

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **APRIL 10, 2023**

5 **MINUTES**

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

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

9 **ALSO PRESENT:** Stuart Hurd-Town Manager; Shannon Barsotti-Community Development
10 Director; Jonah Spivak-Communications Coordinator; Deborah Larkin-Bennington Sports
11 Foundation; Nancy Lee Taylor; Bruce Lierman; Sam Restino; Chad Gordon; Kelly Carroll; Jenny
12 Dewar and Jeanne Mintrone-BBC; Ned Perkins; Jack Rossiter-Mumley; Mary Ellen Mumley;
13 Madison Cramer and Curan VanDerWielen-Shires Housing; Tordis Isselhardt; Debbie Matte;
14 Nancy White; 20 citizens; Jim Therrien-Bennington Banner; Josh Boucher-CAT-TV; and Nancy H.
15 Lively-Secretary.

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

17 **1. PLEDGE OF ALLEGIANCE**

18 The Pledge of Allegiance was recited.

19 **2. VISION STATEMENT**

20 Ms. Conner 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 MARCH 27, 2023 AND MARCH 31, 2023**

26 **B. WARRANTS**

27 **C. LIQUOR/TOBACCO LICENSES**

28 *Sarah Perrin moved and Jim Carroll seconded to approve the Consent Agenda as*
29 *presented. The motion carried unanimously.*

30 **4. REORGANIZATION**

31 ***Gary Corey moved and Sarah Perrin seconded the nomination of Tom Haley as Vice-***
32 ***Chair of the Bennington Select Board. The motion carried unanimously.***

33 ***Jeanne Conner moved and Jim Carroll seconded the nomination of Jeannie Jenkins as***
34 ***Chair of the Bennington Select Board. The motion carried unanimously.***

35 **5. PUBLIC COMMENT**

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

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

50 _____

51 Nancy Lee Taylor: Lives in Pittsfield, MA, must move in 2 years, loves Bennington, wants to
52 move here, and is looking for housing. *Ms. Jenkins: Suggested connecting with the Council on*
53 *Aging.*

54 Bruce Lierman: Invited the community to attend the Bicycle Safety Course - CyclingSavvy ‘Truth
55 and Techniques’ Classroom Course to be held on April 19th from 6:00pm-9:00pm online. Sign
56 up at bit.ly/bikehub419 . We’ve had 6 winter classes on bicycle maintenance with 64 people in
57 attendance. We also supply anyone that needs safety gear with helmets, locks, lights and
58 reflective vests. The Bike Hub is located in the Bennington Mill.

59 Sam Restino: 1. Urges people to adopt a storm drain to keep them clean; 2. We are losing the
60 bowling alley, Northside Dairy Bar, and W. Collective - we must keep our businesses in town; 3.
61 Attend Nancy White’s meeting at the Library on April 17th - changed from April 18th due to a
62 DRB meeting conflict.

63 Chad Gordon: Spoke against the raising of the Rec Center fees by 6% and by the cost of living
64 each year thereafter. Most people don't get cost of living raises and this impacts our most
65 vulnerable populations - children and retirees - and potentially may prevent the forming or
66 continuing of lifelong recreation interests.

67 Kelly Carroll: 1. The VFW Post 13 Riders sponsored a murder mystery party to benefit Vermont
68 Paws and Boots, an organization that trains service dogs for veterans and first responders. This
69 took place on March 31st and \$3,820 was raised with all raffles donated back to the event.
70 Thanks to all that participated. 2. The monthly Walloomsac River Walk will take place on April
71 22nd at People's Park at 10:00am. We will be doing cleanup and Cory Creagan, Bennington
72 County Vermont State Forester, will be speaking on our trees and vegetation.

73 Nancy White: The purpose of her meeting on April 17th at 6:00pm at the Bennington Free
74 Library is for Bennington residents to be educated and understand what has been going on
75 behind closed doors the last 11 years. Also questioned that the Benn Hi lease states that the
76 Town will own the Benn Hi building in exchange for the current Senior Center. Why don't
77 people that are not Bennington residents get charged to go to the Senior Center? On April 3rd
78 there was a 2 hour Q & A on Benn Hi held that wasn't on the Town website and why wasn't the
79 public told? *Ms. Jenkins: At the April 24th Select Board meeting there will be a public
80 presentation on the Benn Hi project and it was decided several years ago by the Seniors,
81 themselves, not to charge non-residents to attend the Center. Mr. Spivak: We've had 4 public
82 meetings on Benn Hi and there is a listing of all those meetings and every document related to
83 the project on the website. We have been going to the Seniors on a regular basis since the onset
84 of beginning discussions on the project. The April 3rd meeting at the Senior Center was the 5th
85 one. These meetings are only for the seniors and they are not comfortable with them being
86 recorded. All information we had at that time was shared, as always.*

87 Jenny Dewar-Better Bennington Corporation Director of Events: Shared the upcoming events
88 calendar, such as First Fridays in July through September; Pop-Up shops on Saturdays; 5
89 Hemmings Cruises - May through September; Mayfest; Harvestfest; Queer Connect Parade and
90 the Town Wide Tag Sale. Ms. Dewar introduced Jeanne Mintrone, the new BBC Director of
91 Operations.

92 Jeanne Mintrone-Better Bennington Corporation Director of Operations: Spoke on the
93 student's art project for the banners in the Downtown. Student's from elementary school to
94 college will submit flags by May 10th and will be juried by the community with 48 chosen for
95 display by Mayfest. All art work will be displayed on the BBC website. The State has agreed to
96 match all fundraising dollars donated up to \$4,500 at a 2:1 rate. This is a Special Places Grant, if
97 we can raise our portion by May 10th.

98 Jenny Dewar: Was disturbed by the number of people that complained about the Easter Egg
99 Hunt this year. This was put on by volunteers who stepped up donating their own time and
100 money to put on the event to only be criticized by those that did not step up.

101 Ned Perkins: Supports the Revolving Loan Program but feels the Select Board is approving these
102 in Executive Session instead of Open Session and referred to 3 loans that totaled \$335,000 that
103 were not approved in Open Session. This was a formal notice that the Town has violated the
104 Open Meeting Law. *Mr. Carroll and Ms. Jenkins: The Select Board does not vote on Revolving*
105 *Loans. The Community Development Director makes the decisions on Revolving Loans.*

106 Jack Rossiter-Mumley: The Bennington Community Café is open every Saturday from 1:30pm-
107 3:00pm at 121 Depot Street outside of GBIC's. We have a full menu, take your order, and you
108 decide what to pay even if that's nothing at all. We are building a strong volunteer base and
109 have many homemade items. We also have clothing and music and are looking to expanding
110 our hours.

111 Mary Ellen Mumley: Since we became aware of police presence in the elementary schools,
112 there are a group of 18 citizens that are meeting regularly. We now have parents and teachers
113 joining us, as well as, the Superintendent of Schools attending this week. We are working with
114 the ACE summer school program who will be providing transportation to those elementary
115 school children who would not be able to attend otherwise. Work being done is teachers and
116 volunteers organizing a series of after school programs and distributing brochures to inform of
117 services available at Sunrise. Also working with the YMCA summer school, the Juneteenth
118 celebration, and Teacher Appreciation Week the 1st week in May are ongoing.

119 **6. PUBLIC HEARING NOTICE - CDBG APPLICATION FOR 612 GAGE STREET RECOVERY HOUSING**

120 Ms. Barsotti explained that the Town is considering making an application to the State
121 for CDBG/RHP funding under the Vermont Community Development Program. These are
122 federal funds that flow through the State and to the municipalities to sub grant. The proposal is
123 for Shires Housing to apply for \$500,000 in VCDP CDBG/RFP funds to rehab and retrofit
124 construction of a 9-bedroom home located at 612 Gage Street for use as recovery housing.
125 Turning Point Center will master lease the building to oversee the recovery housing program.

126 Madison Cramer added that she is leaving the area and Curan VanDerWielen will be
127 taking over as the Shires Housing Development Director.

128 *Public comments/questions answered by Madison Cramer:*

129 Nancy White: Prior to the zoning changes done a couple of years ago, would recovery housing
130 been allowed to go in across from the Rec Center? And, were home owners contacted prior to
131 the approval of the first grant over a year ago? *We are following all current zoning requirements*
132 *and we have followed all requirements as far as contacting neighbors.*

133 ***Sarah Perrin moved and Jim Carroll seconded to approve the Resolution for Shires***
134 ***Housing to apply for the VCDP CDBG/RFP Grant for \$500,000.00 as presented. The motion***
135 ***carried unanimously.***

136 **7. BENNINGTON SPORTS FOUNDATION**

137 Deborah Larkin stated the following:

- 138 ➤ The Bennington Sports Foundation is a 501c3 organization that was formed in 2021 to
139 give children and teens in Bennington an opportunity to reach their potential in sports
140 and life.
- 141 ➤ We are offering \$20,000 in grants at increments of \$2,000 each to programs who will
142 seek out kids that are not currently participating in sports programs.
- 143 ➤ We are also providing funding to programs to hire teens at \$15/hour to become leaders
144 in the sports program.
- 145 ➤ Last year we worked with Deshawn Hamlet/Back to the Future Basketball and the YMCA
146 Camp, as well as, Counselor Training for the teens.
- 147 ➤ We hope to raise \$500,000 this year and currently have \$300,000. Our intent is not to
148 fundraise every year but once every 5 years.
- 149 ➤ The volunteer Board and Staff are: Co-Chairs - Deborah Larkin and Jeannie Jenkins;
150 Treasurer - Carolyn Blitz; Members - Angela Bevin, Jonathan Phipps, Steve Kimball,
151 Melissa Morrison, and Carson Thurber.
- 152 ➤ Website - www.benningtonsportsfoundation.org .

153 *Board comments/questions answered by Ms. Larkin:*

154 Ms. Conner: Do students have access to the Foundation if they want to play a school team
155 sport? *Not at this time. However, the schools know who the kids are that need our help.*

156 **8. STAFF UPDATES - COMMUNICATION**

157 Jonah Spivak noted the following:

- 158 • The Bennington Banner and CAT-TV are good sources for information.
- 159 • He produces a monthly report in the Board's packet and on the Town website.
- 160 • Encourages participation on our Boards and Commissions. ~40 citizens take part in our
161 11 Boards and/or Commissions. Letters of Intent should be sent to the Town Manager.
- 162 • We will be having a Rail Trail Opening on May 6th at the Fire Facility Parking Lot. There
163 will be an opening ceremony, ribbon cutting, the Annual Police Bike Rodeo, and free
164 food and helmets.
- 165 • May 6th is also Green-Up Day and the Town provides bags at the Town Office. Town
166 crews will pick up the garbage bags on the following Monday.
- 167 • The Community Policing Advisory Review Board (CPARB) will be having a listening
168 session on June 29th.
- 169 • Our new Information Technology Director, Nick Cave, is mainly working on the Police
170 Department's communication systems.
- 171 • The website is a great source of information. Let me know if you want to be made
172 aware of anything new on a favorite page of yours through a new item, "E-Notify" and if
173 there are any problems with it.

174 *Public comments/questions answered by Mr. Spivak:*

175 Sam Restino: Will there be a group coming back to reset the head stones that were vandalized
176 in the cemetery? *Shortly after the stones were vandalized in October, several people came*
177 *together from several towns and reset all of the stones in one day. But, since some were*
178 *broken, we will be getting together with the Vermont Old Cemetery Association on May 29th to*
179 *restore the broken stones.*

180 Bennington Resident: Stated that she is lucky to be able to walk the Rail Trail every day and is
181 “thrilled with the Rail Trail”. Her suggestion is to provide containers for owners to use for their
182 dog feces. *We have already started the process to do this.*

183 **9. TRAFFIC ORDINANCE AMENDMENTS**

184 Mr. Hurd presented two amendments for our Traffic Ordinance Article 10 -

- 185 1. To extend the Winter No Parking overnight ban from March 31 until April 15 of a given
186 year. This will allow our DPW staff to fully clean up after the winter season. This Winter
187 No Parking ban begins on November 15th.
- 188 2. To increase the allowed speed on East Road from 35 to 40 mph. A study was conducted
189 by Jim Henderson at BCRC using the Guide to Setting Speeds on Vermont Roads
190 published by Vermont Local Roads. The results indicated that traffic can move safely on
191 the East Road at 40 - 45 mph. After discussions with the Chief and Lieutenant we
192 settled on 40 mph from Kocher Drive to the Shaftsbury Town line. This is just below the
193 average speed on the road of 42 mph.

194 *Public comments/questions:*

195 Mike Sausville: Lived on East Road for 35 years and said he has noticed over the last 2 years
196 that East Road has become “an Indianapolis Speedway” and there is no police presence. Said
197 he has spoken to others that live on East Road and they have complained to the police about
198 the speed, there is a lot of traffic since the store on East Road has re-opened, and accidents
199 have doubled or tripled in the last 1 ½ years. He also stated that the children at the Middle
200 School can walk to the store and back to get lunch without sidewalks.

201 Ms. Jenkins read an e-mail from the Michael and Sue Goldsmith disagrees with increasing the
202 speed limit citing that there are walkers, joggers, and bicyclists with no sidewalks after Duffy
203 Drive and feels this would encourage faster travel.

204 Debbie Matte: Heard on a news show that there was discussion about raising a speed limit on a
205 major highway to 65 or 75, and it was said that people were already going 85-90 and would go
206 faster if it was raised.

207 Tordis Isselhardt: A reminder that Willow Park will be attracting more traffic this summer.

208 *Board comments/questions:*

209 Mr. Corey: Verified that the school zone speed limit by the Middle School would remain 25
210 mph. *Mr. Hurd: Yes.*

211 Ms. Conner: What is the benefit of raising the speed limit or the down side of not raising the
212 speed limit? *Mr. Hurd: Not sure that there's a benefit or a down side. The roads were studied*
213 *with ~9,000 vehicles on East Road travelling it from 11/9/2022 through 11/18/2022 and the*
214 *thinking in the Standards is, if the speed limit is too low, people routinely ignore it and drive*
215 *faster, whereas if the speed limit is set at the maximum that it should be on that road, people*
216 *are more likely to drive at that speed.*

217 Mr. Woods: Do we know if traffic accidents have increased as Mr. Sausville has said? *Mr. Hurd: I*
218 *don't have that information with me but we certainly can gather it. I don't believe, however,*
219 *that accidents on East Road have increased. The intersection of Kocher Drive and East Road*
220 *may be problematic at times but it is not one of our high crash areas.*

221 Mr. Woods: Understands the concept of people following a speed limit and the law that makes
222 sense.

223 Ms. Conner: Can we gather information on how many people are walking that road? *Mr. Hurd:*
224 *We don't have that information.*

225 Ms. Jenkins: Do we know where they were located when they did the study? *Mr. Hurd: I don't*
226 *have that information but they looked at all of East Road.*

227 Mr. Haley: Would like to hear from more residents of East Road.

228 Mr. Corey: The Traffic Control Ordinance, 10-5.03 is Angle Parking, Generally. Do we still have
229 angle parking? *Mr. Hurd: We do not. That will also need to be changed.*

230 ***It was decided to table Agenda #9. Traffic Ordinance Amendments until the May 8th***
231 ***Select Board Meeting. Mr. Hurd will gather traffic accident information on East Road, ask Jim***
232 ***Henderson if he can attend the May 8th meeting since he conducted the study on East Road,***
233 ***and remove "Angle" from the 10-5.03 Ordinance section.***

234 **10. POLICE CONTRACT RATIFICATION**

235 Mr. Hurd explained that the contract with the Police New England Police Benevolent
236 Association (NEPBA) will expire on June 30, 2024. I would seek to re-open the Contract to offer
237 the police employees a raise similar to the DPW Contract. Currently contracted at 3%, we have
238 agreed to increase that to 8.3%, matching the rate of inflation when the budget was built. In
239 addition, we have agreed to an additional two years - extending the contract to June 30, 2026 -
240 with raises at 5% or CPI-U in September of a given year whichever is higher, matching the DPW
241 agreement. This is an incentive and retention move. The union employees have accepted this
242 offer.

243 ***Jim Carroll moved and Ed Woods seconded to ratify the NEPBA Contract as presented***
244 ***and authorize the Town Manager to sign the contract as amended. The motion carried***
245 ***unanimously.***

246 **11. IMPLEMENTING THE TOWN VISION**

247 Kelly Carroll, Chair of CPARB did the following presentation:

- 248 ✓ The next CPARB meeting is April 20th at the Fire Facility at 6:00pm.
- 249 ✓ We will be having a Listening Session on June 29th at the Fire Facility. More information
250 to come.
- 251 ✓ We have a comment area under the CPARB section of the Town’s website for any
252 comments or concerns.
- 253 ✓ There is one open seat on the CPARB Board and applications are now being accepted.
254 Ms. Jenkins added:
- 255 ✓ We are going forward with Juneteenth on June 17th in the downtown at the old Tuttle
256 Lot across from Anytime Fitness.
- 257 ✓ Applications are now being accepted by Mr. Hurd for Boards and Commissions. The
258 open seats are on the website under Government, or News, or Public Notices, or search
259 for Boards and Commissions.

260 **12. MANAGER’S REPORT**

261 Mr. Hurd did the following report:

262 *BBC Street Closures: Hemmings Cruise Ins and First Fridays -*

263 ***Jim Carroll moved and Tom Haley seconded to close Main Street from North Street to***
264 ***Safford Street, School Street from Main to Pleasant Street, Pleasant Street from North to***
265 ***School Street, and Valentine from Union Street to Main Street on May 18,2023, June 15, 2023,***
266 ***July 13, 2023, August 10, 2023, and September 14, 2023 from 4:00pm-8:00pm for the***
267 ***Hemmings Cruise Ins, and close Main Street from North Street to Valentine Street on July 7,***
268 ***2023, August 4, 2023, and September 1, 2023 from 4:00pm until 9:00pm for First Fridays.***

269 Ms. Perrin noted these are great events for the Town and we should approve these as
270 soon as possible.

271 ***The motion carried unanimously.***

272 *Armory Deal* - Although currently off the table at some future point the Armory may yet again
273 become available. This is disappointing to both the Guard and the Town.

274 *Information Technology Director* - Reiterated the start of our new Information Technology
275 Director, Nick Cave, who will be focusing on the Police Department communications issues in
276 both the building and the vehicles. This has also freed up the Lieutenant’s time to do police
277 work which is very helpful to us, as well.

278 Beech Street Violation/Foreclosure - We were told the owner of the building has appealed the
279 foreclosure. The Town has received fines totaling in excess of \$95,000 and will reimburse its
280 cost accrued this fiscal year to the General Fund and set aside the remainder for future clean
281 ups thereby reducing the pressure on the General Fund in future years. The new owner of the
282 building has already begun renovations and cleanup.

283 **13. UPCOMING AGENDA**

284 April 24, 2023 - Benn Hi Update

285 May 8, 2023 - Traffic Ordinance Amendments

286 **14. OTHER BUSINESS**

287 Ms. Conner and Mr. Carroll: Enjoy the warm weather.

288 Ms. Jenkins: Thank you to the Bennington Banner and all of the other sponsors of the Easter
289 Egg Hunt. It was spectacular.

290 Mr. Haley: Noted how nice the Bennington Museum is and urged everyone to go see for
291 themselves.

292 Ms. Perrin: Commented on what a nice time the Easter Egg Hunt was and thanked everyone
293 who participated.

294 Mr. Woods: Is looking forward to working with the Board and should we be revisiting the Rec
295 Center rate increases? Ms. Jenkins noted that we should be mindful of the effects of the
296 increase, and Mr. Hurd added to watch for the scholarships that the YMCA offers. We will be
297 providing those increases to the Board in February each year but they won't begin until July.

298 Mr. Woods is just concerned that there will be those that don't utilize the scholarships or
299 subsidies.

300

301 ***At 7:56pm, Jim Carroll moved and Sarah Perrin seconded the adjournment of the***
302 ***meeting. The motion carried unanimously.***

303

304

305 Respectfully submitted,

306 Nancy H. Lively

307 Secretary

308