

M E E T I N G N O T I C E

BENNINGTON SELECT BOARD

January 25, 2021

A G E N D A

6:00 PM

For public health reasons, Select Board members will participate in the meeting by videoconference. Members of the public are urged to watch the meeting on CAT-TV or Cat-TV Facebook. If one wishes to participate, please call 1-646-558-8656 enter Meeting ID when prompted: 860 8122 6196 followed by #. Callers will come into a "waiting room" and be taken in the order of the call. Time will be allotted before action on all agenda items where citizen input is warranted.

1. Consent Agenda
 - A. Minutes of 1/11/21 and 1/9/21 6:00 PM - 6:05 PM
 - B. Warrants
 - C. Liquor Licenses
2. Public Comment 6:05 PM - 6:20 PM
3. Public Hearing 6:20 PM - 6:50 PM
 - Notice of Intent-No Significant Impact -
 - Lead Service Line Replacement Project
4. Community Policing 6:50 PM - 7:10 PM
 - Domestic Violence Policy - 1st Reading
5. TIF Presentation 7:10 PM - 7:15 PM
6. Authorize the Chair to Sign Annual Meeting 7:15 PM - 7:45 PM
Warning
 - A. Set Select Board Pay
 - B. Penny for Parks
 - C. Cannabis Retailers
7. Adopt FY22 Budget 7:45 PM - 7:50 PM
8. Manager's Report 7:50 PM - 7:55 PM
9. Upcoming Agenda 7:55 PM - 8:00 PM
10. Other Business 8:00 PM - 8:10 PM

BENNINGTON SELECT BOARD
MEETING HELD REMOTELY VIA ZOOM
BENNINGTON, VERMONT 05201
JANUARY 11, 2021
MINUTES

SELECT BOARD MEMBERS PRESENT BY VIDEOCONFERENCE: Donald Campbell-Chair; Jeannie Jenkins-Vice Chair; Jeanne Conner; Jim Carroll; Bruce Lee-Clark; and Sarah Perrin.

SELECT BOARD MEMBERS ABSENT: None.

ALSO PRESENT BY VIDEOCONFERENCE: Stuart Hurd-Town Manager; Daniel Monks-Assistant Town Manager and Planning Director and Director of the COVID-19 Response; Dr. Trey Dobson-SVHC Medical Director and Megan Herrington-Vermont Department of Health; Steve Love-Love, Cody & Company; Josh Boucher-CAT-TV; and Nancy H. Lively-Secretary.

PUBLIC CALL INS: None.

At 6:02pm, Chair Donald Campbell called the meeting to order and explained that, due to the COVID-19 Pandemic State of Emergency declared by Governor Scott, and pursuant to Addendum 6 to Executive Order 01-20, Act 92, this public body is authorized to meet electronically. There is no physical location to attend this meeting, however, the public may view it on CAT-TV and call in at 1-646-558-8656 and enter the meeting ID, 88320455287 when prompted to do so. The call in information will be periodically posted on the screen and the process for calling in was explained. If technology fails us, the meeting will be continued at a time and place to be determined and all votes that are not unanimous will be done with a roll call vote in accordance with the law.

Jim Carroll moved and Bruce Lee-Clark seconded to amend the Agenda as follows:

Move "6. Set Salaries for Town Manager and Town Clerk" to #9. Executive Session, Personnel, Set Salaries for Town Manager and Town Clerk"

The motion carried unanimously.

1. CONSENT AGENDA

A. MINUTES OF DECEMBER 28, 2020, JANUARY 2, 2021, AND JANUARY 4, 2021

B. WARRANTS

C. LIQUOR LICENSES

Bruce Lee-Clark moved and Jeanne Conner seconded to adopt the Consent Agenda as presented. The motion carried unanimously.

33 **2. PUBLIC COMMENT**

34 None.

35 **3. COVID-19 UPDATE**

36 Dr. Trey Dobson, SVHC Medical Director, did the following presentation:

- 37 • Today is pandemic day 306 and vaccination day 26 in the country.
- 38 • At this time, our vaccination schedule is:
- 39 ➤ Phase 1A - Health care workers and first responders. We are fortunate to have
- 40 enough vaccine to have a "broad definition" of who qualifies in these two
- 41 areas.
- 42 ➤ We are vaccinating 200 people/day at SVHC now.
- 43 ➤ Long term care facility workers are being vaccinated from a federal program
- 44 and moving forward.
- 45 ➤ We're not sure if high risk individuals will be included first or if we will just go
- 46 with age bands.
- 47 ➤ All of the problems in the media are caused by over prioritization in areas with
- 48 a much larger population than Vermont.
- 49 ➤ Vaccine supply is our determinate and we hope to start vaccinating others by
- 50 early February.
- 51 ➤ Distribution will start with large capacity vaccination clinics quickly followed to
- 52 pharmacies, certain medical practices, and others as supply allows.
- 53 ➤ The vaccine is very safe - COVID is deadly and is killing 4,000 people/day in the
- 54 United States.
- 55 ➤ There is a registration process that needs to go to the State, as well, and we are
- 56 doing that now.
- 57 ➤ Our goal is to be done vaccinating by the summer and here are our greatest
- 58 hurdles to be able to do that:
- 59 ✓ Supply.
- 60 ✓ Operational inefficiencies - staff resources.
- 61 ✓ Vaccine hesitancy and resistance.
- 62 ✓ Resistant mutations that COVID-19, over time, would develop to the
- 63 vaccine.

64 Megan Herrington from the Vermont Department of Health added:

- 65 • In Vermont, over 20,000 people have received the first shot of the vaccine and nearly
- 66 400 have received both doses.
- 67 • In Bennington, 4% of the population has received the first shot.

- 68 • The Vermont Department of Health (VDH) is trying to get ahead of any barriers, albeit
69 physical, mental, literacy, etc. that may hinder the registration process at the clinics
70 locally.
- 71 • COVID-19 testing is available in Bennington 6 days/week from 9:00am-3:00pm at VDH
72 and the Bennington Rescue Squad. If the test is positive, then there will be an interview
73 process to see what contact has been previously made to help keep our community
74 safe.
- 75 • In the last few weeks we've had 171 cases of COVID-19 in our community and there is
76 still opportunity to slow that down.

77 *Board questions/comments answered by Dr. Dobson and/or Ms. Herrington:*

78 Ms. Conner: When will we know how long the vaccine will last? Too soon to tell.

79 Ms. Conner: Will regions that reach "herd immunity" sooner than others be able to go back to
80 normal before others in the country? Some regions will achieve herd immunity before others,
81 but the concern is that once vaccinated, society will no longer adhere to the restrictions that we
82 have been enduring. COVID cases are not going to stop, but once 75%-80% of the people are
83 vaccinated the likelihood of getting COVID is greatly reduced, whether vaccinated or not.

84 Ms. Conner: Clarification on the time that everyone getting the vaccine will have to wait to see
85 if there is a reaction? 15 minutes for everyone and 30 minutes if there are other extenuating
86 circumstances.

87 Ms. Conner: Do both doses have to be the same vaccine? The recommendations based on
88 experience is that both of the doses have to be the same vaccine.

89 Ms. Conner/Ms. Jenkins: What is being done for the mental health of the health care workers?
90 We have Incident Command that was set up before the pandemic was declared, and United
91 Counseling Service is always available. The physical and mental health of our staff is our
92 primary concern because of the jobs that need to be done in their field of work.

93 Mr. Hurd: When will underlying conditions become available to us? If we just go by age bands,
94 most of the high risk conditions will be covered.

95 Mr. Lee-Clark: Can the Town be of any help in publicizing the availability of the vaccine? Any
96 help from all agencies in notifying the people that are not able to know the schedule would
97 cover what is a concern to us all.

98 Ms. Perrin: How can a person get a test? Go to www.svhealthcare.org where it will ask you if
99 you want to get tested or receive the vaccine. The SVHC COVID Hotline can also be called.
100 There is no cost to an individual if they don't have insurance.

101 Ms. Perrin: How effective is the vaccine? The trials showed it at 95%. However, if you are
102 exposed to COVID-19 repeatedly everyday you have a higher chance of getting the disease after

~50 encounters. "Having a 65% effective vaccine with 85% of the population vaccinated is actually better than having a 95% effective vaccine with only 40%-50% of the population."

Mr. Carroll: Dr. Levine had said in Montpelier that the mutation from Britain doesn't appear to have a bearing on the efficacy of the vaccine. Can you speak to that? It is impossible that a variant is fully resistant to a vaccine. "It is possible that it is slightly less but highly unlikely."

4. AUDIT PRESENTATION

Steve Love, from Love, Cody & Company, did the following presentation:

- ❖ In our opinion, the financial statements of the Town of Bennington for the year ended June 30, 2020 are presented fairly in all material respects in accordance with accounting principles generally accepted in the United States of America.
- ❖ Our report on internal controls and compliance noted no material weaknesses in internal control.
- ❖ The proprietary funds are maintained on the full accrual basis and the business-type activities column is basically the same as the total columns on the fund statements for those funds.
- ❖ Overall net position (equity) of the Town increased by \$841,325 resulting in a total net position of \$34,032,713.
- ❖ Liabilities and Net Position - Governmental Funds - Bonds Payable (\$4.9M) and Net Pension Liability/Deferred Inflows (\$2.9M) are out of the Town's control. Capital Assets = \$13.8M.
- ❖ The three largest cost centers of the governmental activities are highways and roads, police, and general government services which each fall in the range of approximately \$4.2M to \$4.5M.
- ❖ The largest portion of Governmental Revenues are Property Taxes at \$11.7M and Operating Grants at \$1.3M. Any COVID funding we have received was received in FY21 and not within these numbers.
- ❖ Cost of Business Type Activities evenly split between Water (\$2.3M) and Sewer (\$2.3M) paid for by charges for those services - Water (\$3.4M) and Sewer (\$2.2M).
- ❖ The Unassigned Fund Balance Deficit of \$514K is spending down what has been restricted in the past.
- ❖ Over the past 6 years there has been a consistent increase in Property Taxes and Intergovernmental Revenues with slight fluctuation in other revenues. Next year, Hurricane Irene grants/assistance will be removed.
- ❖ Over the past 6 years there has been a consistent increase in General Government, Public Safety, Highways and Roads, and Other Expenditures. Next year, Hurricane Irene flood expense will be removed.

5. COMMUNITY POLICING UPDATE

A. POLICY REVIEW READING, 2ND READING

141 **1. INVESTIGATION AND 1ST REPORTING HATE CRIMES**

142 Mr. Lee-Clark stated the following:

- 143 ▪ All changes were a result of comments from the Board or the community.
- 144 ▪ Line 16, change "and necessary" to "available and necessary"
- 145 ▪ Line 67, delete "Examples include but are not limited to: homosexual, bisexual, and
- 146 heterosexual."
- 147 ▪ Line 69, we did not change the definition of "Sex" as this is the definition that it basically
- 148 universally used.
- 149 ▪ Footnote, change "are tracked by the" to "are currently tracked by reputable groups
- 150 including the"
- 151 ▪ There are no CALEA standards because we are not currently a member of that
- 152 organization and cannot currently use their standards. Hopefully, we will consider
- 153 becoming a member in the future.
- 154 ▪ We will change Line 25, "reporting incidents" to "reporting to the Town and State of
- 155 Vermont incidents"
- 156 ▪ Line 27, change "origin,," to "origin,"

157 ***Bruce Lee-Clark moved and Jim Carroll seconded to adopt Policy on Investigation and***
158 ***Reporting of Hate Crimes as amended.***

159 Thank you to the Committee Members who worked on this policy - Grace Winslow,
160 Jamar Bevins, Cindy Taylor, and Mark Blank, as well as, the standing committee members of Mr.
161 Lee-Clark, Mr. Monks, and Officer Ferrara.

162 ***The motion carried unanimously.***

163 **2. FAIR AND IMPARTIAL POLICING**

164 Mr. Lee-Clark stated the following:

- 165 ▪ Line 24, change "policy." to "policy or its attached procedures."
- 166 ▪ Line 59, change "or duties." to "duties or rank."

167 ***Bruce Lee-Clark moved and Jeannie Jenkins seconded to adopt Policy on Fair and***
168 ***Impartial Policing as presented. The motion carried unanimously.***

169 Thank you to the Committee Members who worked on this policy - Father Bob
170 Weisman, Kate Canning, Greg Burda, and Alana Harte, as well as, Mr. Lee-Clark, Mr. Monks, and
171 Officer Farrara.

172 **B. OTHER ACTIVITIES**

173 Ms. Conner reported the following:

- As of now, we have 14 applicants for the next 6 policies for the Bennington Police Department (BPD) and will be leaving the application process open.
- We did 4 interviews today that went “extremely” well.
- Board members e-mail addresses are on the Town’s website if anyone has any questions about the process.
- The interviews and meetings will be taking place via Zoom until the COVID restrictions have been lifted. Even if they are lifted, the Zoom option will still be available.
- We will work with you to make it work for your schedule and are grateful for the community members input.
- Thank you to the BPD for all of their work.
- The first meeting will be on January 27th.

6A. MANAGER’S REPORT

Mr. Hurd reported as follows:

- Certificate of Highway Mileage - Annually the Board must sign and return this document to VTRANS to determine our share of the State highway funds for roads. There are no changes from last year.

Bruce Lee-Clark moved and Jeannie Jenkins seconded to authorize the Select Board Chair to sign the Certificate of Highway Mileage as presented on behalf of the Board. The motion carried unanimously.

- COVID Update - All but one of the Police Officers infected with COVID are back to work on a somewhat limited basis. The Officer that was in the hospital was released today and is on his way home. Our Police and Fire Departments now have the opportunity to get vaccinated as do all first responders. Mr. Hurd does not have COVID now and never has had COVID.
- PFOA Construction - A recent notice from the State “PFAS Community Update” with the important note being the Reclassification of Groundwater in Bennington.
- Additional Information
 - Ms. Conner: There is an Appalachian Trail Meeting tomorrow night at 6:00pm and Ms. Barsotti will be sharing the Zoom link on the Town Facebook page.
 - Mr. Carroll: Asked about Town Meeting Day, and Mr. Hurd has been in touch with the Secretary of State’s office and, because we vote by Australian ballot, there shouldn’t be any changes due to the meeting being held via Zoom. In-person voting will still be taking place at the Fire House. If someone wants an absentee ballot they need to contact the Town Clerk’s Office.

210 ○ Mr. Carroll: Asked about putting Cannabis on the ballot, and Mr. Hurd will have
211 prepared the correct language to include a vote for Cannabis on the next agenda
212 if the Board wishes to have a vote on it this year.

213 **7. UPCOMING AGENDA**

214 January 25, 2021 - Cannabis Discussion
215 January 25, 2021 - Parks Discussion
216 January 25, 2021 - Adopt the Budget and Adopt the Warning
217 February 1, 2021 - Mayoral Hearing
218 February 8, 2021 - Energy Committee Recommendations
219 February 8, 2021 - Mayoral Hearing

220 **8. OTHER BUSINESS**

221 Ms. Conner: Should the Board send a statement to Stamford in response to them sending us
222 their petition so they don't interpret silence as acceptance for what they did? Mr. Campbell
223 said that "he would use it as kindling" and Mr. Lee-Clark will send them a personal note as an
224 individual, not as a board member.

225 Mr. Lee-Clark: In recognition of Martin Luther King Day on January 18th, the Interfaith Council
226 and the Peace and Justice Center encourages everyone to do the following:

- 227 ✚ Go out on your front porch with a candle or flashlight and bell or pot at 6:00pm
- 228 ✚ There is a 30-minute movie from the NEA called "I Am From Here" at 7:00pm followed
229 by discussion
- 230 ✚ Then an opportunity to learn more about racism in ourselves and in our community
- 231 ✚ Information is available at the www.greaterbenningtonpeaceandjusticecenter.org

232 Mr. Carroll: Recognized his mother's birthday on January 18th.

233 **8. EXECUTIVE SESSION**

234 **PERSONNEL - SET SALARIES FOR TOWN MANAGER AND TOWN CLERK**

235 *At 8:00pm, it was moved and seconded finding that an Executive Session be held on*
236 *Personnel - Set Town Manager and Town Clerk Salaries as premature public knowledge would*
237 *place a person involved in the subject matter at a substantial disadvantage. A decision will*
238 *be made this evening. The motion carried unanimously.*

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241

242 Respectfully submitted,

243 Nancy H. Lively

244 Secretary

245

246

**SELECT BOARD
MINUTES ADDENDUM**

January 11, 2021

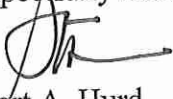
Present: Donald Campbell, Chair, Jeanne Conner, Jeannie Jenkins, V. Chair, Sarah Perrin, Jim Carroll, and Bruce Lee-Clark.

The Board came out of executive session at 8:36 pm.

The Board voted 5-1 (Sarah Perrin) to raise the Manager's salary to \$115,105.00, the Town Clerk's salary to \$90,002.00 and the Treasurer's salary to \$15,304.00.

There being no other business, the meeting adjourned at 8:41 pm.

Respectfully submitted,


Stuart A. Hurd

TOWN OF BENNINGTON

2021 LIQUOR LICENSE RENEWAL APPLICATIONS

2021 1st Class Renewal

1. Dutchmans Tavern (& Outside Consumption)

2021 2nd Class Renewal

1. North Bennington Variety

2021 3rd Class Renewal

1. Dutchmans Tavern

*The Bennington Select Board hereby approves the above
2021 Liquor License Renewal Applications.*

Dated: January 25, 2021

Donald A. Campbell, Chair

Jeannette Jenkins, Vice Chair

Jim Carroll

Bruce Lee-Clark

Jeanne Conner

Sarah B. Perrin



Vermont Department of Environmental Conservation

Agency of Natural Resources

WATER INVESTMENT DIVISION
National Life Building, DAVIS 3
1 National Life Drive
Montpelier, VT 05620-3510
FAX: (802)828-1552

Notice of Intent to Issue a Finding of No Significant Impact

**Town of Bennington
Lead Service Lines Replacement Project, Contract 1**

Vermont/ USEPA Drinking Water Revolving Loan Number: RF3-401

In accordance with section VII of the Department's *Vermont/EPA Drinking Water State Revolving Fund Loan Program*, the Department of Environmental Conservation intends to issue a Finding of No Significant Impact (FNSI) for the proposed water system improvement Project. This project involves the replacement of 140 service connections along Branch Street, County Street, Division Street, Gage Street, Maple Street, Park Street, Spring Street, Washington Avenue, Observatory Street, and Weeks Street. The pipes are located on both private property and the public right-of-way.

Under the Procedure, the project is ineligible for Categorical Exclusion (CATEX) from detailed environmental review because the project is significantly greater in scope than normal projects funded through the Vermont DWSRF. Also, the direct and indirect environmental effects of the project are not significant enough to necessitate an Environmental Impact Statement (EIS) under the Department's environmental review procedures.

Consideration of the FNSI included a review of the following documents:

- Environmental Information Document titled "Environmental Report and Environmental Information Document," dated 1/12/2021, by MSK Engineering and Design, Inc.
- Preliminary Engineering Report titled "Preliminary Engineering Report, Lead Service Line Replacements," dated 2/13/2020, prepared by Jason Dolmetsch, P.E., MSK Engineering and Design, Inc.
- Design Basis Report titled "Lead Service Line Removal 2020 Pilot Project," dated October 2020, prepared by Patrick C. Smart, P.E., MSK Engineering and Design, Inc.
- 90% Lead Pilot Design Set, Contract 1, no date, prepared by MSK Engineering and Design, Inc.
- "Updated Archaeological Resources Assessment for the proposed Town of Bennington Lead Service Lines Replacement Project, Bennington, Bennington County, Vermont," Report No. 1262, dated

Town of Bennington, Vermont
Notice of Intent to Issue a Finding of No Significant Impact
1/19/2021

12/15/2020, prepared by Charles Knight, Ph.D., University of Vermont Consulting Archaeology Program.

Further information on the project and this Notice of Intent is available for inspection at the following locations:

Celia Riechel, DWSRF Project Developer
Vermont Department of Environmental Conservation, Water Investment Division
1 National Life Drive, Davis 3
Montpelier, VT 05620-3510
celia.riechel@vermont.gov
802-585-4904


(Note: National Life requires photo identification to obtain an access badge for entry.)

Stuart Hurd, Bennington Town Manager
205 South Street
Bennington, VT 05201
shurd@benningtonvt.org
802-442-1037

Patrick Smart, P.E., MSK Engineering and Design, Inc.
150 Depot St.
Bennington, VT 05201
psmart@mskeng.com
802-447-1402 x 127

A public hearing is scheduled for January 25, at 6:15pm, as part of the Town of Bennington Selectboard meeting. For public health reasons, Select Board members will participate in the meeting by videoconference. Members of the public are urged to watch the meeting on CAT-TV or CAT-TV Facebook. If one wishes to participate, please call 1-646-558-8656 and enter the Meeting ID when prompted: 873-2045-5287 followed by #. Callers will be taken in the order of the call. Participation details are also available on the Town of Bennington website at <https://benningtonvt.org/meetings/select-board/>.

No significant administrative action will be taken on this project for thirty (30) days from issuance of this Notice of Determination, to allow for public response.

 E-SIGNED by Eric Blatt
on 2021-01-19 21:56:00 GMT

Eric Blatt, P.E., Director of Engineering
Water Investment Division

Department of Environmental Conservation
Vermont Agency of Natural Resources



Vermont Department of Environmental Conservation

Agency of Natural Resources

WATER INVESTMENT DIVISION
National Life Building, DAVIS 3
1 National Life Drive
Montpelier, VT 05620-3510
FAX: (802)828-1552

TO: Eric Blatt, P.E., Director of Engineering, Water Investment Division

FROM: Celia Riechel, DWSRF Project Lead, Water Investment Division

SUBJECT: Environmental Assessment, Bennington RF3-401
Lead Service Lines Replacement Project, Contract 1

DATE: 1/19/2021

Project Identification

Project Name: Town of Bennington
Lead Service Lines Replacement Project, Contract 1, Drinking Water
State Revolving Fund Loan RF3-401

Address: Stuart Hurd, Bennington Town Manager
205 South Street
Bennington, VT 05201
shurd@benningtonvt.org
802-442-1037

Project Location: Bennington, Vermont

Summary of Environmental Review

The Department of Environmental Conservation, Water Investment Division (Department), has reviewed this proposed project in accordance with the Department's *Environmental Review Procedures for Projects Funded Through the Vermont/EPA Drinking Water State Revolving Fund Loan Program*.

The Department has reviewed the following planning documents:

- Environmental Information Document titled "Environmental Report and Environmental Information Document," dated 1/12/2021, by MSK Engineering and Design, Inc.
 - Preliminary Engineering Report titled "Preliminary Engineering Report, Lead Service Line Replacements," dated 2/13/2020, prepared by Jason Dolmetsch, P.E., MSK Engineering and Design, Inc.
-

- Design Basis Report titled “Lead Service Line Removal 2020 Pilot Project,” dated October 2020, prepared by Patrick C. Smart, P.E., MSK Engineering and Design, Inc.
- 90% Lead Pilot Design Set, Contract 1, no date, prepared by MSK Engineering and Design, Inc.
- “Updated Archaeological Resources Assessment for the proposed Town of Bennington Lead Service Lines Replacement Project, Bennington, Bennington County, Vermont,” Report No. 1262, dated 12/15/2020, prepared by Charles Knight, Ph.D., University of Vermont Consulting Archaeology Program.

Project Description

The Town of Bennington is located in Bennington County, Vermont. The proposed project consists of replacement of 140 service connections that contain lead or are suspected to contain lead along Branch Street, County Street, Division Street, Gage Street, Maple Street, Park Street, Spring Street, Washington Avenue, and Weeks Street. The pipes are located on both private property and the public right-of-way. The service line upgrades are intended to eliminate lead service lines from the drinking water system. Lead is toxic to humans and is a drinking water contaminant regulated by federal and state rules. While the Town of Bennington is able to maintain compliance with the EPA Lead & Copper Rule through corrosion control; comprehensive lead service line replacement is the best strategy to achieve the goal of eliminating lead in the drinking water system.

A brief description of each construction contract follows:

- Contract 1: Replacement of 140 service connections along Branch Street, County Street, Division Street, Gage Street, Maple Street, Park Street, Spring Street, Washington Avenue, Observatory Street, and Weeks Street. The pipes are located on both private property and the public right-of-way. Also referred to as Phase 1.

Subsequent contracts will be reviewed separately.

Finding of No Significant Impact (FNSI) Required

The Department of Environmental Conservation, Water Investment Division has established the *Environmental Review Procedures for Projects Funded Through the Vermont/EPA Drinking Water State Revolving Fund Loan Program* in accordance with the National Environmental Policy Act (NEPA), for projects receiving drinking water revolving loan funds. Under these environmental review procedures, projects that are known to have significant unusual characteristics or are known to cause significant public controversy are not eligible to receive categorical exclusion and are subject to more detailed environmental review requirements.

A Finding of No Significant Impact (FNSI) is the appropriate environmental review response for this project. This project is not eligible for categorical exclusion from detailed environmental review because the project is significantly greater in scope than is normally the case for projects funded through the Vermont DWSRF. The proposed work is unusual in nature when compared to other projects funded

through the DWSRF because of the number of service lines involved. While the separate contracts and phases of this project will be reviewed individually, they will collectively cover the entire system. The project's direct and indirect environmental effects do not meet criteria for issuance of an Environmental Impact Statement (EIS), as described in section XI of the Department's environmental review procedures.

Alternatives to the Project

Three primary alternatives were considered to eliminate lead in drinking water. The primary alternatives are outlined below. Please refer to the PER for a full description of alternatives considered.

1. Corrosion control (status quo). Continue with corrosion control regime currently used. This would pose no new environmental or financial impacts; however, corrosion control treatment typically does not provide total control of lead especially given the dynamic environments within distribution systems. Since the Bennington distribution system has experienced many decades without corrosion control, there is pre-existing pipe damage and particulate lead. Corrosion control can also pose operational challenges. It is also noted that the lead service lines identified at the time of the PER preparation were over or approaching 100 years old, prone to breakage, and often adjacent to sewer pipes that are also prone to breakage. When pipes burst and are excavated for repairs, there is the added risk of disrupting the other distribution or collection system.
2. Filtration program. Install built-in water filtration units inside buildings served by a lead service line, and/or distribute replacement filter cartridges or similar to maintain filtration units. While technically feasible, this was determined to have excessive environmental impacts in the form of perpetual generation of waste from spent filters, etc. Additionally, there could be some challenges associated with installing filters in basements. It should also be noted that a solution that relies in part on regular maintenance and upkeep by property owners and/or residents themselves could result in uneven outcomes, particularly for vulnerable populations such as renters, those with disabilities, or anyone who is not diligent in their home maintenance.
3. Replacement. Remove and replace all lead water service lines. This alternative is technically feasible, cost effective, and will not have significant adverse environmental impacts from its construction or operation. It is anticipated that the construction of these improvements will result in the desired objective to permanently eliminate the public health risk from lead in the public drinking water.

Direct and Indirect Environmental Effects of the Project

The direct environmental effects of construction and operation of this project are adequately addressed by the 1/12/2021 Environmental Information Document and the PER. These documents provide a thorough assessment of the direct environmental impacts and conclude there are no significant environmental consequences resulting from the project. There are no significant environmental impacts on general land use, important farmland, or formally classified lands. There are no significant environmental impacts on floodplains, streams, or wetland resources. There are no significant

environmental impacts on biological resources, including endangered species, or sensitive natural community types. Construction erosion and runoff control measures will be incorporated into the project. Due to the proposed project construction, there will be minor, temporary environmental impacts relating to air quality, transportation, noise, and vibration.

Regarding historic resources, the archeological study conducted of the project areas concluded that no further study is required at this time. Historic preservation concerns include the potential that historic structures may need to be modified. The Vermont Division of Historic Preservation in its review noted that its determination that historic resources will not be affected is based on the assumption that no modifications to historic structures will occur during project implementation. The concerns will be adequately addressed by inclusion in construction contracts that any changes in project scope that involve structural changes to a historic building such as a temporary or permanent removal of any building element will require additional review.

The indirect environmental effects of construction and operation of this project are expected to be minimal.

Socio-Economic Effects of the Proposed Project

The proposed project will not have a negative effect on the quality of the human environment, require relocation of people, or otherwise cause significant changes to the socioeconomic makeup of the area. The proposed project is cost-effective. A general obligation bond in the amount of \$9,500,000 was approved by the Town of Bennington voters on March 3, 2020. It is anticipated that the total project cost will be funded through a loan provided through the Drinking Water State Revolving Fund that is eligible for 100% forgiveness. No increase in the user rate is anticipated to be required. As stated above, the selected alternative represents the most cost effective and technically feasible solution to achieving the objective.

Mitigation of Adverse Impacts

Concerns about the potential to alter the structures of historic buildings will be adequately addressed by inclusion in construction contracts that any changes in project scope that involve structural changes to a historic building such as a temporary or permanent removal of any building element will require additional review.

List of Agencies and Groups Consulted

State of Vermont:

- Department of Environmental Conservation
River Management Engineer, Rivers Program
Regional Floodplain Manager, Rivers Program
Drinking Water and Groundwater Protection Division
- State Historic Preservation Office
Senior Historic Preservation Review Coordinator

- University of Vermont
Consulting Archaeology Program

Summary of Public Involvement

A public hearing is scheduled for January 25, 2021 at 6:15 pm, as part of the Town of Bennington Selectboard meeting. For public health reasons, this meeting will be held by videoconference, with public viewing by TV and online, listening by phone, and public participation by phone. The notice for the meeting was included in the Notice of Intent to Issue a Finding of No Significant Impact for the Town of Bennington water system improvements project that is being published in the Bennington Banner. The meeting notice will be posted on the Water Investment Division's website, the Department of Environmental Conservation electronic meeting calendar, and the Vermont Department of Libraries' electronic state public meeting calendar.



Domestic Violence Investigations	<u>Related Policies:</u> Ethics, Code of Conduct
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this agency for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable State Statutes: 13 VSA §1041, 15 VSA §§1101, 1103	
Date Adopted:	Date Reviewed:

I. PURPOSE

The purpose of this policy is to establish the Bennington Police Department's (BPD) priorities, guidelines, and procedures to be followed by law enforcement officers and all other personnel in response to domestic violence calls, including when the subject is a law enforcement officer.¹

II. POLICY

- A. The BPD shall provide a proactive, survivor, and family-centered approach when responding to domestic violence. Additionally, the BPD takes a position of zero tolerance on domestic violence. While prioritizing the safety of victims and others involved in the incident, officers should inform all parties that the State of Vermont is responsible for enforcement of all existing Abuse Protection Orders (APO's) and for making decisions regarding prosecution. Officers should not: (1) make any statements that discourage survivors/victims from reporting acts of domestic violence; (2) suggest, or otherwise indicate the possibility of arrest of all parties to discourage reporting an act of domestic violence; or (3) avoid taking any action because the victim stated prosecution was not desired. Officers should direct survivors to Community Service Providers (See Definition III. E.) for assistance in creating a safe environment.
- B. Effective domestic violence prevention requires a team approach. Dispatchers should gather information to safeguard responding officers and all other persons involved in the incident. Responding officers should restore order and conduct thorough on-scene investigations. Supervisors should motivate, teach, and direct their personnel, so that

¹ For the purposes of this discussion, the term "officer" is used throughout. However, agencies should utilize the same procedures for any individual, whether civilian or sworn, employed by a law enforcement agency.

1 they perform their jobs in a compassionate, professional manner. Any domestic violence
2 incident will be thoroughly investigated, including when law enforcement officers or
3 individuals in positions of power or influence are involved.

- 4
5 C. The BPD will work with Community Service Providers that provide safety and support for
6 the survivor(s)/victim(s) and others affected, including, when appropriate, entering into
7 Memoranda of Understanding (MOU) to better define agencies' respective roles.
8 Additionally, Community Service Providers may provide training and other resources for
9 BPD personnel. The BPD is encouraged to actively participate in collaborative efforts to
10 address domestic violence.

11 12 13 III. DEFINITIONS

- 14
15 A. **Domestic Violence:** Abusive behavior in any relationship, as defined by Vermont
16 Statute.² [15 V.S.A. §1101 (1)]
17
18 B. **Intimate Partners or Family or Household Members:** As defined by Vermont Statute
19 these include people who are related, whether by blood, marriage, or adoption, live
20 together or have lived together, have children together, or have dated. [13 VSA §1041,
21 15 VSA §1101]

22 C. **Predominant Aggressor:** The individual who poses the most serious, ongoing threat,
23 who might not necessarily be the initial aggressor in a specific incident.
24
25 C. **Preferred Arrest Response:** Law enforcement officers are expected to arrest any
26 person who commits a crime related to domestic violence as defined by law, unless
27 there is a clear and compelling reason not to arrest, such as self-defense or lack of
28 probable cause, after a comprehensive investigation to identify the predominant
29 aggressor.
30
31 D. **Protection Order:** any injunction or other order issued for the purpose of preventing
32 violent or threatening acts or harassment against, or contact or communication with or
33 physical proximity to, another person, including temporary and final orders issued by civil
34 and criminal courts, other than support or child custody orders issued in a domestic
35 docket, whether obtained by filing an independent action or as a *pendente lite* order in
36 another proceeding so long as any civil order was issued in response to a complaint,
37 petition or motion filed by or on behalf of a person seeking protection.
38
39 E. **Community Service Providers:** Agencies providing local support and services for
40 Survivor/Victims of Domestic Violence, their household members, and others affected by
41 violence. They also provide educational services to the larger community regarding
42 Domestic Violence and its long lasting effects on the community and its individuals. In
43 Bennington they include, but are not limited to, P.A.V.E., U.C.S., Bennington District
44 DCF, and Bennington County Child Advocacy Center.
45

² Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

1 F. **Victim/Survivor/Complainant:** means any person who has been subjected to domestic
2 violence. This includes persons who are unwilling to participate in any investigation.
3

4 G. **Self-Defense:** A person's justifiable use of physical force upon another person when a
5 the person believes such force is necessary to defend themselves or a third party from
6 what he/she reasonably believes to be the use, or imminent use, of unlawful physical
7 force by another person.

8 * * * * *

9
10 This policy is adopted by the Select Board of the Town of Bennington, Vermont, this ____ day of
11 _____, 2021, and is effective as of this date until amended or repealed.
12

13 _____, Chairperson
14 Donald Campbell
15
16



Domestic Violence Investigations	Related Policies: Ethics, Code of Conduct
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this agency for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
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B. -Effective domestic violence prevention requires a team approach. Dispatchers should gather information to safeguard responding officers and all other persons involved in the incident. Responding officers should restore order and conduct thorough on-scene investigations. Supervisors should motivate, teach, and direct their personnel, so that

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Comment [MB1]: Debatable whether they
"enforce all" APOs, but fair to say they are
responsible for their enforcement.

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Comment [MB2]: Defined term

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they perform their jobs in a compassionate, professional manner. Any domestic violence incident will be thoroughly investigated, ~~to include~~ including when law enforcement officers or individuals in positions of power or influence are involved.

C. The BPD will work with Community Service Providers that provide safety and support for the survivor(s)/victim(s) and others affected, including, when appropriate, entering into Memoranda of Understanding (MOU) to better define agencies' respective roles. Additionally, Community Service Providers may provide training and other resources for BPD personnel. The BPD is encouraged to actively participate in collaborative efforts to address domestic violence.

III. DEFINITIONS

A. **Domestic Violence:** Abusive behavior in any relationship, as defined by Vermont Statute, ² [15 V.S.A. §1101 (1)] ~~V.S.A. inserted here~~

B. **Intimate Partners or Family or Household Members:** As defined by Vermont Statute ~~these~~ include people who are related, whether by blood, marriage, or adoption, live together or have lived together, have children together, or have dated. [13 VSA §1041, 15 VSA §1101]

C.

Predominant Aggressor: The individual who poses the most serious, ongoing threat, who might not necessarily be the initial aggressor in a specific incident.

C. **Preferred Arrest Response:** Law enforcement officers are expected to arrest any person who commits a crime related to domestic violence as defined by law, unless there is a clear and compelling reason not to arrest, such as self-defense or lack of probable cause, after a comprehensive investigation to identify the predominant aggressor.

D. **Protection Order:** any injunction or other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including temporary and final orders issued by civil and criminal courts, other than support or child custody orders, ~~issued in a domestic docket~~, whether obtained by filing an independent action or as a ~~pendente lite~~ order in another proceeding so long as any civil order was issued in response to a complaint, petition or motion filed by or on behalf of a person seeking protection.

D.E. **Community Service Providers:** Agencies providing local support and services for Survivor/Victims of Domestic Violence, their household members, and others ~~effected~~ affected by violence. They also provide educational services to the larger community regarding Domestic Violence and its long lasting effects on the community

² Please refer to your state or provincial statute's definition of domestic violence. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

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Comment [MB3]: Defined term

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and its individuals. In Bennington they include, but are not limited to, P.A.V.E., U.C.S., Bennington District DCF, and Bennington County Child Advocacy Center.

F. Victim/Survivor/Complainant; means any person who has been subjected to domestic violence. This includes persons who are unwilling to participate in any investigation.

G. Self-Defense; means A person's justifiable use of physical force upon another person when a the person believes such force is necessary to defend themselves or a third party from what he/she reasonably believes to be the use, or imminent use, of unlawful physical force by .another person.

* * * * *

This policy is adopted by the Select Board of the Town of Bennington, Vermont, this ____ day of _____, 2021, and is effective as of this date until amended or repealed.

_____, Chairperson

Donald Campbell

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TOWN OF BENNINGTON

MEMORANDUM

To: Select Board

From: Daniel Monks 

Re: FY 2020 Annual TIF District Report

Date: January 19, 2021

All Tax Increment Financing (TIF) Districts must submit a report to the Vermont Economic Progress Council (VEPC) each year. The FY 2020 Annual Report for Bennington's TIF District is attached. TIF District Rules require that the report be submitted to the Select Board at a regular or special Select Board meeting and that the report include changes to the TIF District's taxable values, the amount of the tax increment retained, and other relevant information.

As Bennington has not bonded for any improvements yet, no tax increment has been retained, and, due mostly to the demolition of buildings associated with Phase 1 of the Putnam Project, the TIF District taxable values have decreased by about \$970,840 - Grand List values as of April 2019 must be used in the FY 2020 TIF Report.

The report summarizes private development and public improvements completed to date. Most notable is the progress on Phase 1 of the Putnam Project. The report also includes a jobs inventory.

The Board need only to acknowledge receipt of the report at the January 25th Select Board meeting. No other Board action is required. In the meantime, please contact me with any questions. I will also be available at the Select Board meeting to respond to questions.



Tax Increment Financing District
Vermont Economic Progress Council
Vermont Department of Taxes

VEPC Staff Contact Information:
Abbie Sherman, (802) 793-0721, abbie.sherman@vermont.gov

Reports are due on or before January 15, 2021

I. District Information:

Municipality & District	Bennington TIF District	Reporting Period:	July 1, 2019 - June 30, 2020
Name of Person Completing Report	Daniel Monks	Grand List Year:	2019
Title	Assistant Town Manager		
Email Address	dmonks@benningtonvt.org		
Telephone	802-447-9708		
Date Report Completed	January 4, 2021		

NOTE: All information reported on this form by the municipality must be for the Reporting Period and Grand List Year identified above.

II. TIF District Data:

Base Data (Original Taxable Value)			
Municipal	\$	41,905,900	
Homestead- Education	\$	1,529,300	OTV Total Acres
Non Residential- Education	\$	40,354,200	70.35
Total Education	\$	41,883,500	OTV Total Parcels
			156

Taxable Values as of April 1			
Municipal	\$	40,937,700	
Homestead- Education	\$	1,651,000	
Non Residential- Education	\$	39,261,660	
Total Education	\$	40,912,660	

Increase (Decrease) in Taxable Values (auto-calculated)			
Municipal	\$	(968,200)	
Homestead- Education	\$	121,700	
Non Residential- Education	\$	(1,092,540)	
Total Education	\$	(970,840)	

TIF Increment Revenue Retained for Reporting Year			
Municipal	\$	-	
Homestead- Education	\$	-	
Non Residential- Education	\$	-	
Total Education	\$	-	
Total TIF Revenue	\$	-	

Other TIF Fund Income			
Source	Education	Municipal	Total
1 Interest Earnings	\$ -	\$ -	\$ -
2		\$ -	\$ -
3		\$ -	\$ -
4		\$ -	\$ -
5		\$ -	\$ -
Total:	\$ -	\$ -	\$ -

Parcel Information			
Current Acres		70.35	
Current Parcels		157	

Tax Rates Applied to the April 1 Grand List			
Municipal (General Fund)	\$	1.2005	
Homestead	\$	1.4705	
Non Residential	\$	1.6871	

List Special Municipal Tax Rates			
1		\$ -	
2		\$ -	
3		\$ -	
4		\$ -	
5		\$ -	
6		\$ -	
Total Special Municipal Tax		\$ -	
Total Municipal (General Fund) & Special Rates		\$ 1.2005	

Changes to Individual Parcels		
	SPAN Number	Describe Change
1	051-015-67249	Homestead to Non-Residential
2	051-015-70067	Non-Residential to Homestead
3	051-015-67459	Non-Residential to Homestead
4		
5		
6		

Additional Information

III. Votes and Financing:

Public Vote Information

- ☒ No public votes or debt obligations occurred during this reporting period.
- ☐ Yes there were public votes and/or debt obligations during this reporting period.
- ☐ Vote and debt obligation documents were submitted to VEPC. (Enter date submitted)
- ☐ Vote and debt obligation documents are uploaded with this report.

Debt Instruments

Infrastructure and Debt	Term in Years	Period (ie. 1/1/2016-12/31/2026)	Interest Rate	Principal	Interest	Total	Total Payment for Reporting Period	Remaining Principal Balance	Terminated
Example: Main Street Lights - General Obligation Bond	11	1/1/2016-12/31/2025	5.60%	\$ 3,250,000	\$ 500,000	\$ 3,750,000	\$ 340,909	\$ 2,950,000	
2	0		0.00%	\$ -	\$ -	\$ -	\$ -	\$ -	<input type="checkbox"/>
3	0		0.00%	\$ -	\$ -	\$ -	\$ -	\$ -	<input type="checkbox"/>
4	0		0.00%	\$ -	\$ -	\$ -	\$ -	\$ -	<input type="checkbox"/>
Total				\$ -	\$ -	\$ -	\$ -	\$ -	

Annual Debt Service

Principal Paid	\$ -
Interest Paid	\$ -
Fees/Other Costs Paid	\$ -
Total Paid	\$ -

Refinancing: Was any portion of TIF District debt refinanced during this reporting period?

- ☒ No
- ☐ Yes, please provide details.

Direct Payments: Enter the total amount of any TIF direct payments made during this period.

\$ -	Date Approved by Voters:	
------	--------------------------	--

Additional Information

No debt incurred as of June 30, 2020.

IV. Improvements and Funding:

Improvement Expenditures			
Name of Improvement	Of the Total Expenditure listed:		Total Improvement Expenditure for this report period
	The amount paid with TIF Revenues	The amount paid with Non-TIF Revenues	
1 West Main			
Construction of a new park on West Main Street - Park at 336 - was completed during the reporting period. The park improvements included a water feature, seating (movable and permanent), sidewalk improvements, planters/pavers, trees and landscaping. Additional improvements contemplated on West Main will directly support Phase 2 of the Putnam Block Project, so they will not be constructed until after Phase 2 plans are complete.	\$ -	\$ 100,353	\$ 100,353
2 Four Corners			
No improvements this reporting period. Improvements contemplated will support Phase 2 of the Putnam Block Project. The plans for Phase 2 have not been completed, yet.	\$ -	\$ -	\$ -
3 Washington Ave			
No improvements this reporting period. Improvements contemplated will support Phase 2 of the Putnam Block Project. The plans for Phase 2 have not been completed, yet.	\$ -	\$ -	\$ -
4 Putnam Block			
No improvements this reporting period. Improvements contemplated will support Phase 2 of the Putnam Block Project. The plans for Phase 2 have not been completed, yet.	\$ -	\$ -	\$ -
5 Franklin Ln			
Some sidewalk and landscaping improvements were completed during the reporting period by the private developer of Phase 1 of the Putnam Block. The improvements were required by the local land use permit for the project. As the improvements were privately funded the Town does not have access to documentation of costs for the improvements. The Town secured a \$50,000 Downtown Transportation Fund Grant during the reporting period for improvements to the western-most portion of Franklin Lane. The improvements will create a "shared street" in the alleyway section of Franklin Lane. Construction of the "shared street" is scheduled for the Spring/Summer of 2021. Additional improvements contemplated will directly support Phase 2 of the Putnam Block Project, so they may not be constructed until after Phase 2 plans are complete.	\$ -	\$ -	\$ -
6 West Main & Washington			
No improvements this reporting period.	\$ -	\$ -	\$ -
7 South St			
No improvements this reporting period.	\$ -	\$ -	\$ -
8 Depot St			
As part of an agreement between the new property owner of the former Village Garage and the Town, a portion of a planned water main extension in the Depot Street corridor was installed by the property owner in exchange for the Town taking over the line and maintaining it.	\$ -	\$ -	\$ -
9 Bennington Station Lot			
No improvements this reporting period.	\$ -	\$ -	\$ -

10	Bennington Pathway			
	No improvements this reporting period.	\$ -	\$ -	\$ -
11	North St			
	No improvements this reporting period.	\$ -	\$ -	\$ -
12	Catamount			
	No improvements this reporting period.	\$ -	\$ -	\$ -
13	Pleasant St Parking			
	No improvements this reporting period.	\$ -	\$ -	\$ -
14	Tuttle's Lot			
	No improvements this reporting period.	\$ -	\$ -	\$ -
15	Merchant's Park			
	Improvements to Merchant's Park were begun last reporting period. Because of COVID and a contract dispute with the original contractor for the project, little work occurred during this reporting period. However, improvements to the park were substantially completed in October of 2020 (expenditures to complete the park were incurred after the current reporting period and will be reported next year). The improvements included two splashpads (one for children over 4 years old and one for younger children), a stage, restrooms, landscaping (including sod and trees), benches, trash and recycling receptacles, lighting and a stamped concrete pathway around the park.	\$ -	\$ 23,673	\$ 23,673
16	East Main St			
	No improvements this reporting period.	\$ -	\$ -	\$ -
17	BennHi			
	No improvements this reporting period.	\$ -	\$ -	\$ -
Total		\$ -	\$ 124,026	\$ 124,026
			Check	\$ 124,026

Sources of Non-TIF Revenues	Total Amount Secured for Each Source	Total Amount Spent to Date	Total Amount Spent this Period	Closed
1 Merchant's Park - municipal expenditures (Non-TIF)	\$ 27,666	\$ 27,666		X
2 Merchant's Park - cash donations/private grants (including \$1,500 United Way grant)	\$ 51,525	\$ 51,525		X
3 Merchant's Park - Vermont DCF Promise Communities Grant Funds - granted to	\$ 68,185	\$ 68,185		X
4 Merchant's Park - In-kind donations	\$ 8,712	\$ 8,712		X
5 West Main - Downtown Transportation Fund Grant	\$ 50,000	\$ 50,000	\$ 50,000	<input checked="" type="checkbox"/>
6 West Main - Donation by Citizens for a Greater Bennington	\$ 25,000	\$ 25,000	\$ 25,000	<input checked="" type="checkbox"/>
7 West Main - Better Bennington Corporation Fundraising Effort - cash donations	\$ 19,285	\$ 19,285	\$ 19,285	<input checked="" type="checkbox"/>
8 West Main - In-kind donations	\$ 6,068	\$ 6,068	\$ 6,068	<input checked="" type="checkbox"/>
9 Merchant's Park - FY 20 In-kind donations/Cash Donations/Non-TIF mun. exp.	\$ 23,673.00	\$ 23,673	\$ 23,673.00	<input checked="" type="checkbox"/>
Total	\$ 280,114	\$ 280,114	\$ 124,026	
Non-TIF Revenues Reported under Improvement Expenditures			\$ 124,026	

Grant Applications				
Grant Type & Project Name	Granting Entity	Application Date	Application Amount	Application Status

Downtown Transportation Fund Grant - Franklin Lane	Dept. of Housing and Community Development - Downtown Program	3/9/2020	\$ 50,000	Awarded in April of 2020 - Project is scheduled to be constructed in Spring/Summer of 2021
			\$ -	
Putnam Block - Phase 2 - EPA Clean-Up Grant (REPORTED LAST YEAR)	EPA	1/30/2019	\$ 500,000	Full amount awarded on 9/17/19 - funds have begun to be drawn in anticipation of Phase 2 and will continue to be drawn down as part of Phase 2 construction of Putnam Block
			\$ -	

Related Costs

List and describe the related cost(s)		The amount paid with Education Revenue	The amount paid with Municipal Revenue	Total Cost for this report period
1	No new expenditures this reporting period.	\$ -	\$ -	\$ -
2		\$ -	\$ -	\$ -
3		\$ -	\$ -	\$ -
4		\$ -	\$ -	\$ -
5		\$ -	\$ -	\$ -
Total		\$ -	\$ -	\$ -
Check				\$ -

V. Performance Indicators:

Standard

Real Property Development

1	Putnam Block -- Phase 1	
	During the reporting period work on Phase 1 of the Putnam block continued, but was negatively impacted by the COVID19 Pandemic. Despite this and other challenges, work remains largely on-schedule. As of December of 2020, work on the exterior of the renovated historic buildings is nearly complete. In addition, the site work for Phase 1 is nearly complete. All building interiors included in Phase 1 were completely gutted and are, or nearly are, fully renovated as of December 2020. The planned apartments are complete and are ready for occupancy - some are already occupied. The commercial tenant spaces are nearly complete and should be ready for tenants to begin tenant improvements in January of 2021. Tenant improvements on most of the spaces may take six or more months to complete. Completion dates on the tenant improvements will vary greatly because each tenant space is being fit up by each individual tenant's contractor - not by the developer.	\$ 1,223,000
2	Putnam Block -- Phase 2	
	Construction was projected to be completed in 2020. Construction is now projected to be completed in 2022. No new construction occurred during the reporting period. Building demolition occurred in the last reporting period. Pre-development efforts continue but have been hampered by the COVID 19 Pandemic.	\$ 446,800
3	Harte Block	
	Renovation of a substantial portion of the Harte Block began during the reporting period and continues. The tenant space located on the corner of Main Street and North Street is being completely renovated to house a brewery with a restaurant and pub. These renovations are expected to be completed in early 2021. A portion of the Harte Block is still vacant but is being marketed. Renovations to the Harte Block were projected to be completed by 2020. A large	\$ 408,200

4	Banner Bldg	
	No construction or renovation occurred during the reporting period. The TIF District Plan projected that renovations would be completed in 2020. The property is being actively marketed for sale.	\$ 457,000
5	People's Bldg	
	No construction or renovation occurred during the reporting period. The TIF District Plan projected that upper floor renovations would be completed in 2020. The upper floors do not appear to be actively marketed for lease or sale at this time.	\$ 749,100
6	Catamount	
	No construction or renovation occurred during the reporting period. The owner recently contacted the Town to discuss the permits that will be necessary to convert the available space in the building to apartments; however, no permits have been applied for at this time. The TIF District Plan did not project renovations to be complete during the reporting period.	\$ 427,800
7	Brush Bldg	
	As noted in the last TIF Annual Report, this property was purchased by a developer in November of 2019. The developer has replaced the roof and renovated several spaces in the building for new tenants. Much of the building remains vacant, however. The TIF District Plan did not project renovations to be complete during the reporting period.	\$ 797,500
8	Old Drysdale Bldg	
	One new tenant space has been leased and modestly renovated. Much of the building remains vacant, however. The TIF District Plan did not project renovations to be complete during the reporting period.	\$ 257,200
9	Cone Bldg	
	No construction or renovation occurred during the reporting period. The TIF District Plan did not project renovations to be complete during the reporting period.	\$ 578,200
10	Nichols Bldg	
	No construction or renovation occurred during the reporting period. The TIF District Plan did not project construction to be complete during the reporting period.	\$ 312,500
11	Ritchie Block	
	No construction or renovation occurred during the reporting period. The TIF District Plan did not project renovations to be complete during the reporting period.	\$ 743,300
12	BennHi	
	The BennHi building was purchased by a developer during the reporting period. Renovation of the BennHi building began during the reporting period and continues. Initially, roof leaks were repaired, old windows were repaired, and new utility services to the building were constructed. More recently, the building owner applied for and was granted local permits for a mixed use renovation/redevelopment of the property. The developer plans to construct several new apartments, maker's spaces, offices, and a recreation use in the old gymnasium space and the old cafeteria space. The planned renovations will be phased in over time. The recreation space is scheduled to be completed by July of 2021. Construction of the apartments is scheduled to commence in 2021 and continue at a pace that meets demand. The TIF District Plan did not project renovations to be complete during the reporting period.	\$ 146,000
13	Greenawalt Lot	
	No construction or renovation occurred during the reporting period. The TIF District Plan did not project construction to be completed during the reporting period.	\$ 98,300
	Sleeman Lot	

14	No construction occurred during the reporting period. The TIF District Plan did not project construction to be completed during the reporting period.	\$ 143,400
Tuttle's		
15	No construction occurred during the reporting period. The TIF District Plan did not project construction to be completed during the reporting period.	\$ 227,200
120 Depot St		
16	No construction or renovation occurred during the reporting period. The TIF District Plan did not project construction to be completed during the reporting period.	\$ 920,100
Total		\$ 7,935,600

Employment Opportunities

Jobs Created this Reporting Period: Phase 1 of the Putnam Project involved approximately 150 temporary construction jobs. New commercial tenancies in the Brush Building include the creation of two jobs at a fitness facility and two jobs at a salon. Jobs from projects that are complete or nearly complete as of the date of this report that have been or are likely to be created in the next Reporting Period: 63 permanent jobs in office, retail, restaurant, health care and higher education are projected when Phase 1 of the Putnam Project is completed and occupied in the upcoming months. A new Brewery in the Harte Block is nearly complete and will result in 4-6 jobs (brewer and tasting room/serving staff). A new retail store tenant has occupied the Drysdale building after the end of the reporting period and has resulted in 2 new retail jobs. Space currently being renovated in the BennHi building will likely result in 3 or 4 new jobs in the non-profit recreation and childcare fields. A new Distillery and tasting room that will be completed during the upcoming reporting period will result in 8-10 new jobs (distiller, restaurant/bar manager, business manager, waitstaff, kitchen staff).

Additional Information

In addition to real property development described above, two other significant redevelopment projects commenced during the reporting period: The Village Garage property at 107 Depot Street was a former Town of Bennington Highway Department Garage. The conversion of the property from a highway garage to an upscale distillery and tasting room is nearly complete. A multi-family housing project on the corner of Pleasant Street and Valentine Street is underway and will result in the creation of 11 new affordable housing units. Values listed above for Real Property Developments are as of the April 1, 2019 Grand List as these are the values for most of the reporting period.

Jobs at February 29, 2020 (Before COVID-19)							
	NAICS Code	Increase or (Decrease)	Previous Location (if known)		NAICS Code	Increase or (Decrease)	Previous Location (if known)
1	11	0		11	53	6	
2	21	0		12	54	0	
3	22	0		13	55	0	
4	23	0		14	56	0	
5	31-33	0		15	61	0	
6	42	1		16	62	(2)	
7	44-45	2		17	71	0	
8	48-49	(10)		18	72	0	
9	51	0		19	81	3	
10	52	0		20	92	0	
Total Jobs Increase (Decrease)							0

Jobs at June 30, 2020							
	NAICS Code	Increase or (Decrease)	Previous Location (if known)		NAICS Code	Increase or (Decrease)	Previous Location (if known)
1	11	0		11	53	1	
2	21	0		12	54	(1)	
3	22	0		13	55	0	
4	23	0		14	56	0	
5	31-33	0		15	61	(20)	
6	42	1		16	62	(3)	
7	44-45	(20)		17	71	(3)	
8	48-49	(10)		18	72	(48)	
9	51	(7)		19	81	(20)	
10	52	(34)		20	92	(7)	
Total Jobs Increase (Decrease)							(169)

Additional Information Regarding the Impacts of COVID-19 to Jobs Within the TIF District

COVID-19 has taken a brutal toll on Bennington's downtown (and I suspect other Vermont downtowns as well). As evidenced by the jobs data set forth above, the largest loss in jobs was in the restaurant sector with nearly 50 jobs lost (40% decrease in jobs in this sector). The large loss of jobs in the Finance and Insurance sector is somewhat surprising, but is confirmed by the jobs data. The loss of retail and educational sector jobs was expected, given the pandemic, and is confirmed by the jobs data. The jobs data, though dire, does not even reflect the current reality that many downtown businesses that are barely hanging on may close in the first half of 2021 if the pandemic does not end soon.

Identify Source/Method for Obtaining Jobs Information

The June 30, 2020 jobs data is based on an inventory of jobs performed annually by the Better Bennington Corporation (BBC), Bennington's non-profit downtown organization. The BBC creates a table consisting of all of the businesses located within the TIF District and the number of employees (full and part-time) each business employs and the total number of full time employees. The table above uses FTE job numbers, so that part-time and full-time employees could be reflected in the table. The February 29, 2020 jobs table above is a best guess based on the BBC's and the Town of Bennington Planning Department's knowledge of Downtown businesses. As this information was not requested until October of 2020, data was not collected in March of 2020 regarding jobs. The jobs data above does not reflect or include the approximately 150 temporary construction jobs related to Phase 1 of the Putnam Block project as they are not permanent jobs created within the TIF District.

Vermont Firms					
Name of Vermont Firm		Total amount of work performed	Name of Vermont Firm		Total amount of work performed
1	R.C. Pembroke & Sons - landscaping/trees - Park @ 336)	\$6,223.00	11		\$ -
2	Tatro's Concrete Impressions - concrete work - Park @ 336	\$ 33,064	12		\$ -
3	Hathaway Electric - lighting/electrical - Park @ 336	\$ 11,000	13		\$ -
4	Dailey's - crushed stone - Park @ 336	\$ 1,793	14		\$ -
5	Doxsee Roofing - roofing and drain for restroom/stage - Merchant's Park	\$ 6,500	15		\$ -
6	The Carpenter Group, LLC - stage construction - Merchant's Park	\$ 3,754	16		\$ -
7	Monument Electric - electrical work - Merchant's Park	\$ 2,109	17		\$ -
8		\$ -	18		\$ -
9		\$ -	19		\$ -
10		\$ -	20		\$ -
Total Amount of Work Performed					\$ 64,443

Additional Information

The Vermont Firms listed above that worked on the Park at 336 project (part of West Main improvements) were hired by the Better Bennington Corporation.

TIF District Specific

Affordable Housing

Although not completed until after the reporting period, as of the date of this report, twelve new affordable housing units (and nineteen market rate apartments) were created as part of Phase 1 of the Putnam Project. The renovation and conversion of 11 dwelling units into affordable housing units on the corner of Valentine and Pleasant Streets were commenced during the reporting period - renovations are ongoing as of the date of this report.

Housing Changes

	Affordable Housing	Market Rate Housing	Total
New	0	1	1
Eliminated	0	0	0

Net Total	0	1	1
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Brownfields

Brownfields remediation efforts for the Putnam Block project continued during the reporting period in accordance with a Corrective Action Plan for the property. Specifically, the developer procured an environmental consultant, participated in a project kick-off meeting with VT DEC and EPA, and prepared a Field Task Work Plan and testing procedures for additional required soil testing to better define the impacts of trichloroethene (TCE) in the soil. This soil testing was performed in July 2020. Funds from a an EPA Brownfields Cleaup Grant (noted above in Grant Applications section) support the Putnam Block cleanup effort. A 20% match for these funds is paid by the developer of the Putnam Block project. Brownfields remediation efforts at the Putnam Block property continue and additional work will be reported in the next TIF District Annual Report. Work commenced during the last reporting period to implement a Corrective Action Plan for the former Tuttle True Value property, 113 Depot Street, and the former Bennington Brush property, 184 & 190 North Street was completed this reporting period (removal of five yards of contaminated soil).

Impact of COVID-19 on Public and Private Improvement Projects

COVID-19 has had a major impact on the planned private improvement projects. Virtually all of the private improvements underway or in final planning stages have been delayed and/or experinced significant cost increases. It is impossible to determine what impact COVID-19 has had on projects that have not yet begun visible pre-development efforts, but it seeems certain that commencement of pre-development efforts have been delayed for many projects due to COVID-19. The economic unceretainty caused by the pandemic inhibits such projects from progressing. Of particular significance, is the delay of Phase 2 of the Putnam project. The proposed anchor tenant experienced significant financial losses due to COVID-19 which has caused a delay in the pre-development work for the project. The first TIF District Bond was planned to support Putnam Phase 2. As this project has been delayed, so has planning for Bennington's first TIF bond and bond vote. As the pandemic drags on delays and cost increases continue to negatively impact Bennington's TIF District and the Town as a whole.

Additional Information

The new market rate apartment involved the conversion of existing office space at 530 Main Street into an apartment.

MEMORANDUM

To: Select Board

From: Stuart A. Hurd, Town Manager

Re: Annual Warning 2021 Town Meeting

Date: January 19, 2021

In your packet you will find two copies of the Annual Meeting Warning. Before voting on accepting the Warning, there are three questions to decide.

The first question is Article 2 as shown on both Warnings asking voters if they wish to raise the General Fund tax rate \$0.01 to create a reserve entitled "A Penny for Parks" These funds would be placed in reserve to be used for improvements to our park system. The first priority is the Community Built Park that has outlived in natural life and must be replaced. The estimated cost for a full replacement is in excess of \$200,000. This question would generate approximately \$100,000 annually.

The second question is Article 4 and 5 as shown on Warning marked B asking two questions related to the sale and cultivation/manufacture of cannabis. The recently enacted law allows communities to opt into these activities otherwise they are not legal within the municipality. If approved, retail sales would not be allowed until 2022. This is the first step in the process.

The third question is required by Charter. Annually the voters are asked to set the pay of the Select Board. This is normally done at Town Meeting; however, due to the COVID pandemic and the need to use remote meetings, the Secretary of State has indicated that no votes shall be taken in the virtual manner. This questions then becomes a ballot article requiring a yes or no vote. The question could read " Shall the voters increase/decrease the Select Board's pay by \$100 annually?"

I have checked with counsel and this form appears to be the best to use for this question.

Once the Board decides on the form of the question, it would then be placed at the beginning of the Articles asking for funds from the Town. On Warning marked A it would be Article 4. On Warning marked B, it would be Article 6.

-WARNING-

A

**TOWN OF BENNINGTON
2021 ANNUAL TOWN MEETING**

VIA ZOOM

The residents of the Town of Bennington qualified by law to vote in Town Meeting are hereby notified and warned to meet (via Zoom) in said Town on Monday, March 1, 2021, at **7:30 p.m.**, (or immediately following the Bennington School District's Annual meeting should that run over,) to transact the business specified to be done from the floor.

If you are a resident of the Town of Bennington, intend to be present at the meeting (via Zoom) and are hearing impaired, arrangements will be made for a sign interpreter to be present at this meeting. For necessary arrangements, please contact Stuart A. Hurd, Town Manager at the Bennington Town Offices, 205 South Street, P.O. Box 469, Bennington, VT - (802) 442-1037 no later than Friday, February 12, 2021.

Following the completion of such business, the Meeting will stand adjourned to Tuesday, March 2, 2021, at The Bennington Fire Facility on River Street (Lincoln Street entrance). The Polls are open from 7:00 a.m. until 7:00 p.m. for the election of officers and voting on all ballot articles specified. Those on the checklist to vote in the Village of North Bennington shall vote for the election of officers and on all ballot articles at the Bennington Fire Facility. The Bennington Fire Facility above mentioned, is hereby established as the central polling place for those on the checklist to vote in said Bennington. Residents of Bennington and North Bennington may register to vote at the Town Clerk's Office, 205 South Street, Bennington, Vermont. Eligible residents registering on Election Day must do so at the polling place where they will cast their Town Meeting ballot. In accordance with the provisions of 17 V.S.A. 2546, notice is hereby given that the Bennington Board of Civil Authority so voted at its January 11, 2021 meeting to deposit early or absentee ballots into the vote tabulator the day preceding the election, unless otherwise permissible by law.

BUSINESS TO BE TRANSACTED FROM THE "FLOOR"

Monday, March 1, 2021

7:30 P.M.

ARTICLE 1. TOWN REPORT: To hear the report of Town Officers and to take appropriate action thereon.

ARTICLE 2. SELECT BOARD MEMBERS COMPENSATION: To determine what compensation shall be paid to the Town Select Board Members.

ARTICLE 3. OTHER BUSINESS: To transact such other proper business when met.

BUSINESS TO BE TRANSACTED BY BALLOT
TUESDAY, MARCH 2, 2021
THE POLLS TO BE OPEN FROM 7:00 A.M. TO 7:00 P.M.
AT THE POLLING PLACES SPECIFIED ABOVE

SELECT BOARD ELECTION. Two Select Board Members residing in the Town shall be elected for term of three (3) years, One Select Board Member residing in the town shall be elected for term of one (1) year.

TOWN CLERK ELECTION. A Town Clerk residing in the Town shall be elected for a term of three (3) years.

ARTICLE 1. Shall the Town appropriate for the next fiscal year, July 1, 2021 through June 30, 2022, the total sum of \$14,275,440.00 consisting of the following: \$4,148,910.00 for the laying out, maintaining, and repairing of the highways and bridges of the Town; and \$10,126,530.00 for the payment of the following: Any indebtedness not otherwise specifically provided for, interest on indebtedness, legally authorized State and County taxes, the prosecution and defense of the common rights and interests of the inhabitants of the Town, and for other necessary incidental expenses?

The proposed budget includes \$25,000.00 for fire equipment, \$5,000.00 for fire facilities, \$13,000.00 for parking improvements, \$400,680.00 for healthcare reserve and workers compensation insurance, \$40,000.00 for marketing, \$100,000.00 for bridges and \$2,000.00 for well maintenance, any unexpended portion of which will be reserved to subsequent years for that purpose.

YES ☐
NO ☐

ARTICLE 2. Shall the Town of Bennington add \$0.01 to the General Fund tax rate for the purpose of supporting Parks, so designated as "A Penny for Parks"?

YES ☐
NO ☐

ARTICLE 3. §103-407. Mayoral form of government
(a) In lieu of a town manager, the voters may adopt a mayoral form of government, by vote at a duly-warned annual meeting, warned

pursuant to a petition signed by five percent of the voters or on the Select board's own motion. Once a vote in favor of this form of government is successful, the voters shall elect a mayor at the next annual meeting for a three-year term. Once the mayor takes office, the Town Manager system of governance shall end for Bennington.

(b) The mayor shall be responsible for the management of the administrative affairs of the Town, in the same manner and with the same powers and responsibilities as the Town Manager, as stated in statute and this charter.

(c) The mayor shall have the power to veto any action of the Select board.

(d) The Select board shall have the authority to override the mayor's veto by a vote of five members of the board taken at a regular meeting. Within 30 days of the vote to override, voters may petition for a binding referendum on the issue by a petition signed by five percent of the voters. At a special meeting held within 60 days of the receipt of the petition, the voters shall decide whether to uphold the mayor's veto.

(e) The compensation for the mayor shall be set by the Select board based on comparable salaries and benefits for a town manager.

(f) The mayor shall serve as the voice of the Town of Bennington, taking responsibility for implementing the policies of the Select board, leading the Town toward greater prosperity and a healthy economy, and a better life for all its residents.

YES ☐
NO ☐

ARTICLE 4. Shall the voters increase the F.Y. 2022 General Fund by the sum of \$5,000.00 for Bennington County Association Against Child Abuse?

YES ☐
NO ☐

ARTICLE 5. Shall the voters increase the F.Y. 2022 General Fund by the sum of \$5,000.00 for Project Against Violent Encounters?

YES ☐
NO ☐

ARTICLE 6. Shall the voters increase the F.Y. 2022 General Fund by the sum of \$5,500.00 for Green Mountain Retired and Senior Volunteer Program?

YES ☐
NO ☐

ARTICLE 7. Shall the voters increase the F.Y. 2022 General Fund by the sum of \$6,750.00 for BROCC - Community Action In Southwestern Vermont?

YES ☐
NO ☐

ARTICLE 8. Shall the voters increase the F.Y. 2022 General Fund by the sum of \$7,000.00 for Vermont Center for Independent Living?

YES ☐
NO ☐

ARTICLE 9. Shall the voters increase the F.Y. 2022 General Fund by the sum of \$7,500.00 for Southwestern Vermont Council on Aging, Inc.?

YES ☐
NO ☐

ARTICLE 10. Shall the voters increase the F.Y. 2022 General Fund by the sum of \$10,000.00 for The Tutorial Center?

YES ☐
NO ☐

ARTICLE 11. Shall the voters increase the F.Y. 2022 General Fund by the sum of \$11,000.00 for Bennington Project Independence?

YES ☐
NO ☐

ARTICLE 12. Shall the voters increase the F.Y. 2022 General Fund by the sum of \$12,500.00 for Bennington Free Clinic?

YES ☐
NO ☐

ARTICLE 13. Shall the voters increase the F.Y. 2022 General Fund by the sum of \$15,000.00 for Sunrise Family Resource Center?

YES ☐
NO ☐

ARTICLE 14. Shall the voters increase the F.Y. 2022 General Fund by the sum of \$21,600.00 for VNA & Hospice of the Southwest Region?

YES ☐
NO ☐

ARTICLE 15. Shall the voters increase the F.Y. 2022 General Fund by the sum of \$25,000.00 for Bennington County Coalition for the Homeless?

YES ☐
NO ☐

BY THE SELECT BOARD

Donald A. Campbell, Chair

Jeannette Jenkins, Vice Chair

Jim Carroll

Sarah Perrin

Bruce C. Lee-Clark

Jeanne Conner

Dated at Bennington, Vermont this 25th day of January, 2021.

-WARNING-

B

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VIA ZOOM

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The proposed budget includes \$25,000.00 for fire equipment, \$5,000.00 for fire facilities, \$13,000.00 for parking improvements, \$400,680.00 for healthcare reserve and workers compensation insurance, \$40,000.00 for marketing, \$100,000.00 for bridges and \$2,000.00 for well maintenance, any unexpended portion of which will be reserved to subsequent years for that purpose.

YES ☐
NO ☐

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YES ☐

NO ☐

ARTICLE 4. Shall the town authorize cannabis retailers in town pursuant to 7 V.S.A. § 863? "Cannabis retailer" means a person licensed by the state Board to sell cannabis and cannabis products to adults 21 years of age and older for off-site consumption.

YES ☐

NO ☐

ARTICLE 5. Shall the town authorize integrated licensees in town pursuant to 7 V.S.A. § 863? "Integrated licensee" means a person licensed by the state Cannabis Control Board to engage in the activities of a cultivator, wholesaler, product manufacturer, retailer, and testing laboratory in accordance with state law.

YES ☐

NO ☐

ARTICLE 6. Shall the voters increase the F.Y. 2022 General Fund by the sum of \$5,000.00 for Bennington County Association Against Child Abuse?

YES ☐

NO ☐

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YES ☐
NO ☐

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BY THE SELECT BOARD

Donald A. Campbell, Chair

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Jeanne Conner

Dated at Bennington, Vermont this 25th day of January, 2021.

TOWN OF BENNINGTON
FISCAL YEAR 2022 BUDGET PROPOSAL

DEPARTMENT DESCRIPTION	BUDGET FY2020	ACTUAL FY2020	BUDGET FY2021	ACTUAL FY21 PRD6	PROPOSED FY2022	FY21 vs FY22 % INC/(DEC)
SELECT BOARD	16,550	16,060	20,250	6,971	22,350	10.37%
TOWN MANAGER	238,050	235,505	243,070	120,735	251,230	3.36%
TREASURER	17,030	16,981	17,350	8,449	17,670	1.84%
ACCOUNTING	248,870	254,946	268,430	139,128	287,460	7.09%
LISTING	142,690	134,172	144,160	68,296	148,730	3.17%
COLLECTIONS	150,350	148,355	156,780	76,627	162,340	3.55%
TOWN CLERK	186,380	182,138	203,350	104,949	195,600	-3.81%
PERMIT-PLAN-CODE ENFORCE	262,220	246,530	348,160	153,592	289,010	-16.99%
COMM DEVELOPMENT	184,310	173,774	215,030	88,682	216,810	0.83%
ADMINISTRATIVE SERVICES	812,820	860,857	870,210	594,333	893,640	2.69%
BUILDINGS & GROUNDS	697,800	689,847	759,110	414,299	798,420	5.18%
FLOOD CONTROL	6,450	834	6,950	4,668	7,300	5.04%
POLICE	3,785,650	3,799,376	4,150,210	1,921,144	4,186,920	0.88%
DEBT-POLICE	22,070	22,004	1,530	1,431	0	-100.00%
SOLID WASTE MGMT	146,680	187,894	145,130	119,397	196,360	35.30%
CERCLA	0	14,648	0	17,173	0	0.00%
CEMETARY	29,650	36,913	32,600	25,474	32,600	0.00%
HEALTH OFFICER	8,070	7,825	8,190	3,869	8,070	-1.47%
PARKS & RECREATION	510,300	577,590	533,200	286,656	639,650	19.96%
DEBT-RECREATION	41,830	1,928	0	0	9,710	100.00%
SENIOR CITIZENS	141,540	122,648	196,660	63,700	149,160	-24.15%
GRANTS & SUBSIDIES	749,880	881,730	786,630	910,480	786,630	0.00%
HOLIDAY CELEBRATIONS	30,100	29,783	30,100	11,478	30,100	0.00%
OTHER IMPROVEMENTS	41,000	33,436	38,200	7,500	33,200	-13.09%
MISC CONTINGENCIES	40,000	39,617	33,000	5,600	33,000	0.00%
DEBT-IRENE BOND	121,960	120,568	119,700	106,636	137,450	14.83%
COUNTY TAX PAYMENTS	84,500	86,300	86,300	88,353	90,000	4.29%
RESERVE FUND EXPENDITURES	0	658,388	0	328,194	0	0.00%
HIGHWAY FUND	3,552,800	4,415,057	3,597,270	2,561,471	3,595,970	-0.04%
DEBT-HIGHWAY FUND	582,450	527,393	537,980	421,953	552,940	2.78%
FIRE FUND	370,500	268,803	371,890	147,910	352,300	-5.27%
DEBT-FIRE FUND	0	0	0	0	18,970	100.00%
Expenditures Subtotal	12,454,190	14,120,008	13,262,230	8,279,126	13,424,520	1.22%
Debt Management Subtotal	768,310	671,892	659,210	530,020	719,070	9.08%
TOTAL EXPENDITURES	13,222,500	14,791,901	13,921,440	8,809,145	14,143,590	1.60%
Less Transfer To Parking Fund	(20,000)	(20,000)	(20,000)	(20,000)	(13,000)	-35.00%
NET OF TRANSFERS OUT	13,202,500	14,771,905	13,901,440	8,789,145	14,130,590	1.65%

AGENCIES					
F.Y. '22					
Funding Allocations					
Vendor #	Agency Name	Acct. #	Allocation F.Y. '21	Proposed Allocation F.Y. '22	Board Action F.Y. '22
0149	Visiting Nurse Association & Hospice	01-8000.001	\$ 21,600.00	\$ 21,600.00	\$ 21,600.00
0106	BCRC*	01-8000.002	\$ 33,690.00	\$ 33,680.00	\$ 33,680.00
0126	BPI	01-8000.003	\$ 11,000.00	\$ 11,000.00	\$ 11,000.00
0146	Bennington Free Library	01-8000.004	\$ 498,000.00	\$ 498,000.00	\$ 498,000.00
0127	BROC-Community Action in Southwestern Vermont	01-8000.005	\$ 6,750.00	\$ 6,750.00	\$ 6,750.00
0758	J. McCullough Library	01-8000.006	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00
1266	North Bennington Recreation	01-8000.007	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00
3326	Paran Recreation	01-8000.008	\$ 2,700.00	\$ 2,700.00	\$ 2,700.00
1957	P.A.V.E.	01-8000.009	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
1050	R.S.V.P.	01-8000.010	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00
1958	S.W.V.T. Council On Aging	01-8000.011	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00
0163	Tutorial Center	01-8000.012	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
3327	V.C.I.L.	01-8000.013	\$ 7,000.00	\$ 7,000.00	\$ 7,000.00
0205	Bennington Free Clinic	01-8000.017	\$ 12,500.00	\$ 12,500.00	\$ 12,500.00
6859	Bennington Homeless Shelter	01-8000.018	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
0414	Bennington County Association Against Child Abuse	01-8000.017	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
1589	Sunrise Family Resource Center	01-8000.019	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
6278	Bennington Rescue Squad	01-8000.020	\$ 206,250.00	\$ 216,560.00	\$ 216,560.00
			\$918,490.00	\$ 928,790.00	\$ 928,790.00
	*This is combined BCRC/BCIC				

MANAGER'S REPORT
January 25, 2021

ACTION

Nothing at this time.

INFORMATIONAL

March Town Meeting ballots The Town Clerk asked me to let everyone know that ballots can now be requested by phone or email at the Clerk's Office 802-442-1043 or cbarbeau@benningtonvt.org. When they are ready, they will automatically be sent to you. The Town is not mailing a ballot to all voters. The secure drop box will be installed near the front porch. A voter can come to the south side door and knock to request a ballot in person once ballots are available.

COVID update The recent surge in COVID cases is said to be stabilizing in Vermont according to a recent Governor's news conference. We continue to urge all Bennington residents and visitors to wear masks, stay socially distanced and wash hands regularly. The vaccine roll out for the general populace begins January 25 with those over 75 years of age. SVMC has also applied to use the SVC gymnasium as a mass vaccination site. That approval has not yet come down. The Town's Highway Department is plowing/salting Mansion Drive, and the Buildings and Grounds Department will maintain the gym parking lot if the approval is granted.

Tax Penalty Waivers As of this writing, the Town has waived \$20,440.67 in penalties impacting 69 properties. There are currently 8 agreements in place with a total of \$1,804.10 in penalties to be waived should all involved conform to the agreement.

PFOA construction All but one contractor have finished for the season. Casella Construction has continued work on Contract 9.

FOLLOW-UP

The Bike/Ped Monthly Report is attached.

Town of Bennington Bike/Ped Projects Update January 2021

Applegate to Willowbrook Path

Project Description: Pathway to connect Applegate Housing, Willowbrook Apartments and Molly Stark Elementary School.

Status: Bids were received and reviewed on January 7, 2021. Casella Construction was the low bidder and VTRANS has authorized the Town to enter into a contract with them. Construction is scheduled for Winter/Spring/Summer of 2021.

Ninja Trail

Project Description: The proposed path is 2.12 miles. It begins on Hicks Avenue at the existing pedestrian bridge and ends at the intersection of VT Route 67A/College Drive/Silk Road/Matteson Road. From there, pedestrians and cyclists can reach the Village of North Bennington via Bennington College's paths and low-speed roads. The path varies between wooded areas, open fields, and roadside facilities. It crosses streams, goes under an overpass, and crosses a highway.

Status: \$1 Million in State/Federal Grants have been secured. A recent update of the cost estimate using current pricing indicates that significant additional funding will need to be secured. Additional grant opportunities are being explored. Segments of paved path between Hicks Avenue and Harmon Road (behind Walmart) and between Bennington College entrance and the Hampton Inn have been constructed. Interim path (dirt and gravel) between the two completed segments is open for use. Preliminary plans for the construction of the remainder of the paved path have been approved by the State. The Town has obtained most of the easements for the project and is working to obtain the remaining three required easements. Recent negotiations regarding all three remaining easements have been productive and it is hoped that they will be concluded in the next 60 days. Construction is scheduled for 2022.

Bennington Pathway – Rail/Trail

Project Description: Shared use path (bike path) along Railroad Right-of-Way from Bennington Station to Emma Street (off of Northside Drive). Portion of trail from Bennington Station to Orchard Road will be paved. Remainder of path will be gravel.

Status: State/Federal Grant for 90% of cost has been secured. A local match of \$100,000 is

being held in reserve account. Based on an updated cost estimate, an additional \$40,000 match is necessary and will impact the FY 22 budget. Railroad right of way has been obtained by the Town. The project was scheduled to be put out to bid in January 2021, but a delay in construction funding from VTRANS has put that timeline in jeopardy. Town staff, the Town's design consultant, and the VTRANS Project Manager are working to get the project out to bid as soon as possible. Construction remains scheduled for Summer of 2021.

Benmont Avenue Bike/Ped Improvements

Project Description: Improvements to make Benmont Avenue safer and more attractive for pedestrians, cyclists, and drivers, including significant changes to the Hunt Street intersection. The improvements will act as an extension of the Ninja Trail into Downtown Bennington.

Status: A total of \$559,000 in State/Federal Grants have been awarded, including a State of Vermont Bike/Ped Grant in the amount of \$309,000 that was awarded in November 2020. The Town match will be approximately \$140,000. All easements have been obtained. Additional funds may need to be sought. In addition, the Town DPW will likely need to construct portions of the project to keep costs down. Final plans are scheduled to be completed by Summer of 2021. Project scheduled to be put out to bid in Winter of 2021/22. Construction scheduled for Summer of 2022.