

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **MAY 8, 2023**

5 **MINUTES**

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

8 **SELECT BOARD MEMBERS ABSENT:** Jim Carroll.

9 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Assistant Town Manager; Shannon  
10 Barsotti-Community Development Director; Jonah Spivak-Communications Coordinator; Nick  
11 Cave-IT Director; Laurie Pinsonneault, Sue Rice, Mike Baker, James Allison-Speed Limit East  
12 Road; Sam Restino; Kelly Carroll; Nancy White; 10 citizens; Josh Boucher-CAT-TV; and Nancy H.  
13 Lively-Secretary.

14 At 6:00pm, Chair Jeannie Jenkins called the meeting to order and urged anyone having  
15 difficulty hearing to move to the front.

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 APRIL 24, 2023**

25 **B. WARRANTS**

26 **C. LICENSES**

27 *Jeanne Conner moved and Gary Corey seconded to approve the Consent Agenda as*  
28 *submitted. The motion carried with Jim Carroll absent.*

29 **4. PUBLIC COMMENT**

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

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

44 \_\_\_\_\_

45 Sam Restino: 1. Stated that May 9<sup>th</sup> is Fentanyl Awareness Day and there will be a candlelight  
46 vigil at the Four Corners from 7:30pm-8:30pm. 2. Some people are not able to navigate the  
47 website to see the information in the Select Board packet so agenda items should be discussed  
48 at future meetings. 3. The Community Development Director had said that it is difficult to open  
49 up brick and mortar stores and pop-up shops are an alternative. 4. May 13<sup>th</sup> is the Fire  
50 Department's Open House; May 18<sup>th</sup> is the Car Show and the BCRC Annual Meeting; and May  
51 23<sup>rd</sup> is the Appalachian Trail Community Meeting at 6:00pm.

52 Kelly Carroll: Thanked everyone that has supported the Riverwalk for the last 2 years and the  
53 Walloomsac Walk Working Committee has initiated an Unsung Hero Award. We are asking the  
54 community to send in nominations for an unsung hero at <https://tinyurl.com/bennhero> or at  
55 the next Riverwalk on May 20<sup>th</sup> at 10:00am starting at People's Park.

56 Nancy White: Stated that one of the pages on the Benn Hi Lease and Purchase Agreement was  
57 removed after it had appeared on the Town's website. Why didn't the Select Board  
58 acknowledge that this had happened? How can the \$28M project be legal if the lease isn't? An  
59 investigation needs to be done before this project goes forward. *Ms. Jenkins: Advised Ms.*  
60 *White to contact Mr. Hurd with her questions.*

## 61 5. STAFF UPDATES

### 62 A. IT DIRECTOR - NICK CAVE

63 Nick Cave, Town of Bennington IT Director, has been with the Town since April 3<sup>rd</sup> and  
64 his first project was to deploy the Police Department computers. These computers were  
65 purchased in October 2022 and will be completely on line this week, as well as, “Smart Work”  
66 for their conference room. Other present and future projects are working on emergency Town  
67 Policies, switching internet carriers from First Light to Consolidated, staff training programs, and  
68 identifying all forms of online equipment for Cyber security.

69 **B. LOAN PROGRAMS - SHANNON BARSOTTI**

70 Ms. Barsotti, Community Development Director, did the following presentation:

- 71 • Funds for the Loan Program originated from remaining grant funds in the 1970’s from  
72 Housing and Urban Development (HUD).
- 73 • The purpose of the Revolving Loan Fund is
  - 74 ✓ To encourage business and job growth in our community - especially in the  
75 Downtown.
  - 76 ✓ To aid in the rehabilitation of our historic Downtown structures.
  - 77 ✓ And, for expansion and construction, as well as, equipment needs for local  
78 businesses that were finding it difficult to find necessary funding elsewhere.
- 79 • Any for profit or non-profit corporation or partnership located in Bennington may apply.
- 80 • It must be a small business by SBA standards - \$6M with net profits of <\$2M.
- 81 • Applicants must show a letter of rejection from a traditional bank for what they’re trying  
82 to do.
- 83 • Loans cannot be used for refinancing, real estate acquisition, or operating expenses.
- 84 • We currently have loans out for \$1,175,557; funds available to loan is \$574,692; with  
85 ~\$84,000 in default which includes those written off due to bankruptcy giving the rate  
86 of 7%.
- 87 • Some recent recipients of the program are Juniper Lane, Angry Egg, Bennington  
88 Community Market, The Dutchman’s Tavern, Farm Road Brewing, Little City Cider  
89 Company, and the Putnam Block.
- 90 • In the last 10 years, businesses have received \$875,000 in loans, 152 jobs have been  
91 created, 8 vacant store fronts and buildings have been filled with businesses investing  
92 \$1.2M of their own financing.
- 93 • With the Putnam Block, an additional \$52M of both private and public funding has been  
94 invested in the Downtown.
- 95 • The purpose of the Housing Rehabilitation Fund is
  - 96 ✓ To provide housing to low and moderate income individuals, or those earning  
97 ~\$50,000.
  - 98 ✓ To encourage landlords to invest in upgrading their properties.
  - 99 ✓ To make energy efficient upgrades, eliminate blight and deterioration, protect  
100 and improve the neighborhood environment, and reduce fire and safety hazards.

101 *Board comments/questions answered by Ms. Barsotti and Mr. Hurd:*

102 Mr. Corey: Are these loans also available to residents of Old Bennington and North Bennington?  
103 Yes.

104 Mr. Corey: Are there separate pots of money for the two different types of loans? *It is one pot*  
105 *of money.*

106 Mr. Woods: Is the 7% in default from the beginning of time? *7%-10% is where we've always*  
107 *been. We're very careful about the risk we take.*

108 Mr. Woods: Do you give guidance to applicants that may have been turned down from a bank  
109 for extenuating circumstances and were credit qualified otherwise? *We try to work with the*  
110 *banks as applicants do have funding from other sources but our loans may serve as gap funding*  
111 *for their business.*

112 *Public comments/questions answered by Ms. Barsotti and Mr. Hurd:*

113 Sam Restino: Do we pursue businesses that are not paying back the loans? *Yes, unless they've*  
114 *filed bankruptcy.*

115 Nancy White: Do we currently have a policy for these loans? *These are programs, not policies,*  
116 *and we have most of the information on the applications which are on the Town website.*

## 117 **6. POLICY ON REVOLVING LOANS**

118 Mr. Hurd explained that based on a citizen's concern, we have consulted Counsel and  
119 have developed a Town Loan Programs Approval Policy that clarifies the process used for more  
120 than 40 years. The Townwide Housing Loan Program applications require the approval of the  
121 Town Manager and are usually no more than \$25,000 per unit. The Bennington Revolving Loan  
122 Program (BRLP) applications require the approval of the Bennington Select Board. The Board  
123 will review the loan applications in Executive Session and vote to approve in Open Session.

124 ***Ed Woods moved and Jeanne Conner seconded to adopt the Town Loan Programs***  
125 ***Approval Policy as presented.***

126 Mr. Corey asked why the separation of approval processes between the Housing Loan  
127 Program and the BRLP loans, and Mr. Hurd answered that Counsel agreed that this was  
128 appropriate since the Housing Loan are for no more than \$25,000.

129 Ms. Perrin asked when the last Townwide Housing Loan was, and Ms. Barsotti  
130 responded the Manes House in late 2019 or early 2020 for no more than \$25,000.

131 ***The motion carried with Jim Carroll absent.***

132 ***Ed Woods moved and Jeanne Conner seconded to ratify all previous loans. The motion***  
133 ***carried with Jim Carroll absent.***

134 **7. TRAFFIC ORDINANCE AMENDMENTS**

135 **A. WINTER PARKING BAN**

136 *Gary Corey moved and Ed Woods seconded to approve the 10 TRAFFIC CONTROL*  
137 *ORDINANCE, Article 10-5 Parking, 10-5.03 Angle Parking, Generally amended as follows:*

138 *Remove "Angle" from 10-5.03 and Change "March 31" to "April 15"*

139 *The motion carried with Jim Carroll absent.*

140 **B. SPEED LIMIT - EAST ROAD**

141 Mr. Hurd stated that after checking with the Police Department about accidents on East  
142 Road in the last two years, there were two in 2021 and two in 2022, all at the intersection of  
143 Houghton Lane and East Road.

144 *Public comments:*

145 Laurie Pinsonnault: Because of the Middle School and the East Road Market reopening there is  
146 more vehicle, bicycle, and foot traffic on East Road with no sidewalks north of Duffy Drive. She  
147 is not in favor of increasing the speed limit especially with the reduced police force that aren't  
148 able to enforce it.

149 Sue Rice: Despite there not being any sidewalks, the shoulders aren't safe to walk on. She is  
150 not in favor of increasing the speed limit.

151 Mike Baker: Asked why this was brought up? *Mr. Hurd answered it was from a traffic study*  
152 *found that the average speed is 42 mph and the speed limit should reflect what most people are*  
153 *travelling on roads that go between communities and not what people desire it to be. This was*  
154 *a VTrans proposal that we looked at with the BCRC to look at what the road can logically handle*  
155 *and what people will logically drive. Mr. Baker: If they're driving 7 mph over the limit then we*  
156 *should lower it to 30 mph so they'll drive 37 mph.*

157 James Allison: There is a noise pollution issue on East Road that he is blaming for 10% of his  
158 high blood pressure problem. He is not in favor of increasing the speed limit.

159 *Board comments/questions answered by Mr. Hurd:*

160 Mr. Woods: Not sure why we would do this without a tangible advantage.

161 Mr. Haley: Also doesn't see a tangible advantage and is concerned about the potential increase  
162 in traffic with the reopening of the Willow Park Playground. He has received several e-mails  
163 that are all against the speed limit increase.

164 Mr. Corey: Was the traffic study requested? *The suggestion came to the Town through BCRC*  
165 *and the study was done on East Road and South Stream Road, two community interconnecting*  
166 *roads with similar results on both.*

167 Ms. Conner: The lack of sidewalks when we're encouraging people to get out and exercise is the  
168 most compelling argument to not increase the speed limit. Safety should always be our  
169 priority.

170 *Additional Public Comment:*

171 Sam Restino: Since South Stream Road was brought up, he is not in favor of increasing the  
172 speed limit on South Stream Road.

173 ***Sarah Perrin moved and Ed Woods seconded to not amend 10-19 APPENDICIES, 10-***  
174 ***19.03 Speed Limits as it pertains to East Road, and to leave the speed limit at 35mph on East***  
175 ***Road. The motion carried with Jim Carroll absent.***

## 176 **8. IMPLEMENTING THE TOWN VISION**

177 Ms. Jenkins updated the presence of a Legal Aid in Bennington as follows:

- 178 ➤ We were introduced to Deputy Director David Kensinger from Burlington.
- 179 ➤ He came to Bennington to help with finding a location for the Legal Aid Office and we  
180 had determined that the Blacksmith Building was appropriate.
- 181 ➤ We thought we were all set in November, however, Legal Aid has yet to start any  
182 services in Bennington.
- 183 ➤ We have reached out again to Mr. Kensinger realizing that they would like a larger  
184 presence in Bennington to include what additional services they could have. He  
185 continues to work on how to accomplish this.
- 186 ➤ We have also connected him with the Department of Health, GBICs, and Project  
187 Alliance.
- 188 ➤ More to come.

189 Kelly Carroll reminded everyone of the CPARB meeting on May 18<sup>th</sup> at the Fire Facility at  
190 6:00pm and that on June 29<sup>th</sup> there will be a Community Listening Session at the Fire  
191 Facility at 6:00pm.

192 Ms. Jenkins stated that interviews for the Boards and Commissions began this evening  
193 and will conclude just prior to the next meeting. Announcements will be made at the  
194 first meeting in June.

## 195 **9. MANAGER'S REPORT**

196 Mr. Hurd did the following report:

197 Willow Park Playground -We have opened the playgrounds for use. We will have contractors  
198 on site on May 15<sup>th</sup> and 16<sup>th</sup> to resolve some issues but the areas have been certified safe for  
199 use.

200 Fireworks Contract Received - Fireworks will take place on July 4<sup>th</sup> at 9:30pm with a rain date of  
201 July 8<sup>th</sup>. The cost is the same as last year, \$15,300. Our fundraising efforts will begin as well.

202 Additional Comments - The Fire Department Open House is May 13<sup>th</sup> from 9:00am-1:00pm.

203 **10. UPCOMING AGENDA**

204 May 22, 2023 - Bennington Rescue Squad Presentation

205 May 22, 2023 - EMS Proclamation

206 May 22, 2023 - Benn High Project

207 May 22, 2023 - VTRANS - Three Round Abouts

208 **11. OTHER BUSINESS**

209 Mr. Corey and Mr. Woods: Thanked the people who spoke on the speed limit on East Road  
210 noting that their comments mattered.

211 Ms. Conner: Kudos to all that have worked on the Rail Trail all these years and to those that  
212 attended the Opening Ceremony.

213 Mr. Haley: Added that a bike rider was so excited about using the Rail Trail that he rode right  
214 through the ribbon.

215

216 ***At 7:13pm, Gary Corey moved and Jeanne Conner seconded the adjournment of the***  
217 ***meeting. The motion carried with Jim Carroll absent.***

218

219

220

221 Respectfully submitted,

222 Nancy H. Lively

223 Secretary

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