:** None.

9 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Assistant Town Manager; Shannon
10 Barsotti-Community Development Director; Nick and Sofia Pedemonti-Skatepark; ~25
11 Hometown Heroes Representatives with Billy Andrews, Cindy Legge, and Kelly Carroll as
12 spokesperson; Clark Adams; Sam Restino; Martha Mackey; Tyler Kulfan; Jack Rossiter-Munley;
13 Tordis Isselhardt; Nancy White; 10 citizens; Josh Boucher-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 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 SEPTEMBER 25, 2023**

25 **B. WARRANTS**

26 *Jeanne Conner moved and Jim Carroll seconded to approve the Minutes of September*
27 *25, 2023 amended as follows:*

28 *Page 6, Line 208, Change “It is a state law to encourage composting.” to “State*
29 *law requires all commercial operations and home owners to compost.”*

30 *The motion carried unanimously.*

31 **4. PUBLIC COMMENT**

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

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

46 _____
47 Billy Andrews and Kelly Carroll represented the ~25 Hometown Heroes present with Ms. Carroll
48 serving as spokesperson for the American Legion Post 13 Riders and the VFW Post 13 Riders as
49 follows:

- 50 1. They are collaborating on a Hometown Heroes Banner Project to honor our local
51 military heroes - both the ones who have passed on and the ones that are still with us.
- 52 2. The banners would be 24"x48" made of commercial grade durable vinyl.
- 53 3. We had hoped they would be displayed on Main Street but the BBC has said that the
54 Children's Art Banners will be on display for 2 years so we now hope to display them on
55 North and South Streets by the Veteran's Home and Walmart.
- 56 4. To be in compliance with the State statutes only deceased heroes may be displayed
57 and would need to be rotated with a new memorial banner every 2 weeks which is not
58 realistic.
- 59 5. There is no cost to the taxpayer except whatever is needed to approve the project.
- 60 6. We estimate ~\$125/banner including the bracket offset by fundraising and family
61 contributions to purchase a banner for their loved one.
- 62 7. Dee Collette was not able to come tonight but can answer any questions that you may
63 have.
- 64 8. Veteran's Day is next month so we would like to ask you for 2 things:
65 ✓ Your support.
66 ✓ What is our next step?

67 Cindy Legge added that it would be nice to honor our heroes of yesterday so we are able to
68 enjoy the freedoms we have today. *Ms. Jenkins: We need to do some research and have a plan*
69 *to share with you before the next meeting. Mr. Hurd added to have a group representative*
70 *meet with him tomorrow for further discussion on the flag, itself.*

71 Clark Adams: Would like some signage to reflect that Bennington is a Purple Heart community
72 and can't see any reason not to recognize their sacrifices. And would also like a Proclamation of
73 Solidarity for the people of Israel. *Mr. Hurd: There are 2 Purple Heart banners to be placed at*
74 *the VFW on that date in August recognizing that we are a Purple Heart community and added*
75 *that the State prohibits some signage.*

76 Nancy White: A week ago the Town Office approved the Benn High petition with over 500
77 registered voters having signed the petition and will decide if Chris Gilbert gets the Senior
78 Center building. She questioned why this wasn't on the agenda, people don't have enough
79 information about the project, and wants to set up a meeting on Benn High. *Ms. Jenkins: There*
80 *have been 5 public meetings on the Benn High project where the public could ask any question*
81 *to any of those that have been working on the project and you can always contact Mr. Hurd*
82 *with your questions. Mr. Hurd: The Town has 30 days to set a vote date or do it at the Town*
83 *Meeting. We will have a decision as to which date at the next meeting. The Town Meeting is*
84 *where you will get the greatest turn out. Ms. Conner: There is an enormous amount of*
85 *information on the website for this project and is accessible to anyone. If you need help*
86 *accessing the information, help is available at the Library and Town Office. Mr. Woods: All*
87 *questions that people wanted to ask were answered at each of these presentations on the Benn*
88 *High project. Mr. Corey: Added that all of the meetings can be watched on CAT-TV.*

89 Martha Mackey: Is excited about the public spaces for walking and biking and would like more
90 information on the communal space from the Benn High project, as well as, community
91 involvement as to what those should be.

92 Sam Restino: 1. The Purple Heart recognition could be added on the South and West ends of
93 Town where all of the fraternal organizations are, and also, those areas need to be trimmed. 2.
94 The homeless spoke that they are receiving services from the Town but lack of housing is the
95 issue. 3. There were 500 signatures on the petition so there should be 500 votes. 4. On
96 October 15th, corps vet's that filled the Publyk House parking lot last year are coming to Town.
97 5. Fire hydrant flushing will begin on October 11th. 6. Is glad to see that Asher and Jack, who
98 ran for Select Board, are still so involved in the community.

99 Jack Rossiter-Munley: The Community Café will be the featured community organization at the
100 Riverwalk on October 21st that starts at 10:00am at People's Park and will end at GBIC's with a
101 mini café available. The Café will still have its normal hours and menu as usual. We can be
102 reached at benningtoncommunitycafe@gmail.com .

103 **5. SKATEPARK PRESENTATION**

104 Shannon Barsotti and Dan Monks did the following presentation:

- 105 • The Skatepark was identified as one of the priorities for ARPA funding from our
106 public outreach effort.
- 107 • The Select Board had authorized up to \$5,000 for a preliminary design of which
108 only \$2,000 has been spent so far.
- 109 • The conceptual design was presented to the Board and they authorized staff to
110 continue working on the project.
- 111 • The Skatepark Team has identified Grindline, a firm that specializes in skatepark
112 construction to work with us. They have built 250 parks all over the world.
- 113 • Skateparks are for all ages and present competitions and business opportunities
114 to the communities.
- 115 • We have divided the project into 2 phases -
 - 116 ○ Phase 1 is the outdoor skatepark without a building or interior bowl -
117 estimated at \$750K
 - 118 ○ Phase 2 is the building with the indoor space for year round use and
119 some retail space - estimated at \$700K
- 120 • The next step is the site and permit analysis with in-kind site work to bring the
121 cost down.
- 122 • We will be taking a bit of the parking lot and hope to keep some of the existing
123 trees.
- 124 • This will be a public/private partnership between the Town and the private
125 skatepark businesses.
- 126 • There would be a portion paid for by the Town with the balance covered by
127 private donations, as well as, state and federal grants.
- 128 • Our private partners have met with a fundraising consultant with the fundraising
129 timelines at 6 months for Phase 1 and 1 year for Phase 2.
- 130 • We still have some final site analysis to do, then construction documents, and
131 then the actual construction.
- 132 • Tonight's request is:
 - 133 ○ Authorize staff to continue to work with Grindline to develop cost
134 estimates for this project.
 - 135 ○ Authorize up to \$25,000 of ARPA or alternative funds for a second
136 permitting analysis and fundraising consulting services. This would get us
137 to be able to say this is how much it will cost and where it will be located.
- 138 • We would then come back in 90 days for authorization to go forward with the
139 project and committing the amount of dollars from the Town.

140 *Board comments/questions answered by Ms. Barsotti, Mr. Monks, Nick Pedemonti, and Sofia*
141 *Pedemonti:*

142 Mr. Woods: Do you anticipate any staffing needs? *Phase 1 - No; Phase 2 - There would be a*
143 *formal agreement between the partners and the Town for management of the retail section,*
144 *how will entry be handled, possible membership fees, etc. This will be part of our update in 90*
145 *days.*

146 Ms. Conner: Having fundraised for many years, has not fundraised for a specific project like this,
147 but it seems that the donors would want to know the cost of the project. *We won't start*
148 *fundraising until we have a final conceptual design and relatively solid cost estimates.*

149 Ms. Conner: Noted that if questions cannot be answered, it is because they are premature in
150 the step-by-step project process.

151 Ms. Conner: Added the Green Mountain Bus goes to Manchester and kids ride free.

152 Mr. Corey: What will the \$25,000 cover? *Fundraising consultant, MSK for permitting and site*
153 *analysis, and geotech work. The results of the geotech work will strongly contribute to the final*
154 *estimate.*

155 Mr. Corey: Are there grants for something like this? *Yes, there are, and once we're 2/3 of the*
156 *way there with other funding, we would open it up to the grants. Ms. Barsotti listed several -*
157 *some with 2 x matching funds and some for municipalities only. A reserve account will be set up*
158 *earmarked for the skatepark so we can accept tax deductible donations.*

159 Ms. Jenkins: Explain more of the update in 90 days. *We expect to have done all of the ground*
160 *work before that and come back with solid cost estimates, solid fundraising, and the dollar*
161 *amount to come from the Town from ARPA or other funding that will not affect the taxpayers.*

162 Ms. Jenkins: Where are we in the size of projects that Grindline has worked on? *We would like*
163 *to be in the 15,000 square foot range. Manchester is close to that and Burlington is 20,000*
164 *square feet. This is large enough and is expected to attract skaters to it but is not a*
165 *"monstrosity" like they have in California.*

166 Ms. Jenkins: Do some skateparks have a uniqueness to them? *The bowl, for example, would be*
167 *a draw because some parks don't have bowls.*

168 *Public comments/questions answered by Ms. Barsotti, Mr. Monks, Nick Pedemonti, and Sofia*
169 *Pedemonti:*

170 Sam Restino: Is concerned about potential cracks in the concrete 20-30 years from now and
171 that it will serve as a homeless shelter once it gets built. Also, is concerned about the cost of it
172 after the Willow Park Playground and the Benn High Project.

173 Sam Restino: When a presentation is being done, would like to be sure that it is in the board
174 packets.

175 Nancy White: 1. Will you know the cost of both Phase 1 and Phase 2 in 90 days? *Yes, a much*
176 *more solid understanding of the cost.* 2. Will you know the cost to the Town for maintaining the
177 building? *As was said earlier in the presentation - Phase 1 - No; Phase 2 - There would be a*
178 *formal agreement between the partners and the Town for management of the retail section,*
179 *how will entry be handled, possible membership fees, etc. This will be part of our update in 90*
180 *days.* 3. Doesn't there have to be a public hearing if any of the trees donated by the Japanese
181 are removed? *Mr. Hurd: Only if requested. (She requested one.)* 4. Does the State require a
182 study on the river? *We will do whatever is necessary and required.* 5. What will the security be?
183 *The design will include lighting and security cameras.* 6. Is it going to be fenced? *There is no plan*
184 *for fencing.* 7. Do you have any statistics on how many times the police have been called back
185 to the park since it reopened? *No.*

186 Tyler Kulfan: 1. Why not put the skatepark on the parking lot entirely so as not to involve the
187 park, itself? *There are several people in the community that feel that we don't have enough*
188 *parking. When the final design comes in it may affect more of the parking lot and the*
189 *greenspace of the park will still be intact. We will balance both needs.* 2. What is the
190 percentage of the skatepark going to be from the parking lot? *Currently 15%-20% but that may*
191 *change for many different reasons.*

192 Clark Adams: Will local businesses be used on this project? *Yes.*

193 Martha Mackey: 1. Will there be public bathrooms and water fountains on site? *Yes.* 2. There
194 was mention of a membership fee? *If there is a membership fee it would only be for the indoor*
195 *portion during specific events and residents would probably be subsidized. No charge for the*
196 *outside park unless there is a national event where tickets are sold, but not for everyday use.*

197 Martha Mackey: Is there bike parking in the design? *If not in the design, it will be as it will be*
198 *required as part of our permitting process.* The staple bike racks are the best.

199 Tordis Isselhardt: Will there be accommodations for viewers to watch the skaters? *Yes, there*
200 *will be several places where spectators can view the skaters.*

201 ***Jim Carroll moved and Ed Woods seconded to authorize staff to continue to work with***
202 ***the Skatepark Team to develop cost estimates and authorize up to \$25,000 of ARPA funds for***
203 ***a second permitting analysis and fundraising consulting services. The motion carried***
204 ***unanimously.***

205 **6. BRUSH PILE FEES**

206 Mr. Hurd recommends a charge of \$5.00 per load (larger than two 30 gallon bags of
207 sticks that might fit in your trunk) for residential customers and \$60/ton or a flat fee of \$60.00
208 for commercial loads effective October 30, 2023.

209 ***Jim Carroll moved and Ed Woods seconded to charge \$5.00 per load for residential***
210 ***customers for larger than two 30 gallon bags of sticks that might fit in your trunk) and***
211 ***\$60/ton or a flat fee of \$60.00 for commercial loads effective October 30, 2023.***

212 Mr. Woods appreciated Mr. Hurd doing this and it is a good compromise.

213 Mr. Carroll said that it is a reasonable fee.

214 Mr. Corey asked about the \$60/ton, and Mr. Hurd explained that some commercial
215 haulers prefer being charged by the ton.

216 Clark Adams asked for the definition of “a load”, and Mr. Hurd answered commercial
217 haulers usually either have a ½ ton or ¾ ton pickup. Either are \$60/load.

218 ***The motion carried unanimously.***

219 **7. NEIGHBORHOOD DEVELOPMENT GRANT**

220 Ms. Barsotti is preparing an application for the Vermont Agency of Commerce and
221 Community Development’s Community Partnership for Neighborhood Development grant for
222 ~\$300,000, however, this amount hasn’t been finalized yet. The purpose of the grant is to
223 support investments in the development of inclusive, smart-growth neighborhoods by funding
224 municipal planning, site control, design, scoping, and surveying for the development of
225 transformative projects. The Town’s application will be for predevelopment work on the Benn
226 High project. If awarded, funds would be granted to the Town and then sub granted to Hale
227 Resources for predevelopment work such as construction design fees.

228 A Municipal Resolution signed by the Bennington Select Board is authorizing Mr. Hurd,
229 Bennington Town Manager, to act on behalf of the Town as the Authorized Official.

230 ***Jim Carroll moved and Ed Woods seconded to sign the Municipal Resolution to***
231 ***authorize Stuart Hurd, Bennington Town Manager, to act on behalf of the Town of***
232 ***Bennington as the Authorized Official to apply for, accept, and expend grant funds from the***
233 ***Agency of Commerce and Community Development. The motion carried unanimously.***

234 **8. MANAGER’S REPORT**

235 Mr. Hurd did the following report.

236 ***PFAS Found in Bennington - New Areas*** - PFAS have been found in residential wells in the South
237 Shire neighborhood, Stonehenge Drive in Jefferson Heights, and on Hickory Hill east of Town.
238 There are 100% reimbursable funds available to treat emerging contaminants which may be
239 available to the Town to help us explore getting municipal water to these neighborhoods.

240 ***Jim Carroll moved and Ed Woods seconded to continue to work with the State to***
241 ***pursue funds as soon as possible to help us explore getting municipal water to these***
242 ***neighborhoods.***

243 Ms. Jenkins noted that Mr. Hurd and Jason Dolmetsch from MSK did an excellent job
244 answering questions at the State meeting with very short notice.

245 ***The motion carried unanimously.***

246 Municipal Energy Resilience Project (MERP) Funding - The Town has been approved to
247 participate in the MERP for the buildings on the attached award notice. This will include the
248 feasibility of using geothermal energy at the Rec Center.

249 Petition on Sale of 124 Pleasant Street Building - The petitioners were successful garnering 509
250 signatures on the petition. The law provides that the Town must now hold a special election or
251 place the question on the Annual Meeting ballot - the latter being my recommendation. It is
252 important to note that the Benn High project will proceed regardless and that a new Senior
253 Center and Meals Program will be created at Benn High.

254 Compost at Transfer Station - The fee for disposal was eliminated effective October 1, 2023.
255 The amount of money generated by the fee (\$1.25/gallon) last year was \$2,759.50. This
256 amounts to 2,208 gallons of compost delivered to the site and the Town will now bear that
257 cost. The compost is mixed with leaves and some woodchips and used at Casella's compost
258 site.

259 **9. UPCOMING AGENDAS**

260 October 23, 2023 - Manager from the Agency of Human Services

261 October 23, 2023 - Health Dashboard

262 October 23, 2023 - Petition Vote Date

263 October 23, 2023 - Town Plan Update - Phase 2 Funding

264 November 2023 - YMCA Update

265 November/December 2023 - Shires

266 **10. OTHER BUSINESS**

267 Ms. Perrin: Wished her husband a Happy Birthday tomorrow.

268 Mr. Carroll: Encouraged everyone to attend Harvestfest this weekend and enjoy the crazy
269 chickens and music.

270 **11. EXECUTIVE SESSION**

271 **A. CONTRACTS**

272 **At 7:40pm, Ed Woods moved and Jeanne Conner seconded that the meeting was**
273 **adjourned finding that an Executive Session be held on Contracts as premature public**

274 **knowledge would place a person involved in the subject matter at a substantial disadvantage.**
275 **No action will be taken when going back into Open Session. The motion carried unanimously.**

276

277

278 Respectfully submitted,

279 Nancy H. Lively

280 Secretary