

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **APRIL 24, 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; Jon  
11 and Zak Hale-Hale Resources; Jeff Goldstone and Jack Byar-Goldstone Architects; Bill Clark;  
12 Karson Kiesinger; Jack Rossiter Munley; Sam Restino; Kelly Carroll; Nancy White; Ned Perkins;  
13 Debbie Matte; Shirley Adams; Bruce Lee-Clark; Catherine Bullmeier; 20 citizens; Jim Therrien-  
14 Bennington Banner; Josh Boucher-CAT-TV; and Nancy H. Lively-Secretary.

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

17 **1. PLEDGE OF ALLEGIANCE**

18 The Pledge of Allegiance was recited.

19 **2. VISION STATEMENT**

20 Mr. Haley read the Town’s Vision Statement that was adopted by the Select Board on  
21 August 24, 2020:

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

24 **3. CONSENT AGENDA**

25 **A. MINUTES OF APRIL 10, 2023**

26 **B. WARRANTS**

27 **C. LIQUOR/TOBACCO LICENSES**

28 *Jeanne Conner moved and Gary Corey seconded to approve the Consent Agenda*  
29 *amended as follows:*

30 *Lines 12, 106, and 111 - Change “Mumley” to “Munley”*

31 *Lines 13, 126, and 128 - Change "Cramer" to "Kremer"*

32 *The motion carried unanimously.*

33 **4. PUBLIC COMMENT**

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

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

48 \_\_\_\_\_  
49 \_\_\_\_\_  
50 Bill Clark-BBC: Benches are now in place in the Downtown and will be painted within 1 ½ to 2  
51 weeks.

52 Karson Kiesinger-Bennington Free Library: Shared updates from the Library - Families Crafting  
53 during Earth Week; 53 people donated to the Earth Week Craft Swap; Happy National Library  
54 Week with the theme of There's More to the Story; we are asking for participation in a survey  
55 that can be found on the website and social media; we will be collaborating with the Ethiopian  
56 Community Development Council on April 29<sup>th</sup>; the Children's Room will be accepting Friends  
57 beginning in May; housing tour on May 5<sup>th</sup> from 1:30pm-4:30pm; tour on May 6<sup>th</sup> at 2:00pm  
58 with a botanist; collaborating with the Bennington Museum; and the Spring Book Sale on May  
59 27<sup>th</sup> during Mayfest.

60 Jack Rossiter-Munley: Reiterated the ECDC collaboration with the Library on April 29<sup>th</sup> at  
61 2:00pm and on April 30<sup>th</sup> there will be a talk on ECDC on School Street. Also, the Bennington  
62 Community Café is open every Saturday from 1:30pm-3:00pm at 121 Depot Street outside of  
63 GBIC's. We have food, beverages, an assortment of essentials, and spring clothing. Pay what

64 you decide even if that's nothing at all. We were very busy last week and were completely out  
65 of food and drinks at the end of the day. Contact us if you would like to volunteer.

66 Sam Restino: Questioned why the Leadership Summit held at Bennington College wasn't open  
67 to the public when Bennington issues were being discussed - violence and housing. And, also  
68 reminded everyone of the Hemmings Cruise Ins on the 3<sup>rd</sup> Thursday nights beginning in May.

69 Kelly Carroll: Thanked those that attended the Riverwalk this past Saturday on Earth Day and  
70 for the trash removal that took place and encouraged everyone to participate on Green Up Day,  
71 May 6<sup>th</sup>.

72 Nancy White: Would like the Town's decision to call the Rec Center the Community Center put  
73 on an agenda because it's the UCS portion that has the Community Center and not the Rec  
74 Center. Also, would like the Town's agreement with the YMCA put on an agenda.

## 75 **5. BENN HIGH PROJECT PRESENTATION**

76 Dan Monks-Assistant Town Manager, Shannon Barsotti-Community Development  
77 Director, Jon Hale and Zak Hale-Hale Resources, and Jeff Goldstone and Jack Byars-Goldstone  
78 Architects did the following presentation. ***This presentation will be on the Town's website:***

- 79 • This is an information only presentation and the 3<sup>rd</sup> presentation on the Benn High  
80 Project since the Select Board authorized moving forward on it.
- 81 • After the presentation, we are only taking questions and 3 minutes/person until  
82 everyone has had a chance to ask. If there are more questions beyond 3 minutes,  
83 additional rounds will be allowed. Questions and comments can also be e-mailed and  
84 will be posted on the website with the respective answers.
- 85 • This is a public/private partnership between the Town and Hale Resources.
- 86 • The Town's portion is 27,000 square feet - 14,000 square feet for the Senior Center and  
87 Meals on Wheels (the current area for the Senior Center and Meals on Wheels is 5,000  
88 square feet). The other 13,000 square feet will be for a gym, exercise and activity  
89 rooms, locker rooms and changing rooms managed by the YMCA.
- 90 • The Hale Resources residential portion is 70,000 square feet - a mix of market rate and  
91 affordable rented housing, and a child care facility. The additional 3,000 square feet will  
92 be for office space with one office to be leased to the Council on Aging and another to  
93 the UVM Extension Service.
- 94 • Some proposed changes -
  - 95 ○ The existing asphalt courtyard will change to add additional green space and a  
96 new entrance. The existing entrance will remain and both will be ADA  
97 accessible with covered walkways.
  - 98 ○ Windows will be added for increased natural light on the front and on the back.
  - 99 ○ There will be a drop off area for the child care area with an entrance.

- 100           ○ There will be reserved parking spaces for the Senior Center and a bulb out area
- 101           for a bus drop off area.
- 102           ○ And there will be the main patio dining area for Meals on Wheels.
- 103       • The building is on the National Register of Historical Places so it has to be renovated in
- 104       keeping with its historic use, as well as, to qualify for tax credits.
- 105       • The child care area is where there used to be classrooms when the building was a school
- 106       with additional windows added.
- 107       • The market rate housing is a little over 700 square feet and the affordable housing is
- 108       800 square feet.
- 109       • The building is currently owned by Chris Gilbert and the Town has a lease with a
- 110       purchase to buy option.
- 111       • Going forward, Hale Resources will own the entire building and the Town will lease its
- 112       27,000 square feet and be responsible for the furnishings, computers, and security
- 113       system.
- 114       • The initial lease will be for 20 years at \$7.50/square foot with multiple renewals
- 115       possible. This is a very low rate since \$13.50 to \$25/square foot is not uncommon.
- 116       • The lease will specify the shared uses in the building. Hale Resources will be responsible
- 117       for the maintenance of the interior of the building and the Town will be responsible for
- 118       the site maintenance.
- 119       • If we were not able to renew, all of the money spent would come back to the Town.
- 120       • The Town will then sublease to Meals on Wheels and contract with the YMCA to
- 121       manage the recreational area.
- 122       • The Town will contribute \$2M from ARPA funds for the construction cost of the Town's
- 123       space. It will not come from taxpayers' money and the total construction cost of that
- 124       space is \$8M.
- 125       • The ownership will be in two separate entities - Entity #1 will own the 15 affordable
- 126       units and Entity #2 will own the 20 market rate units, the Town's space, office space,
- 127       and child care space.
- 128       • Hale Resources will manage the entire building.
- 129       • Part of the purchase price of the building includes the transfer of the current Senior
- 130       Center on Pleasant Street to Chris Gilbert. The value is estimated at \$400,000 and will
- 131       then be put on the tax roll.
- 132       • Expenses for the Town will be the lease payments of \$198,000/year, onetime costs
- 133       incurred before we occupy the space (legal fees, etc. - \$275,000 paid from ARPA funds),
- 134       and the worst case scenario of operating costs after occupancy of \$88,000 paid from the
- 135       Senior Center budget.
- 136       • Funding for the lease payments will come from the Meals on Wheels rent, the current
- 137       amount that the Town is paying for recreational space plus any savings from a larger
- 138       space for the YMCA programs. Our Rec Center and Senior Center budgets will cover the
- 139       lease payment without increasing any of the Town's budget.

- 140 • The total cost of the project is \$28M and Hale Resources is in various stages of having  
141 been awarded, applied for, or need to apply for from several funding sources to fund  
142 the renovation.
- 143 • There is \$8M coming in from grants, tax credits of \$7M, 10% Vermont Loan Program for  
144 \$5M, and others.
- 145 • BCRC did a parking needs assessment. The Benn High site will have 65 spaces, 400' on  
146 Main Street will add 50 spaces, and 300' away are 100 more spaces available if needed.
- 147 • May 22<sup>nd</sup> the Select Board will be reviewing and voting on the plan as presented, and  
148 hopefully, staff will return on June 12<sup>th</sup> with the development plan to sign.

149 *Board questions/comments answered by Mr. Monks, Ms. Barsotti, Mr. Jon Hale, Mr. Zak Hale,*  
150 *Mr. Goldstone, or Mr. Byars:*

151 Ms. Conner: Is the child care area ADA accessible? *Yes.*

152 Ms. Conner: If all goes as planned, when is the anticipated occupancy date? *Mid 2025.*

153 Mr. Corey: Will the answers to tonight's questions be in written form? *They will be in the*  
154 *Minutes.*

155 Mr. Corey: With the Hale's owning the building, will it then remain on the tax roll? *Yes.*

156 Mr. Corey: The lease is for 20 years which seems like a short period of time for something we  
157 will use forever. *There will be numerous renewals possible but the reason for the 20 years is to*  
158 *protect our investment since our entire investment will be refunded to the Town if we do not*  
159 *renew the lease - no matter who owns the building. This will all be explained in the lease. There*  
160 *are 15 different funding sources each with their own requirements and this is one way to protect*  
161 *the Town.*

162 Mr. Corey: Why have Hale Resources own the entire building instead of having the Town own  
163 our section of it? *This will keep it on the tax roll, the Hale's will be responsible for getting all of*  
164 *the funding and take the risk of ownership off of the Town. Also, the Town is not able to get the*  
165 *tax credits.*

166 Mr. Corey: What is the reason behind having 2 entities? *This is because of the funding sources*  
167 *requirements and the available tax credits.*

168 Mr. Haley: Do you anticipate any interruption of services to the Senior Center and Meals on  
169 Wheels? *A very short period of time - a week - primarily to move the Meals on Wheels*  
170 *equipment.*

171 Mr. Haley: Will the current Senior Center be on the tax roll then? *Yes.*

172 *Public questions/comments answered by Mr. Monks, Ms. Barsotti, Mr. Jon Hale, Mr. Zak Hale,*  
173 *Mr. Goldstone, or Mr. Byars:*

174 Sam Restino - Round 1:

- 175 1. Will there be separate gender bathrooms? *There are separate bathrooms, changing*  
176 *rooms and showers, and each will have a door. This improves security of the area. They*  
177 *are called "Universal" because they are not labeled "Mens Room" or "Ladies Room".*
- 178 2. Will there be a parking study on the additional 100 parking spaces available? *Because of*  
179 *the abundance of parking in the area, this was not part of the study.*

180 Sam Restino - Round 2:

- 181 1. Activity on the street will increase when the project is complete. Has there been any  
182 discussion about moving the red light from Safford Street to the crossroad of Union and  
183 Pleasant Street? *The traffic spaces we have identified on Main Street are already*  
184 *existing and can be used at any time. We don't anticipate an increase of traffic,*  
185 *especially not to the amount that took place on the street when it was the Middle*  
186 *School. However, if we do have a traffic problem, we will address it at that time.*

187 Nancy White - Round 1:

- 188 1. Why are we paying the rent for Meals on Wheels when they haven't paid us in 25 years?  
189 *Meals on Wheels will be paying rent to the Town.*
- 190 2. The cost has gone from \$12M to \$14M to \$28M. What will the Town be assessing the  
191 property for when it's complete and what will the taxes be paid to the Town? *We don't*  
192 *know what the assessed value will be, however, if you take 25% of \$28M, or \$7M at the*  
193 *current tax rate, it would generate ~\$112,000/year in taxes. The building is currently*  
194 *generating ~\$4,000 in taxes. It is financially beneficial for the Town to not own the*  
195 *building.*
- 196 3. Is the \$275,000 added to the \$300,000 ARPA money? *Yes.*
- 197 4. Do we have to pay education taxes? *The Town will not be owning the building, Hale*  
198 *Resources will so, yes, education taxes will be paid.*
- 199 5. Will we continue to pay the YMCA? *Our agreement with the YMCA has a capped amount*  
200 *of ~\$144,000/year. Any grants or revenue generated by the YMCA reduces that amount.*  
201 *With the additional space they may generate enough revenue to eliminate paying them*  
202 *anything from the agreement. The Select Board decides whether to enter into that*  
203 *agreement and decides what the rates are that Bennington residents pay to participate*  
204 *in the recreational programs.*
- 205 6. When will we get enough notice to block the sale of the current Senior Center? *N/A.*

206 Nancy White - Round 2:

- 207 1. What standards did the BCRC use when looking at the parking? *They look at peak time*  
208 *usage so the Senior Center and Meals on Wheels peak time is in the day whereas the*  
209 *tenants' peak time would be at night. We can share the traffic study on line this week.*

- 210 2. What is the size of the upstairs of the current Senior Center? *It has been mentioned that*  
211 *the Senior Center and Meals on Wheels will have 14,000 square feet as compared to the*  
212 *5,000 square feet they have now. The exclusive use for Seniors will go up 30% but there*  
213 *will be additional space available for senior programs which would increase the*  
214 *availability 4 or 5 times what they have now.*
- 215 3. How many people from Bennington County and New York State will be going to the  
216 Senior Center? *The Seniors, themselves, had indicated that they wanted to welcome*  
217 *everyone regardless of where they were from. That is a Select Board decision to*  
218 *eliminate non Bennington residents if they choose to at a later date.*
- 219 4. Does the \$300,000 that it will cost us each year include the cost of the custodians that  
220 will need to be hired to maintain the building? *Yes. Also that \$300,000 will be offset by*  
221 *\$200,000 of additional revenues making the worst case scenario \$88,000, and this is*  
222 *only if the YMCA stops functioning as they have over the past few years which is unlikely*  
223 *especially with the additional space for additional programs.*
- 224 5. If something needs to be repaired, does that come out of the Town's budget? *Hale*  
225 *Resources is responsible for the repair of building related repairs as would any other*  
226 *landlord except for the interior space that the Town occupies.*
- 227 6. If the Hale's own the building, why is the Town maintaining the outside? *The Town*  
228 *would have to pay for our portion of mowing, plowing, etc. anyway so having our staff*  
229 *do it is the least expensive for us.*
- 230 7. Where is the breakdown by section for the use of the building? *Hale Resources has this*  
231 *level of cost breakdown that we can share.*
- 232 8. Parking is going to be a free for all. How many people will be working there from  
233 11:00am-2:00pm? *This information is in the parking analysis that will be on the website.*  
234 *There are at least 25 spaces reserved in the front for Seniors and those accessing Meals*  
235 *on Wheels. More can be added if necessary. They only have 13 spaces now.*

236 Nancy White - Round 3:

- 237 1. What does the term 1 ½ bedrooms mean? *This is a term used for the interior rooms that*  
238 *only have a light source from a skylight and no windows. They since have been approved*  
239 *as bedrooms according to Code and there is no reference to 1 ½ bedrooms on the current*  
240 *plan.*
- 241 2. Are the leases paid to the Town going up? *The only lease we have is from Meals on*  
242 *Wheels and that is remaining the same even though their space will increase. This*  
243 *decision was made to support a needed service to the Town.*
- 244 3. Why couldn't we see the detail of the Senior Center budget in this year's budget? *Mr.*  
245 *Hurd: I told you it was put under the general category of Recreation. It's still the same*  
246 *budget with the same line items. Recreation is the main title and consists of the*  
247 *Recreation Budget, the Senior Center Budget, and the Senior Center Building.*
- 248 4. Our Senior Center costs should be going down but they are going up. *Ms. Jenkins stated*  
249 *that Ms. White needs to look at the slides and Mr. Woods explained the breakdown to*

250 *her again. We are also adding 22,000 square feet so the assumption that costs would go*  
251 *down is incorrect.*

252 Bruce Lee-Clark: Who is the beneficiary in setting the value of the current Senior Center and  
253 who decides where it is going? *The \$400,000 value came from a 3<sup>rd</sup> party appraisal and this will*  
254 *go towards fitting up our portion of the Benn High building along with the ARPA funds.*

255 Ned Perkins: Has purchasing the property at 652 Main Street been considered for parking? *Hale*  
256 *Resources has talked about this internally since we own several other properties on Pleasant*  
257 *Street but we have not approached the owner.*

258 Catherine Bullmeier: Is concerned about safety in the area and will the renovations increase  
259 safety? *Yes, we do feel that renovating an empty building with people living there with more*  
260 *“eyes on the street” plus a very generous security system will address the safety concerns.*  
261 *Research shows that doing these sorts of projects in these neighborhoods decreases violence*  
262 *and bad behavior and increases a sense of community.*

263 Shirley Adams: Is there any Town involvement in the child care area? *The child care space will*  
264 *be operated by who leases the space - more than likely that will be the YMCA. The Town will not*  
265 *have any direct involvement in that space. Is the project still multi-phased? That was the*  
266 *original thought but funding sources are requiring that the entire building be done at once. Will*  
267 *the current entrance be a general entrance or an emergency exit, and will the other entrance*  
268 *be into the lobby area? The current entrance will primarily serve the Senior Center and Meals on*  
269 *Wheels and the main entrance will go into the lobby where the Senior Center and Meals on*  
270 *Wheels can also be accessed, as well as, the recreational areas. The lobby will be staffed*  
271 *whenever these three areas are open.*

272 Debbie Matte: Will there be a fire lane? *Fire trucks will have access to three sides of the building*  
273 *which is adequate to fight a fire. Will the Senior Center and Meals on Wheels be moving before*  
274 *the residential apartments are available? All of the building will be occupied at once.*

275 Bill Clark: Thanked everyone for all of their work on this project.

276 *Additional Board comments:*

277 Mr. Corey: We received the survey on the usage of the Vermont Senior Centers and Bennington  
278 is on the low side for those that go to the Senior Center. We want that number to grow and  
279 this project will give them the space to do so.

280 Mr. Haley: It isn't unusual for the conception of a project this size to change along the way. Mr.  
281 Monks agreed and added that we have, however, held onto the goals that we wanted from the  
282 project.

283 Ms. Conner: We know the positive implications of health improvement for people of any age  
284 but can't imagine at this point the possibilities for the future.

285 Ms. Barsotti: Acknowledged and thanked Rory Price from the Vermont Department of Health  
286 for her involvement in the Benn High renovation.

287 **6. IMPLEMENTING THE TOWN VISION**

288 Mr. Haley reminded everyone that CPARB will have a Listening Session on June 29<sup>th</sup> at  
289 the Fire Facility.

290 Ms. Jenkins reminded everyone that applications are being accepted by Mr. Hurd for  
291 Boards and Commissions and May 1<sup>st</sup> is the deadline. We now have 8 applicants for 15  
292 openings.

293 **7. MANAGER'S REPORT**

294 Mr. Hurd did the following report:

295 Willow Park Playground Update - The upper toddler playground may be ready by mid-May but  
296 the lower larger playground may be delayed longer. There have been some deficiencies  
297 discovered this winter. We will have a verbal commitment tomorrow on how long it will take to  
298 get a 3<sup>rd</sup> party certification.

299 Additional Comments - Hydrant flushing begins this week through May 5<sup>th</sup>. If your water is  
300 dirty, run the cold water - not the hot water - until it clears.

301 There is no update on County Street.

302 Sam Restino added that there wasn't supposed to be any additional work done by the  
303 Town but there were pictures of the Town workers working at Willow Park. How much of the  
304 additional work was being done by Town workers? Mr. Hurd answered that our workers are up  
305 there but they're not working on the playground. Mr. Spivak added that our crews did some  
306 tamping around the exercise area but not on the playground, per se.

307 **8. UPCOMING AGENDA**

308 May 8, 2023 - Traffic Ordinance Amendments

309 May 8, 2023 - Policy on Revolving Loans

310 May 22, 2023 - EMS Proclamation

311 May 22, 2023 - Benn High Project

312 May 22, 2023 - Boards and Commissions Appointments

313 June 12, 2023 - Tentatively - Chelsea Solar

314 **9. OTHER BUSINESS**

315 Ms. Conner: Green Up Day is May 6<sup>th</sup> and bags can be picked up at the Town Office.

316 Ms. Barsotti for Kayla Becker from the YMCA: This Saturday at the Bennington Community  
317 Recreation Center from 12:00pm-3:00pm is Kids Day with free burgers and hot dogs from the  
318 Abbey Group and music.

319

320 ***At 8:19pm, Sarah Perrin moved and Gary Corey seconded the adjournment of the***  
321 ***meeting. The motion carried unanimously.***

322

323

324

325 Respectfully submitted,

326 Nancy H. Lively

327 Secretary

328