

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **JULY 24, 2023**

5 **MINUTES**

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

8 **SELECT BOARD MEMBERS ABSENT:** Ed Woods; Gary Corey; and Sarah Perrin.

9 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Assistant Town Manager; Jonah
10 Spivak-Communications Coordinator; Rick Dziadul-Purple Heart Recipient; Sarah Wajda and Lisa
11 Thurston-Flynn-Bennington Elementary; John Rogers-Housing Update; Sam Restino; Jack
12 Rossiter-Munley; Mary Ellen Munley; Representative Mary Morrissey; Clark Adams; Mike
13 Bethel; James Gulley; Tordis Isselhardt; Donna Stone; 25 citizens; Josh Boucher-CAT-TV; and
14 Nancy H. Lively-Secretary.

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

16 **1. PLEDGE OF ALLEGIANCE**

17 The Pledge of Allegiance, led by Rick Dziadul, a Purple Heart recipient, 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 JULY 10, 2023**

25 **B. WARRANTS**

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

28 *Minutes of July 10, 2023, Line 96, Change “BGS” to “Building and*
29 *Grounds Services”*

30 *The motion carried with Ed Woods, Gary Corey, and Sarah Perrin absent.*

31 **4. PUBLIC COMMENT**

32 Ms. Jenkins stated the following:

- 33 • There are behaviors at our meetings that have become “increasingly concerning” and
34 made our meetings “increasingly uncomfortable to participate in”.
- 35 • “We have had community members tell us they are concerned that they will be verbally
36 attacked if they get up to speak.”
- 37 • “What is frustrating is purposeful misinformation being shared as though it were fact.”
38 “It is the Select Board’s responsibility to make sure that accurate information is being
39 shared.”
- 40 • “These disruptions of civil discourse must stop.”
- 41 • “This Board, and previous Boards’, have reached out to the Vermont League of Cities
42 and Towns and their legal team, as well as, our town’s attorney, for assistance.”
- 43 • “We formed a Committee - Tom Haley, Jeanne Conner, and Sarah Perrin - that proposed
44 the protocol that is available to the public at every meeting.”
- 45 • “It has been suggested that we shut down Public Comment to what is only required by
46 the Open Meeting Law. That would be a few minutes at the beginning of the meeting or
47 a few minutes at the end of the meeting.”
- 48 • “There is no requirement that we even allow comment on public agenda items.
49 However, we want the community’s input.”
- 50 • “We want, and need, your input, so we need your help in changing this dynamic.”
- 51 • “The Select Board can strictly enforce the 3 minute time limit and that the time is used
52 as indicated” when the public is speaking during Public Comment or on an agenda item.
- 53 • “This is what we came up with and we’ll see how it works” -
 - 54 ❖ All public comments will be held to 3 minutes with a warning 30 seconds before
55 your time is up.
 - 56 ❖ If comments stray off topic we will remind you to remain on topic.
 - 57 ❖ If comments continue to be off topic we will need to rule you out of order and
58 ask you to sit down.
 - 59 ❖ If false information is shared we would indicate for the public to do their own
60 due diligence and we will try to share accurate information somewhere during
61 the meeting.
 - 62 ❖ This feels harsher than we would wish, but at this point, we feel that it is
63 necessary.
 - 64 ❖ Please help us make sure these meetings are good exchanges of good ideas.

65 Ms. Conner added that she takes the responsibility of making sure that the public hears
66 accurate information seriously. We don’t want public comment to be a question/answer
67 period, however, we need to determine how/when to respond when the information stated is
68 inaccurate. We hope to see improvement this evening, but if not, “there are real tangible

69 negative consequences”. “We all need to defend this process and make sure that our meetings
70 are open and welcoming for everyone.”

71

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

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

86

87 Representative Mary Morrissey: 1. Noted that she began the Purple Heart Day Recognition -
88 that we will be doing this evening - at the Town level last year and it will begin next week on the
89 State level. All meeting attendees applauded their appreciation to Rick Dziadul, the Purple
90 Heart recipient at the meeting. There were also members of the Veterans of Foreign Wars
91 present, as well. 2. Since the work was done in the Roaring Branch River because of Irene, the
92 growth of trees and shrubs has increased over the last couple of years. Does the Town have a
93 maintenance plan for this? *Mr. Hurd: We do have a river management plan that was accepted
94 by the State that focuses on the elevation of the materials at the base of the river. We can go in
95 an remove those materials, however, we wouldn't remove the shrubs and trees because they
96 actually help slow down the water.*

97 Jack Rossiter-Munley: 1. We have welcomed two new families to Bennington. This was a
98 community effort with volunteers and donations from ECDC, BCRC, Bennington College and
99 others. If interested in learning about and supporting the settlement of these refugees, there
100 will be a meeting at the Bennington Free Library on July 26, 2023 at 7:00pm. 2. The Community
101 Café is open every Saturday from 1:30pm-3:00pm at 121 Depot Street and serves 30-50/meals
102 per week. We also have a partnership with King Arthur Flour who will be donating 150 pounds
103 of flour/quarter. If interested in helping out, contact benningtoncommunitycafe@gmail.com .

104 Sam Restino: 1. Does the property transfer of 652 Main Street have any effect on the Benn Hi
105 Project? 2. TrailFest will be on July 29, 2023 and we should welcome all hikers to Bennington.
106 3. The Roaring Branch flood wall has a few cracks in it and he has requested documentation on
107 the inspections that were done on the wall. 4. It is a team effort to take care of our town.

108 Mary Ellen Munley: 1. Thanked the Board for their opening statement on public comments. 2.
109 Bennington Cares is at its 6-month anniversary. In collaboration with others, the after school
110 program was a success with 70 families participating, a garden work day took place this past
111 Friday, we will be part of a community quilt project, and the August 19, 2023 Riverwalk will
112 feature Bennington Cares. We have fliers for more information.

113 Mike Bethel: 1. Thanked the Pownal Select Board for lowering property taxes 2 years in a row.
114 Perhaps the Bennington Select Board could have a joint meeting with them to see how they did
115 it. 2. Glad to see Mr. Hurd back at the meetings. 3. Everyone in the Town has a right to address
116 the Select Board and the rules in doing so should be more relaxed. 4. When will there be a
117 meeting on cutting the trees on the Pathway from School Street to North Street? *Mr. Hurd:*
118 *August 14, 2023.*

119 **5. PURPLE HEART DAY RECOGNITION**

120 Mr. Haley read the Military Order of the Purple Heart, Town of Bennington, Vermont
121 Proclamation Purple Heart Community, recognizing August 7, 2023 as Purple Heart Day as
122 presented.

123 James Gulley: Do we have signs as we enter the edges of Town recognizing that we are a Purple
124 Heart community? *Ms. Jenkins: We do not and that is a great suggestion.*

125 **6. HOUSING UPDATE**

126 John Rogers, Chair of the Homeless Crisis Subcommittee did the following update:

- 127 ○ The homeless are still residing in hotels in Bennington County - 117 with 37
128 households that include 71 children.
- 129 ○ 74 individuals in the hotels have not been screened for 'coordinated entry'. This
130 means all agencies in town meet every Monday to know who is unsheltered or in
131 need of housing.
- 132 ○ An outside organization has been hired to be sure that all 74 will be screened and
133 coordinated by the end of July.
- 134 ○ There are two 8-month community care positions open and one 2-3 month nursing
135 position open to assist those in hotels.
- 136 ○ Letters went out to everyone in hotels letting them know they can stay there until
137 April 1, 2024 provided they participate in seeking permanent housing. The first
138 part of that is screening.
- 139 ○ The Homeless Crisis Subcommittee has ebbed and flowed since its inception in May
140 2023.

- 141 ○ We originally needed to address the 66 that had exited hotels on June 1, 2023 and
142 we still have 50-70 homeless living outside.
- 143 ○ Projects that we're working on:
 - 144 ■ Street outreach.
 - 145 ■ Phone support program - 10 phones with 200 minutes each.
 - 146 ■ Consolidated resource list flier- an easy to read go-to map for people.
 - 147 ■ Recreation Center shower cards - went live on 7/3/23. Private fundraising
148 is being done and all that needs to be done for use is go to the Rec Center
149 and ask.
 - 150 ■ Refurbish the Thatcher House for permanent housing - Hale Resources
151 leading the charge with other agencies providing wrap around services.
 - 152 ■ Buy a hotel in town for transitional housing - Hale Resources leading the
153 charge with other agencies providing wrap around services.
 - 154 ■ Warming shelter - discussions continue on this.
- 155 ○ The Homeless Crisis Subcommittee will begin to move responsibilities to the
156 already existing committees within Project Alliance and eventually phase out.

157 *Board comments/questions answered by Mr. Rogers:*

158 Ms. Conner: It's amazing what you and your colleagues have accomplished so far so don't lose
159 sight of that.

160 **7. DIVERSITY, EQUITY, AND INCLUSION AT BENNINGTON ELEMENTARY**

161 Sarah Wajda and Lisa Thurston-Flynn, educators at the Bennington Elementary School
162 did the following presentation:

- 163 ➤ Read Across America is a nationwide grant program for diverse readers and
164 books.
- 165 ➤ Activities were focused on the Change Sings book by Amanda Gorman with a
166 writing contest, art projects, poster contest, and a bookmark contest. Samples
167 of the results of these activities were shared.
- 168 ➤ We also had presence at the Juneteenth Celebration.
- 169 ➤ Every person that entered the building received a copy of the book.
- 170 ➤ Over the last 10-40 years Bennington has changed in the diversity makeup of the
171 Town.
- 172 ➤ When Ms. Wajda attended Bennington Elementary, as a kindergartener, she was
173 one of very few people of color, and didn't have a person of color as a teacher
174 until college.
- 175 ➤ 250 additional books were purchased with the remaining funds from the grant.

176 *Board comments/questions answered by Ms. Wajda and Ms. Thurston-Flynn:*

177 Ms. Conner: Will this be an annual event and is it a specific week each year? *We hope it*
178 *continues and that would be during the first week of March.*

179 *Public comments/questions answered by Ms. Wajda and Ms. Thurston-Flynn:*

180 Clark Adams: Kudos to what you are doing. Have you noticed a “slide” in education because of
181 COVID? *Yes, there has been a slide. Our summer recovery program has helped and we feel that*
182 *the more you read to children it increases their enthusiasm to learn.*

183 Tordis Isselhardt: How many children of color are there at Bennington Elementary and has this
184 made positive changes in children that are marginalized? *Probably fewer than 10 and they are*
185 *better behaved when there are hands on activities.*

186 Donna Stone: Thanked Ms. Wajda and Ms. Thurston-Flynn for their work and encouraging other
187 teachers to apply for grants and promote learning.

188 Mary Ellen Munley: Thanked the Select Board for bringing a school program to the agenda and
189 for Bennington Elementary for bringing this program to the community.

190 **8. RATIFICATION OF BENNINGTON EMERGENCY MANAGEMENT PLAN**

191 Mr. Hurd explained that our Emergency Management Director, Chief Doucette,
192 developed the updated Plan over the last several weeks. With severe storm events forecasted
193 to occur over the last several weeks, he and I wanted to finalize it. Given the time frame, and
194 the fact that the Board needs to have approved the Plan, we present it to the Board for
195 ratification.

196 *Jeanne Conner moved and Jim Carroll seconded to ratify the Town of Bennington’s*
197 *Emergency Management Plan as presented.*

198 Ms. Jenkins stated that there will be some tweaks to the Plan as information changes,
199 and clarified that the emergency shelter is at the Middle School and not the Armory as was
200 reported by Vermont Digger.

201 Mr. Hurd added that the main site is the Middle School, but because the Town is
202 basically split in half by the river, there would be sites on the southern part of Town if needed.

203 *The motion carried with Ed Woods, Gary Corey, and Sarah Perrin absent.*

204 **9. TAX RATES FOR FY24**

205 Mr. Hurd explained that prior to the completion of the Grand List by the Board of Listers
206 and the completion of the first level of appeals in January we had project the tax rate to be
207 \$1.4455 or 8.29%. The difference from this to the actual rate increase of 8.70% relates to a
208 reduction in the Grand List that we had not anticipated.

209 *Tom Haley moved and Jim Carroll seconded to approve the FY24 Tax Rates as follows:*

210	General Fund	\$0.8778, an increase of \$0.0595
211	Highway Fund	\$0.4761, an increase of \$0.0559
212	Fire Fund	\$0.0972, and increase of \$0.0008
213	Total	\$1.4511, an increase of \$0.1162

214 Sam Restino: We need to live within our means.

215 ***The motion carried with Ed Woods, Gary Corey, and Sarah Perrin absent.***

216 **10. MANAGER’S REPORT**

217 Mr. Hurd stated that 2 years ago the ACLU filed a law suit against the Town. Following
 218 that law suit it had been decided that there were no recent activities by the Police Department,
 219 so the ACLU filed a complaint with the Human Rights Commission. After 2 years the
 220 Commission completed its investigation with a finding of “no reasonable grounds”.
 221 Unfortunately, the Commission has not made a final determination, and in spite of that, the
 222 ACLU has decided to pursue the matter by filing a law suit representing the same individuals.
 223 The allocations of the law suit are very similar and we will respond as appropriate. You will
 224 read about this tomorrow in the press release.

225 River Walk Update - There will be a meeting on August 14th on the River Walk and removal of
 226 trees.

227 EPA - The Jard Site - Jard closed in 1987 due to a PCB problem. It is an EPA controlled site and
 228 they are planning a public meeting as early as August 23rd to discuss next steps to contain the
 229 PCB contamination. Some form of removal of the contaminated material is planned but there
 230 is still much to do, and nothing is cast in stone.

231 County Street Sidewalk and Paving - Due to the weather, the project is progressing slowly. We
 232 have added sidewalk to the south side of the street giving the perception that the street is
 233 narrower. A new paved pathway will be added along the south side of County Street all the
 234 way to North Street with the goal to tie this into the pathway projects elsewhere. The
 235 ‘sidewalk’ will be concrete and the ‘pathway sidewalk’ will be asphalt.

236 **11. UPCOMING AGENDAS**

237 August 14, 2023 - River Walk Improvement Update

238 August 14, 2023 - Bennington Police Department Quarterly Report

239 August 14, 2023 - Marketing Analytics Update

240 **12. OTHER BUSINESS**

241 Ms. Conner: Asked about weekend hours at the Household Hazardous Waste Facility at the
242 Transfer Station and they are hoping to add some Saturday hours in the not too distant future.

243 ***At 7:22pm, Jim Carroll moved and Tom Haley seconded the adjournment of the***
244 ***meeting. The motion carried with Ed Woods, Gary Corey, and Sarah Perrin absent.***

245 Respectfully submitted,

246 Nancy H. Lively

247 Secretary