

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

BENNINGTON SELECT BOARD

April 12, 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 you may join the meeting as an Attendee using the webinar link listed: <https://us02web.zoom.us/j/83282379280> or call into the meeting Dial:1-646 558 8656 and enter Webinar ID : 832 8237 9280 and follow the prompts.

- | | |
|--|-------------------|
| 1. Vision Statement | 6:00 PM - 6:05 PM |
| 2. Consent Agenda | |
| A. Minutes of 3/22/21 and 4/1/21 | 6:05 PM - 6:10 PM |
| B. Warrants | |
| C. Liquor Licenses | |
| 3. COVID Update-Dr. Trey Dobson and Megan Herrington | 6:10 PM - 6:25 PM |
| 4. Ground Water Reclassification | 6:25 PM - 7:55 PM |
| 5. Public Comment | 7:55 PM - 8:10 PM |
| 6. Community Policing, Policy Procedures Review | 8:10 PM - 8:20 PM |
| 7. VCDP Grant Resolutions (3) | 8:20 PM - 8:35 PM |
| 8. Resolution-Electronic Payment Options | 8:35 PM - 8:45 PM |
| 9. Manager's Report | 8:45 PM - 8:55 PM |
| 10. Upcoming Agendas | 8:55 PM - 9:00 PM |
| 11. Other Business | 9:00 PM - 9:10 PM |
| 12. Executive Session | |
| A. Litigation | |
| B. Personnel | |

BENNINGTON SELECT BOARD
MEETING HELD REMOTELY VIA ZOOM
BENNINGTON, VERMONT 05201
MARCH 22, 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; Shannon Barsotti-Community Development Director; Megan Herrington-Vermont Department of Health; Kayla Becker-YMCA; Mike Cutler-CAT-TV; and Nancy H. Lively-Secretary.

PUBLIC CALL INS: Lynn Mazza and Al Bashevkin.

At 6:00pm, 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, 819 9745 4575 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.

1. CONSENT AGENDA

A. MINUTES OF MARCH 8, 2021

B. WARRANTS

C. LIQUOR LICENSES

Bruce Lee-Clark moved and Sarah Perrin seconded to adopt the Consent Agenda as presented.

On the Liquor Licenses, Ms. Conner asked what Aramark Dining Hall was and Mr. Hurd thought it may be Bennington College but wasn't sure. It is a renewal so the name had been approved in the past.

The motion carried unanimously.

2. PUBLIC COMMENTS

None.

32 **3. VERMONT DEPARTMENT OF HEALTH (VDH) - COVID UPDATE**

33 Megan Herrington from the Vermont Department of Health did the following COVID update:

- 34 • The 60+ age band will be able to make appointments for their shots with another age band
- 35 added every Monday - 50+ March 29th; 40+ April 5th; 30+ April 12th; and 16+ April 19th.
- 36 • 85% of the 75+ group have received at least one dose and their case numbers have
- 37 "plummeted".
- 38 • There is some hesitancy to get the shots as the other age bands open up.
- 39 • On March 24th there will be a clinic at the Riley Rink in Manchester for veterans and the
- 40 Johnson and Johnson one shot vaccine. Call 802-296-5151 between 8:00am-4:00pm for an
- 41 appointment.
- 42 • The 2nd dose clinic at Burr and Burton in Manchester will close on March 26th.
- 43 • SVHC continues to be very busy with the shots and our local office will be moving to cover more
- 44 remote and mobile locations.

45 *Board questions/comments with responses from Ms. Herrington:*

46 Mr. Carroll: How are the vaccinations going for educators? Very well with 620 done at SVHC so far.

47 Mr. Carroll: When will the Johnson and Johnson shots be available in Vermont? We don't know at this

48 time.

49 Ms. Conner: Some of the hesitancy to getting the vaccine is because it was developed so quickly.

50 Please explain. The technology surrounding the vaccine has been 10 years in the making and all other

51 research stopped to work on COVID.

52 Ms. Jenkins: What is the guidance for vaccinated people and large gatherings? Even though travel is

53 now acceptable, we don't have large gathering guidance yet. The recommendation is to check with

54 the guidelines of the state where the large gathering will be taking place.

55 **4. YMCA UPDATE**

56 Kayla Becker from the YMCA did the following presentation on their programs and events:

- 57 • Children's Books Giveaway at the old Benn High
- 58 • Swim lessons - 48 family groups/week
- 59 • Various levels of water exercise - 5 days/week
- 60 • Youth programs starting at the Senior Center and then walking to the Rec Center - 12-15
- 61 kids/Wednesday
- 62 • Child care on in-service days
- 63 • Group exercise at the Senior Center for all ages - high impact and yoga
- 64 • Registration has opened up for soccer - ages 4-14 at Willow Park
- 65 • Sports In Play with Bennington and Pownal Little League for younger kids to try out different
- 66 sports - Tuesday and Thursday nights

- 67 • Toddlers play equipment at the old Benn High
- 68 • Teen Leaders Program
- 69 • Community Garden
- 70 • Did a February Break Camp at the Senior Center and will be doing an April Break Camp at the
- 71 old Benn High
- 72 • Life Guard Training classes
- 73 • Egg Hunt Swim - April 3rd - similar to what was done on Valentine's Day

74 Ms. Barsotti added that all of our community grants are coming through and there will be
75 students coming for a tour of Bennington to see all of the projects that are going on.

76 *Board questions/comments with responses from Ms. Becker:*

77 Mr. Campbell: Are you using all of the available space at the old Benn High? We are currently using the
78 auditorium and the other two large rooms are almost ready for use.

79 Mr. Carroll: Do you just apply for federal and state grants or do you approach private funders? We
80 apply for all grants for either dollars or product.

81 Mr. Lee-Clark: Is there a timeline for moving the exercise equipment? And kudos to the YMCA staff for
82 their good nature when answering the phone. There are no updates on moving the exercise
83 equipment but we are putting up screens for separation in the meantime.

84 Ms. Conner: Kudos to Taylor and you for your enthusiasm and do you know what is planned for the
85 fall? At this time, we hope to be using all that is available at the old Benn High and the basement space
86 at the Rec Center for the Teen Leaders program.

87 Ms. Perrin: Do the services at the Senior Center overlap with any of the programs for the seniors?
88 What programs do you offer for seniors? and, What potential does the space at the old Benn High offer
89 for Senior Programs? We try to offer programs that appeal to everyone and the seniors wanted the
90 water exercise and yoga which we are doing. The Silver Sneakers will be returning soon and the old
91 Benn High space will give the opportunity to the seniors to safely participate in the low impact
92 exercises. We were doing Silver Sneakers before COVID, we reopened the Rec Center in June but
93 didn't have any fitness classes due to COVID, and brought back the water exercise in October.

94 Ms. Jenkins: Is the community grant for the old Benn High for the 6 month lease, when did it start, and
95 what is your plan for the lease payments after? Yes, that is for the lease for 6 months that started
96 when we started programing in there and will end in September. "At this point we don't know what
97 will happen at the end of the 6 months". Ms. Barsotti added that we are working on what partnerships
98 can be developed by September, as well as, hosting events, after school use of the gym, etc. that will
99 generate income for the YMCA.

100 Mr. Hurd: Is happy with what is happening for people of all ages and the potential that exists for the
101 future.

102 **5. COMMUNITY POLICING UPDATE**

103 Mr. Lee-Clark did the following Policy updates:

- 104 ❖ 4 of 6 policies for the spring have been drafted.
- 105 ❖ The Body Worn Cameras and Collaborative Partnerships policies will be going to the attorneys
106 soon.
- 107 ❖ On March 24th the Committee will be meeting to draft the Nepotism and Fraternization Policy
108 and on April 14th we will be working on the Code of Conduct Policy.
- 109 ❖ We have filled each Committee with 4 different community members.

110 Ms. Conner read the following Procedure Review for the public to participate in if they wish to do so:

- 111 ❖ "As I said at our last meeting the process for public comment on the procedures for the policies
112 that have been adopted is this. They will be posted along with the policies they relate to on the
113 Town website. We will announce they are posted at a regular select board meeting. The
114 comment period on the procedures will begin the Monday following our announcement. The
115 comment period is 10 days long. Information on how to make comments will be placed on the
116 Town and BPD websites, Town and BPD Facebook pages, Front Porch Forum and in the
117 Bennington Banner. Comments can be submitted electronically from the Town website and an
118 electronic acknowledgement will be sent to the participant. Once the comment period is over
119 and any changes are made by the BPD, they are signed by the police chief and the selectboard
120 chair. The procedures will be posted on the BPD website along with the related policy. The
121 Select Board Working Group will be announcing the procedures for 8 policies ready for public
122 comment at our April 12th meeting. We wanted to give the community a heads up they are
123 coming in case community members want to plan ahead. The comment period for the
124 procedures for these 8 policies will begin on April 19th at 8:00am and close on April 28th at
125 5:00pm.

126 The 8 policies/procedures that will be posted on April 12th on the Town's website under
127 Community Policing are:

- 128 ✓ Duty to Intervene
- 129 ✓ Fair and Impartial Policing
- 130 ✓ Investigation and Reporting of Hate Crimes
- 131 ✓ Use of Conducted Electrical Weapons
- 132 ✓ Response to Resistance/Use of Force
- 133 ✓ Domestic Violence Investigations
- 134 ✓ Traffic Enforcement
- 135 ✓ Responding to Person Experiencing a Mental Health Crisis

136 The people within the BPD who worked on the procedures are Michelle Farrar, Joshua Stemp,
137 Cam Grande and Paul Doucette.

138 A few clarifications:

- 139 ✓ All comments from the public will not be incorporated into the procedures. The
140 decision to do so lies with the BPD.
141 ✓ The select board will NOT formally adopt the procedures but the chair will sign them."

142 Mr. Hurd added that the 8 policies and their related procedures should be on the Town website
143 next week. "These procedures are police procedures developed historically over time and follow
144 stringent rules on how police may react to a given situation which is why we are not developing them."

145 A statement on the above will be available.

146 Ms. Jenkins did the following update on Vehicles:

- 147 ❖ The Police Department will be going out to bid on their first hybrid vehicle on April 1st.
148 ❖ And, we are soon going to have electric bicycles - if we don't already have them.

149 *Public questions/comments:*

150 Lynn Mazza: Finds it difficult to believe that all citizens' suggestions for the procedures will be reviewed
151 due to the lack of transparency from the "institution of the Select Board" and the communities
152 mistrust of the Police Department. An explanation to the citizen whose suggestion was not accepted
153 as to why it wasn't accepted would be a step to the future of community policing. Mr. Lee-Clark
154 verified that he will be looking at all comments and Ms. Conner noted that there will be at least 4
155 others, as well, and that the police have been "nothing but forthcoming....and we have had no reason
156 to doubt the sincerity and commitment to this process".

157 **6. LEAD LINE BOND DOCUMENTS**

158 Mr. Hurd explained that this is similar to the Ladder Truck Bond with the difference being that
159 the monies are coming from the Agency of Natural Resources. We must still follow the Bond Bank
160 requirements. These are not taxpayer dollars and are 100% reimbursable.

161 *Bruce Lee-Clark moved and Sarah Perrin seconded to approve the Lead Service Line*
162 *Replacement Loan Agreement, approve the General Obligation Bond and authorize the Chair to sign*
163 *both, waive the reading of and adopt the Resolution and authorize the Chair to sign, and approve the*
164 *Tax Certificate and authorize the Chair to sign anything necessary for the Chair to sign. The motion*
165 *carried unanimously.*

166 **7. MANAGER'S REPORT**

167 Mr. Hurd announced that our Household Hazardous Waste Collection will take place on May 8,
168 2021 from 9:00am-1:00pm at the Mt. Anthony Union Middle School.

169 Mr. Hurd reported as follows:

170 Police Stop Data for 2020 - It is presented by month with the number of stops and the race
171 information provided. It is not yet part of the State's data system due to be updated later this year.
172 Mr. Lee-Clark will contact Chief Doucette for clarification of searches on the report.

173 National Guard's Readiness Center Application - The Project Review Sheet for the National
174 Guard's Readiness Center on Bowen Road was received on March 15, 2021. The process to construct
175 has begun with a 2023 construction still in place. We will be taking possession of the Armory with the
176 Memorandum of Understanding that has been previously agreed upon with the National Guard leasing
177 the Armory at no cost until the Center has been completed.

178 Groundwater Reclassification - PFOA Contaminated Areas - We have received concerns from
179 residents where the groundwater was reclassified as non-potable where PFOA contamination was
180 identified. The State has continued the comment period until April 2, 2021 and the Extension Notice is
181 posted on our website and Front Porch Forum. The new restrictions do not prohibit drilling a well but
182 may make it safer and more costly. Also, if you're within 200' of the municipal water system, you
183 should connect to that system even though we were not previously entitled to.

184 Mr. Lee-Clark is concerned about the property values located in the reclassification area and
185 feels that the Town should send a letter of support for the affected residents to the Agency of Natural
186 Resources. Mr. Hurd noted that St. Gobain must maintain any of the POET systems for life but will
187 draft a letter on behalf of the Board if he's directed to do so.

188 Discussion ensued that we need all of the facts, the science needs to be understood, the
189 residents had no idea this was coming, and the Town has not seen the tax base affected by the PFOA
190 situation.

191 Al Bashevkin: Suggested that the Board request the extension of the comment period.

192 *It was the consensus of the Board to have Mr. Hurd contact the Agency of Natural Resources for*
193 *an extension of the comment period beyond April 2, 2021.*

194

195 **8. UPCOMING AGENDA**

196 April 1, 2021 - Possible Board Reorganization Meeting

197 April 12, 2021 - Community Policing Update - Two Policies for 1st Reading

198 April 12, 2021 - Better Business Corporation and Bennington Banner Marketing

199 April 12, 2021 - Possible Groundwater Reclassification Discussion

200 **9. OTHER BUSINESS**

201 Mr. Campbell: Recognized the Atlanta Spa shooting and read from a letter by Governor Northam.

202 Mr. Campbell: Thanked Board members and Town staff for their dedication during the past year and
203 throughout his tenure on the Board.

204 Ms. Conner: Narrated the Board's thank you celebration to Mr. Campbell for his service on the Board
205 tonight - his last Select Board meeting.

206 10. EXECUTIVE SESSION

207 A. LITIGATION

208 *At 7:48pm, the meeting was adjourned finding that an Executive Session be held on Litigation*
209 *as premature public knowledge would place a person involved in the subject matter at a substantial*
210 *disadvantage. There will be no actions taken on these items when going back into Open Session.*

211

212

213

214 Respectfully submitted,

215 Nancy H. Lively

216 Secretary

217

1 **BENNINGTON SELECT BOARD**

2 **SPECIAL MEETING HELD REMOTELY VIA ZOOM**

3 **BENNINGTON, VERMONT 05201**

4 **APRIL 1, 2021**

5 **MINUTES**

6 **SELECT BOARD MEMBERS PRESENT BY VIDEOCONFERENCE:** Jeannie Jenkins-Vice Chair; Jeanne
7 Conner; Jim Carroll; Bruce Lee-Clark; Sarah Perrin; Tom Haley; and Gary Corey.

8 **SELECT BOARD MEMBERS ABSENT:** Donald Campbell.

9 **ALSO PRESENT BY VIDEOCONFERENCE:** Stuart Hurd-Town Manager; Dan Monks-Assistant
10 Town Manager; Josh Boucher-CAT-TV; and Nancy H. Lively-Secretary.

11 At 6:00pm, Vice-Chair Jeannie Jenkins called the meeting to order and explained that,
12 due to the COVID-19 Pandemic State of Emergency declared by Governor Scott, and pursuant
13 to Addendum 6 to Executive Order 01-20, Act 92, this public body is authorized to meet
14 electronically. There is no physical location to attend this meeting, however, the public may
15 view it on CAT-TV or CAT-TV Facebook. You may also join the meeting as an attendee using the
16 web link listed in the public notice. If technology fails us, the meeting will be continued at a
17 time and place to be determined and all votes that are not unanimous will be done with a roll
18 call vote in accordance with the law.

19 Because this is a special meeting for the reorganization of the Board, we will not have a
20 Consent Agenda or have a public comment period. However, the public is encouraged to
21 contact our Town Manager or any of the Select Board members by going onto the Town's
22 website. Our newest Board members, Tom Haley and Gary Corey, will be listed by our regular
23 meeting on April 12th.

24 **1. BOARD REORGANIZATION**

25 *Bruce Lee-Clark moved and Jim Carroll seconded to nominate Jeannie Jenkins for Chair*
26 *of the Select Board.*

27 Mr. Lee-Clark cited the work that Ms. Jenkins has done the past year as Vice-Chair and
28 on the Policing Sub-Committee, the knowledge that she has of the Town functions, people, and
29 agencies, as well as, her commitment to change in openness, diversity, and inclusiveness.

30 *The motion carried unanimously.*

31 *Jim Carroll moved and Sarah Perrin seconded to nominate Jeanne Conner for Vice-*
32 *Chair of the Select Board.*

33 Mr. Carroll cited Ms. Conner's philosophical background to be involved in the
34 community and her display of true integrity and sincerity. You can always count on Ms. Conner
35 to tell it like it is and be honest. She is naturally outgoing, enjoys getting to know our
36 constituents, and learning from people that have had a different life experience than she has
37 had.

38 *The motion carried unanimously.*

39 **2. EXECUTIVE SESSION**

40 **A. LITIGATION**

41 *At 6:07pm, Bruce Lee-Clark moved and Jeanne Conner seconded that the meeting was*
42 *adjourned finding that an Executive Session be held on Litigation as premature public*
43 *knowledge would place a person involved in the subject matter at a substantial*
44 *disadvantage. There will be no actions taken on this item when going back into Open*
45 *Session. The motion carried unanimously.*

46
47
48
49 Respectfully submitted,

50 Nancy H. Lively

51 Secretary

TOWN OF BENNINGTON

2021 LIQUOR LICENSE RENEWAL APPLICATIONS

2021 1st Class Renewals

1. 421 Craft Bar & Kitchen
2. Donovan's (& Outside Consumption)
3. Eagles, Fraternal Order of, #1861
4. Madison Brewing Company Pub & Rest. (& Outside Consumption)
5. Moose, Loyal order of, #1233 (& Outside Consumption)

2021 2nd Class Renewals

1. Cumberland Farms #8035
2. Madison Brewing Company

2021 3rd Class Renewals

1. 421 Craft Bar & Kitchen
2. Eagles, Fraternal Order of, #1861
3. Donovan's
4. Madison Brewing Company, Pub & Rest.
5. Moose, Loyal Order of, #1233

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

Dated: April 12, 2021

Jim Carroll

Jeannette Jenkins, Chair

Jeanne Conner, Vice Chair

Bruce Lee-Clark

Gary Corey

Sarah B. Perrin

Tom Haley

MEMORANDUM

To: Bennington Select Board

From: Shannon Barsotti, Community Development Director

Date: April 7, 2021

Re: Grant Agreement Resolutions for CDBG-CV projects

The Town of Bennington was awarded three Community Development Block Grants with Cares Act Funding (CDBG-CV) in December 2020. The grants awarded include:

- \$20,000 Subgrant to the Sunrise Family Resource Center to install split heat pumps and compressors throughout their buildings to increase airflow and provide improved air quality in response to COVID-19 recommendations.
- \$30,000 Subgrant to the Berkshire Family YMCA to pay for start-up operational expenses in a new space at Benn High to serve the evolving needs of expanded childcare services in response to COVID-19.
- \$49,478 Subgrant to UCS Head Start Program to install improved air quality systems and sealed surface flooring for improved building sanitation in response to COVID-19.

Please sign the enclosed Resolutions to accept and agree to the terms and conditions of the Grant Agreements for the CDBG-CV grants. Subgrant agreements and requisitions will be executed once the Town's Counsel has reviewed and approved the agreements and all related documents.

GRANT AGREEMENT RESOLUTION - SINGLE GRANTEE**Form PM-1**

WHEREAS, the (check one) ☒ Town ☐ City ☐ Village of Bennington
has applied for funding under the Vermont Community Development Program, as provided for in 10
VSA Ch. 29, and has received an award of funds under said provisions; and

WHEREAS, the Agency of Commerce and Community Development has tendered a Grant Agreement
#07110-IG-2020-Bennington-31 to this municipality for said funding:

Now, **THEREFORE, BE IT RESOLVED** as follows:

- 1) that the legislative body of this municipality accepts and agrees to the terms and conditions of said Grant Agreement;
- 2) that (Name) Shannon Barsotti Title Community Development Director
is hereby designated as the person with overall Administrative responsibility for the VCDP activities related to this Grant Agreement; and
- 3) that (Name) Stuart Hurd Title Town Manager
who is either the Chief Executive Officer (CEO), as defined by 10 VSA §683(8), or is the Town Manager, the City Manager, or the Town Administrator, hereby designated as the Authorizing Official (AO) to execute the Grant Agreement and other such Documents as may be necessary to secure these funds.

Passed this _____ day of _____, _____.

LEGISLATIVE BODY

(Typed Name)

(Signature)

Jeannie Jenkins, Select Board Chair

For Agency Use:

Processed By: _____

Date: _____

GRANT AGREEMENT RESOLUTION - SINGLE GRANTEE

Form PM-1

WHEREAS, the (check one) ☒ Town ☐ City ☐ Village of Bennington
has applied for funding under the Vermont Community Development Program, as provided for in 10
VSA Ch. 29, and has received an award of funds under said provisions; and

WHEREAS, the Agency of Commerce and Community Development has tendered a Grant Agreement
#07110-IG-2020-Bennington-20 to this municipality for said funding:

Now, THEREFORE, BE IT RESOLVED as follows:

- 1) that the legislative body of this municipality accepts and agrees to the terms and conditions of said Grant Agreement;
- 2) that (Name) Shannon Barsotti Title Community Development Director
is hereby designated as the person with overall Administrative responsibility for the VCDP activities related to this Grant Agreement; and
- 3) that (Name) Stuart Hurd Title Town Manager
who is either the Chief Executive Officer (CEO), as defined by 10 VSA §683(8), or is the Town Manager, the City Manager, or the Town Administrator, hereby designated as the Authorizing Official (AO) to execute the Grant Agreement and other such Documents as may be necessary to secure these funds.

Passed this _____ day of _____, _____.

LEGISLATIVE BODY

(Typed Name)

(Signature)

Jeannie Jenkins, Select Board Chair

For Agency Use:

Processed By: _____ Date: _____

GRANT AGREEMENT RESOLUTION - SINGLE GRANTEE**Form PM-1**

WHEREAS, the (check one) ☒ Town ☐ City ☐ Village of Bennington
has applied for funding under the Vermont Community Development Program, as provided for in 10
VSA Ch. 29, and has received an award of funds under said provisions; and

WHEREAS, the Agency of Commerce and Community Development has tendered a Grant Agreement
#07110-IG-2020-Bennington-28 to this municipality for said funding:

Now, THEREFORE, BE IT RESOLVED as follows:

- 1) that the legislative body of this municipality accepts and agrees to the terms and conditions of said Grant Agreement;
- 2) that (Name) Shannon Barsotti Title Community Development Director
is hereby designated as the person with overall Administrative responsibility for the VCDP activities related to this Grant Agreement; and
- 3) that (Name) Stuart Hurd Title Town Manager
who is either the Chief Executive Officer (CEO), as defined by 10 VSA §683(8), or is the Town Manager, the City Manager, or the Town Administrator, hereby designated as the Authorizing Official (AO) to execute the Grant Agreement and other such Documents as may be necessary to secure these funds.

Passed this _____ day of _____, _____.

LEGISLATIVE BODY

(Typed Name)

(Signature)

Jeannie Jenkins, Select Board Chair

For Agency Use:

Processed By: _____ Date: _____



TOWN OF BENNINGTON

DATE: March 26, 2021

TO: Stuart Hurd, Town Manager

FROM: Melissa Currier, Finance Director

SUBJECT: Credit Card Payment Options for Customers

Currently, a 3rd party vendor provides online credit card access to our customers to pay property tax, water and sewer bills. The fee for this service is completely paid by the customer with no cost to the Town. There is a flat fee of \$4.95 per utility bill and a percentage cost of 2.65% for property tax bills. We can offer these same options "at the counter"; however due to rules mandated by Visa regarding their Visa customers and in-person payment of utility bills, it is necessary to adopt the attached resolution before our credit card vendor will allow us to take in-person Visa payments for utility bills. The resolution basically says that we allow payments by credit cards, but that the customer will be responsible to pay the fee. Without this resolution, we will be unable to take a Visa card for utility bills.

In addition, we'll be adding the ability to make other payments by credit card, such as parking tickets, town clerk fees, building and zoning permits, etc., with the same 2.65% service fee (\$1 minimum). We will continue to take cash and checks at no fee and recommend doing so but due to multiple requests from the public, we want to make credit card payments available if desired.

Best Regards,

Melissa Currier

A RESOLUTION AUTHORIZING THE USE OF CREDIT CARDS
FOR PAYMENT OF ANY TYPE OF BILL OR FEE

WHEREAS, The Town offers several ways in which to pay utility bills, taxes, or other bills and fees owed to the Town; and

WHEREAS, for the convenience of its citizens and customers the Town currently provides electronic payment options, including the use of credit cards, and desires to continue offering these services;

WHEREAS, the Town has entered into an agreement with a vendor which provides the means of offering electronic payment options to the Town's customers upon the customer's payment of a transaction or convenience fee for each electronic payment; and

WHEREAS, the Town wishes to state its intent to provide electronic payment options to its customers who pay online and over the counter at Town Hall for a transaction or convenience fee no greater than the cost charged by the vendor.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF BENNINGTON, VERMONT, ACTING THROUGH ITS SELECT BOARD MEMBERS, that the Town does hereby authorize the use of credit cards or other electronic payments as a method of payment for any type of bill or fee, whether being paid online or over the counter at Town Hall, upon the customer's payment of the transaction or convenience fee charged by the vendor who processes such payment.

ADOPTED this 12th day of April, 2021.

Select Board Chair

ATTEST:

Town Clerk

MANAGER'S REPORT

April 12, 2021

ACTION

Conflict of Interest Statement This document, developed in response to the Conflict of Interest Policy and the Code of Conduct imbedded in the Purchasing Policy, requires each Board member to sign, date, and return to the Manager's Office annually. It does not require action by the Board as a whole.

INFORMATIONAL

Police Department Award Chief Paul Doucette was awarded the Highway Safety Achievement Award for his long-time efforts in bicycle and traffic safety. This award is issued by the Agency of Transportation on an annual basis recognizing those officers whose efforts improve highway safety for all.

Black Lives Matter Mural As many of you know, the mural in front of the Town Offices was defaced by what appears to be 3 young adults or juveniles. The mural was quickly cleaned by a group of citizens. We are pleased our security cameras were able to record the event. The investigation continues as we seek to identify and prosecute the perpetrators.

Town Offices reopening Staff will be meeting toward month end to determine if the building can reopen for public use. Many of our employees have received at least one vaccine, and now that the Johnson and Johnson one dose vaccine is available, all will soon be vaccinated. If we reopen, mask-wearing and safe distancing will continue to be enforced per the Governor's orders. Proof of vaccine may be required for unrestricted access. We are reviewing all possibilities. Our staff have worked hard to continue services to our residents and others during the pandemic. I appreciate all they have done while remaining safe and healthy throughout.

FOLLOW-UP

Overtime Reports and Traffic Citations issued for March are attached.

Community Development and Permitting/Planning Reports are attached.



TOWN OF BENNINGTON

Select Board Conflict of Interest Statement

A conflict of interest is a real or perceived incompatibility between a public officer's private interests and his or her public or fiduciary interests to the municipality he or she serves. A conflict of interest arises when there is a direct or indirect personal or financial interest of a public officer or a person or group closely tied with the officer including his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother- or sister-in-law, business associate, or employer or employee in the outcome of an official act or action, or any other matter pending before the officer or before the public body in which the public officer holds office. A conflict of interest may take any of the four following forms:

- a. A direct financial conflict of interest arises when a public officer acts on a matter that has a direct financial impact on that officer.
- b. An indirect financial conflict of interest arises when a public officer acts on a matter that has a financial impact on a person or group closely tied to the officer.
- c. A direct personal conflict of interest arises when a public officer acts on a matter that has a direct impact on the officer in a non-financial way but is of significant importance to the officer.
- d. An indirect personal conflict of interest arises when a public officer acts on a matter in which the officer's judgment may be affected because of a familial or personal relationship or membership in some organization and a desire to help that person or organization further its own interests.

I understand that I have an obligation to disclose any conflicts of interest that may arise during my service on the Select Board and to recuse myself from taking part in discussions or votes, when appropriate.

Name _____

Date _____

Conflict of Interest Policy

TOWN OF BENNINGTON

Article 1. Authority. Under the authority granted in 24 V.S.A. § 2291(20), the Bennington Select Board hereby adopts the following policy concerning conflicts of interest.

Article 2. Purpose. The purpose of this policy is to preserve the public trust in municipal officials to ensure that no public officer of the municipality will gain a personal or financial advantage from his or her work for the municipality.

Article 3. Application. This policy applies to all public officers as that term is defined below.

Article 4. Definitions. For the purposes of this policy, the following definitions shall apply:

A. **Conflict of interest** means any of the following:

1. A direct or indirect personal or financial interest of a public officer, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother- or sister-in-law, business associate, or employer or employee in the outcome of a cause, proceeding, application, or any other matter pending before the officer or before the public body in which he or she holds office or is employed.
2. A situation where a public officer has publicly displayed a prejudgment of the merits of a particular quasi-judicial proceeding. This shall not apply to a member's particular political views or general opinion on a given issue.
3. A situation where a public officer has not disclosed ex parte communications with a party in a quasi-judicial proceeding.

A "conflict of interest" does not arise for decisions on matters in which the public official has a personal or financial interest when the outcome affects all citizens equally. An example of this is the setting of a tax rate. The impact of the tax rate decision on the public is no greater than the impact on the public official.

B. **Emergency** means an imminent threat or peril to the public health, safety, or welfare.

C. **Ex Parte Communication** means direct or indirect communication between a member of a public body and any party, party's representative, party's counsel or any person interested in the outcome of a quasi-judicial proceeding, that occurs outside the proceeding and concerns the substance or merits of the proceeding.

D. **Official act or action** means any legislative, administrative, or quasi-judicial act performed by any public officer while acting on behalf of the municipality.

E. **Public body** means any board, council, commission, or committee of the municipality.

F. **Public interest** means an interest of the community as a whole, conferred generally upon all residents of the municipality.

Conflict of Interest Policy

TOWN OF BENNINGTON

- G. **Public officer** means a person elected or statutorily-appointed to perform executive, administrative, legislative, or quasi-judicial functions for the municipality. This term does not include any municipal employee. Employees are governed by a separate, specifically designed Conflict of Interest Policy.
- H. **Quasi-judicial proceeding** means a case in which the legal rights of one or more persons who are granted party status are adjudicated, which is conducted in such a way that all parties have opportunities to present evidence and to cross-examine witnesses presented by other parties, and which results in a written decision, the result of which is appealable by a party to a higher authority.

Article 5. Prohibited Conduct.

- A. A public officer shall not participate in any official action if he or she has a conflict of interest in the matter under consideration.
- B. A public officer shall not personally – or through any member of his or her household, business associate, employer or employee – represent, appear for, or negotiate in a private capacity on behalf of any person or organization in a cause, proceeding, application, or other matter pending before the public body in which the public officer holds office.
- C. A public officer shall not accept gifts or other offerings for personal gain by virtue of his or her public office that are not available to the public in general.
- D. A public officer shall not use resources unavailable to the general public – including but not limited to municipal staff time, equipment, supplies, or facilities – for private gain or personal purposes.

Article 6. Disclosure. A public officer who has reason to believe that he or she has or may have a conflict of interest in a particular matter shall, prior to participating in any official action on the matter, publicly disclose at a public meeting or public hearing that he or she has an actual or perceived conflict of interest in the matter under consideration and disclose the nature of the actual or perceived conflict of interest. Alternatively, a public officer may request that another public officer recuse him or herself from a matter due to a conflict of interest.¹

Article 7. Consideration of Recusal. Once there has been a disclosure of an actual or perceived conflict of interest, other public officers may be afforded an opportunity to ask questions or make comments about the situation. If a previously unknown conflict is discovered during a meeting or hearing conducted by a public body of the municipality, the public body may take evidence pertaining to the conflict and, if appropriate, adjourn to an executive session to address the conflict.

Article 8. Recusal.

- A. **Recusal of Elected Officers.** After taking the actions listed in Articles 6 and 7, an elected public officer should declare whether he or she will recuse and explain the basis for that decision. If the public officer has an actual or perceived conflict of interest but believes that he or she is able to act fairly, objectively, and in

¹ Such request shall not be considered an order for the officer to recuse him or herself.

Conflict of Interest Policy

TOWN OF BENNINGTON

the public interest, in spite of the conflict, he or she shall state why he or she believes that he or she is able to act in the matter fairly, objectively, and in the public interest.²

- B. Recusal of Appointed Officers.** The failure of an appointed public officer to recuse himself or herself in spite of a conflict of interest may be grounds for removal from office.³

Article 9. Post-Recusal Procedure.

- A. A public officer who has recused himself or herself from serving on a public body in a particular proceeding shall not sit with the public body, deliberate with the public body, or participate in that proceeding as a member of the public body in any capacity, though such member may still participate as a member of the public.
- B. The public body may adjourn the proceedings to a time certain if, after a recusal, it may not be possible to take action through the concurrence of a majority of the total membership of the public body. The public body may then resume the proceeding with sufficient members present.

Article 10. Enforcement.

- A. Elected Officers; Progressive Consequences for Failure to Follow the Conflict of Interest Procedures.** In cases where an elected public officer has engaged in any of the prohibited conduct listed in Article 5, or has not followed the conflict of interest procedures in Articles 6 through 9, the Bennington Select Board may take progressive action to discipline such elected officer as follows:

1. The chair of the Bennington Select Board may meet informally with the public officer to discuss the possible conflict of interest violation. This shall not take place in situations where the chair and the public officer together constitute a quorum of a public body.
2. The Bennington Select Board may meet to discuss the conduct of the public officer. Executive session may be used for such discussion in accordance with 1 V.S.A. § 313(a) (4). The public officer may request that this meeting occur in public. If appropriate, the Bennington Select Board may admonish the offending public officer in private.
3. If the Bennington Select Board decides that further action is warranted, the Board may admonish the offending public officer at an open meeting and reflect this action in the minutes of the meeting. The public officer shall be given the opportunity to respond to the admonishment.
4. Upon majority vote in an open meeting, the Bennington Select Board may request (but not order) that the offending public officer resign from his or her office.

² Each member of an elected public body is independently elected and answers only to the voters. Therefore, unless there is a local ordinance or charter provision that states otherwise, the remaining members of the body may not force recusal. They may only express their opinion about the subject and/or privately or publicly admonish a fellow member who fails to handle conflicts appropriately.

³ Certain appointed officials such as a Zoning Administrator and a Town Manager may only be removed for cause and after being afforded with procedural due process protections including notice and a reasonable opportunity to be heard.

Conflict of Interest Policy

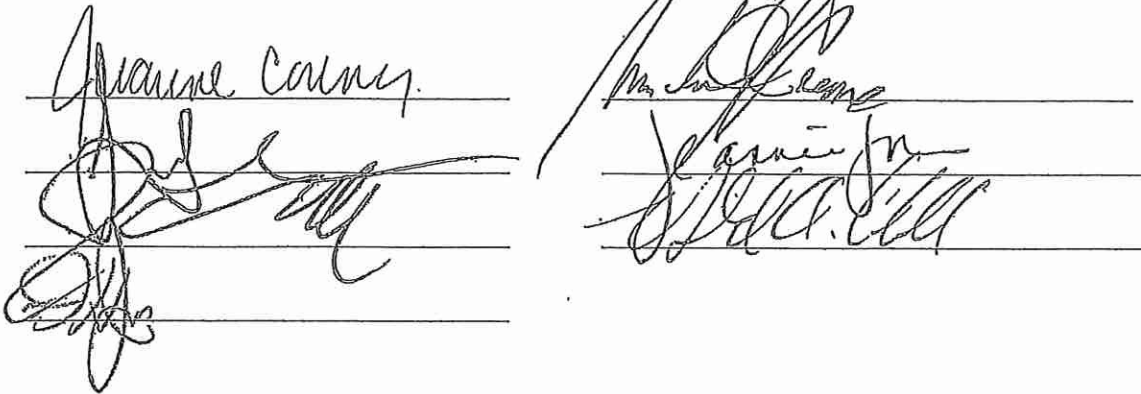
TOWN OF BENNINGTON

B. Appointed Officers. The Bennington Select Board may choose to follow any of the steps articulated in Article 10A. In addition to or in lieu of any of those steps, the Board may choose to remove an appointed officer from office, subject to state law.

Article 11. Exception. The recusal provisions of Article 8 shall not apply if the Board determines that an emergency exists and that actions of the public body otherwise could not take place. In such a case, a public officer who has reason to believe he or she has a conflict of interest shall disclose such conflict as provided in Article 6.

Article 12. Effective Date. This policy shall become effective immediately upon its adoption.

Signatures:

The image shows three handwritten signatures on lined paper. The first signature on the left is 'Joanne Courney'. The second signature is a cursive signature that appears to be 'John J. Courney'. The third signature is a cursive signature that appears to be 'John J. Courney'.

Date:

12 Sept. 2016

TOWN OF BENNINGTON
Adopted Sept. 23, 2019

PURPOSE. The purpose of this Purchasing Policy is to obtain the highest quality goods and services for the Town of Bennington at the lowest possible price, to exercise financial control over the purchasing process, to clearly define authority for the purchasing function, to allow fair and equal opportunity among qualified suppliers, and to provide for increased public confidence in the procedures followed in public purchasing.

POLICY REVIEW. It is recommended that the Select Board review this policy every 5 years.

CODE OF CONDUCT.

- **Affirmative Action:** Whenever possible, qualified small, minority and women-owned businesses shall be included in the solicitation lists for bids or non-bid purchases.
- **Conflict of Interest::** Employees, officers and agents of the Town who are involved in the procurement and selection of bids and purchases shall make reasonable efforts to avoid real, apparent, or potential conflicts of interest. No employee, officer or agent of the Town shall participate in selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. Such conflict would arise when:
 - The employee, officer, or agent,
 - any member of his or her immediate family,
 - his or her partner, or
 - an organization which employs, or is about to employ, any of the above, has a financial or personal interest in the firm/vendor selected for award.

An employee, officer, or agent of the Town, who is involved in the procurement and selection of a bid or purchase, and who has real or apparent conflict of interest must disclose that conflict of interest in writing to the Town Manager.

- **Gifts and Gratuities:** Employees of the Town will not solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements with the intent of personal gain for that employee or future Town contracts/procurement.
- **Donations:** Solicitation of donations for publicly-known programs (ie: K-9, New Experience Camp, Employee Recognition, Bennington In Bloom, etc.) are allowed with permission from the Town Manager.

The Town may take disciplinary action, including dismissal, against a Town employee who fails to follow the above Code of Conduct.

PURCHASING AGENT.

The Town Manager (or designee) is the primary Purchasing Agent with Full Purchasing Authority. The following employees are authorized by the Town Manager to act as Purchasing Agents with Limited Purchasing Authority. Additional authorities and restrictions are detailed in the Purchase Categories and Limits section.

Finance Director	Facilities Director
Chief Assessor	Public Safety Director
Community Development Director	Collections Director
Human Resource Director	Planning Director/Zoning Administrator
Recreation Director	Town Clerk
Public Works Director	Assistant Town Clerk
Assistant Public Works Director	Building Inspector
Assistant Town Manager	

For each purchase, Purchasing Agents are responsible for compliance with this Purchasing Policy. It shall be a violation of this Purchasing Policy to make purchases in increments for the sole purpose of avoiding the following requirements of the Purchase Categories and Limits.

PURCHASE CATEGORIES AND LIMITS.

Incidental Purchases. Employees who have been designated to act as Purchasing Agents may make purchases up to \$5,000 without prior approval, provided those purchases are for items within the approved Town budget.

Minor Purchases. Employees who have been designated to act as Purchasing Agents may make purchases with a value between \$5,001 and \$ 25,000 only with prior approval of the Town Manager, provided those purchases are for items within the approved Town budget. Whenever possible, competitive quotes from at least two vendors should be obtained.

Major Purchases. All purchases between \$ 25,001 and \$100,000 require prior approval of the Town Manager. Price and rate quotes shall be obtained and documented from at least two qualified vendors to ensure that the Town has received a fair and reasonable price.

In addition, all major purchases with a value between \$100,001 and \$250,000 require prior approval of the Town Manager and must follow the Sealed Bid Process.

Large Purchases. All purchases over \$250,000 require prior approval of the Town Manager, must follow a Sealed Bid Process and in addition, be advertised in appropriate local news sources.

PURCHASE CATEGORIES AND LIMITS (CONT.).

Grant Funded Purchases. If grant funding is used for purchases that are between the federally-mandated micro-purchase threshold (set at \$10,000 in 2018) (\$2,000 in the case of construction projects subject to Davis Bacon requirements) and \$250,000 (the large purchase or simplified acquisition threshold set under federal regulations in 2018), price or rate quotes must be obtained from two or more qualified sources, be documented and follow any procurement guidance as outlined in the grant agreement. Non-federal grant funded purchases need not follow these additional requirements if buyer can definitively determine that the grant is 100% non-federally funded and that those requirements are not specified in the grant agreement.

Contracts. Multi-year contracts may be entered into with prior approval of the Town Manager. Additionally, the Town Manager shall notify the Select Board within 30 days of the award.

Recurring Purchases. If the total value of a recurring purchase of a good or service is anticipated to exceed \$100,000 during any fiscal year, the sealed bid process shall be utilized and shall specify the recurring nature of the purchase. Once a bid has been accepted, all future purchases may be made for the contract period from that bidder without necessity of additional bids or additional approval from the Town Manager.

Non-Purchase Order Payments. The following categories may be paid outside of the purchase approval process due to the nature of the service and in an effort to minimize clerical effort and expedite the payment process.

- **Employee Benefits:** Benefits may be required or optional. If optional, the employee's authorization must be documented. They include such items as insurances, retirement payments, union dues, child support, donations, etc. that are deducted from employee paychecks.
- **Utilities:** Heating Fuel, Electric, Phone, Internet, TV, etc.

Credit Card Purchases. This policy applies to all credit card purchases. Refer to the Credit Card policy for additional requirements.

SEALED BID PROCESS. The sealed bid process shall be initiated by the issuance of a Request for Bid.

- Bids must be solicited from an adequate number of sources.
- Sufficient time must be allowed for potential vendors to submit bids.
- Invitation for bids will be advertised on appropriate web-based platforms and as deemed appropriate by the Town and shall include one or more of the following: letters to known contractors, posting in trade publications or on similar websites, local newspapers, or Vermont publications.
- Will include any specifications for the bidder to properly respond.
- All bids will be publicly opened at the time and place determined by the invitation to bid.
- A contract will be awarded to the lowest responsive and responsible bidder that best meets the Criteria for Bid Selection as determined by the Purchasing Agent.
- Any or all bids may be rejected by the Town.

CRITERIA FOR BID SELECTION. In evaluating bids, the following criteria may be considered:

1. Price.
2. Bidder's ability to perform within the specified time limits.
3. Bidder's experience and reputation, including past performance for the Town.
4. Quality of the materials and services specified in the bid.
5. Bidder's ability to meet other terms and conditions, including insurance and bond requirements.
6. Bidder's financial responsibility.
7. Bidder's availability to provide future service, maintenance, and support.
8. Nature and size of bidder.
9. Contract provisions that are acceptable to the Town.
10. Any other factors that the Town Manager determines are relevant and appropriate in connection with a given project or service.

In addition to the above, in the case of a contract supported by grant funds, additional criteria required by a grant agreement may apply.

EXCEPTIONS.

Purchase/Award Exceptions. Select Board shall be notified within 30 days of the purchase or award.

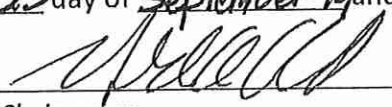
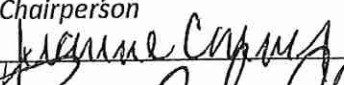
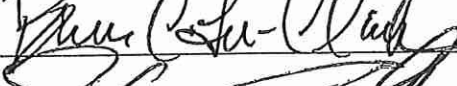
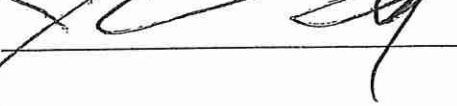
1. **Competitive Proposals.** If the award will be made on the basis of non-price related factors, a competitive proposal process shall be initiated by the issuance of a Request for Qualifications (RFQ) and/or a Request for Proposal (RFP) approved by the Town Manager that includes the factors that will be used to evaluate and compare the proposals. Bids or qualifications shall be obtained from an adequate number of qualified sources (at least two vendors) to ensure that the Town has received a fair and reasonable price.
2. **Sole Source Purchases.** If the Town Manager determines that there is only one possible source for a proposed purchase, the Town Manager may waive the bid process and authorize the purchase from the sole source.
3. **Emergency Purchases.** The Town Manager may award contracts and make purchases for the purpose of meeting the emergency without complying with the bid process. Emergency expenditures may include immediate repair or maintenance of town property, vehicles, or equipment if the delay in such repair or maintenance would endanger persons or property or result in impairment of the delivery of Town services.

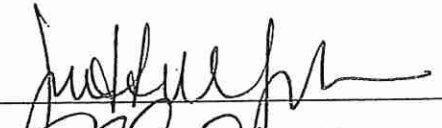


Professional Services Exception. Select Board shall be notified no later than April 30th of each year.

1. **Professional Services.** The bid process shall not apply to the selection of providers for services that are characterized by a high degree of professional judgment, discretion and continuity including legal, financial, auditing, engineering, and insurance services including risk management. Any contract shall not exceed one year.

The foregoing Policy is hereby adopted by the Select Board of the Town of Bennington, Vermont, this
23 day of September '19 and is effective as of this date until amended or repealed.

Chairperson

03/30/21
11:29 am

Town of Bennington Payroll
Overtime Report
03/27/21 - 04/01/21

Page 1 of 1

DEPARTMENT	OT HRS	GROSS AMT	OVERTIME	PRCT
TOTALS FOR DEPT 321	0.00	3,470.00	0.00	0.00%
TOTALS FOR DEPT 340	0.00	288.54	0.00	0.00%
TOTALS FOR DEPT 341	0.00	3,393.61	0.00	0.00%
TOTALS FOR DEPT 343	0.00	1,980.46	0.00	0.00%
TOTALS FOR DEPT 344	0.00	2,123.20	0.00	0.00%
TOTALS FOR DEPT 350	0.00	2,546.00	0.00	0.00%
TOTALS FOR DEPT 362	0.00	4,373.60	0.00	0.00%
TOTALS FOR DEPT 365	0.00	2,135.20	0.00	0.00%
TOTALS FOR DEPT 371	4.00	7,956.04	178.32	2.24%
TOTALS FOR DEPT 410	62.00	42,698.38	2,723.49	6.38%
TOTALS FOR DEPT 510	19.00	18,167.19	640.09	3.52%
TOTALS FOR DEPT 540	18.50	8,717.72	739.64	8.48%
TOTALS FOR DEPT 590	11.00	6,800.47	426.07	6.27%
TOTALS FOR DEPT 790	0.00	123.60	0.00	0.00%
REPORT TOTALS	114.50	** , *** , **	4,707.61	4.49%

03/23/21
12:57 pm

Town of Bennington Payroll
Overtime Report
03/20/21 - 03/25/21

Page 1 of 1

DEPARTMENT	OT HRS	GROSS AMT	OVERTIME	PRCT
TOTALS FOR DEPT 300	0.00	700.02	0.00	0.00%
TOTALS FOR DEPT 321	0.00	3,470.00	0.00	0.00%
TOTALS FOR DEPT 340	0.00	288.54	0.00	0.00%
TOTALS FOR DEPT 341	0.00	3,393.61	0.00	0.00%
TOTALS FOR DEPT 343	0.00	1,980.46	0.00	0.00%
TOTALS FOR DEPT 344	0.00	2,123.20	0.00	0.00%
TOTALS FOR DEPT 350	0.00	2,546.00	0.00	0.00%
TOTALS FOR DEPT 362	0.00	4,673.60	0.00	0.00%
TOTALS FOR DEPT 365	1.00	2,171.02	35.82	1.65%
TOTALS FOR DEPT 371	0.00	7,708.80	0.00	0.00%
TOTALS FOR DEPT 410	36.00	40,782.78	1,520.82	3.73%
TOTALS FOR DEPT 450	0.00	1,125.00	0.00	0.00%
TOTALS FOR DEPT 510	25.50	18,277.47	859.09	4.70%
TOTALS FOR DEPT 540	25.50	9,917.75	988.55	9.97%
TOTALS FOR DEPT 590	12.50	6,851.57	477.17	6.96%
TOTALS FOR DEPT 790	0.00	123.60	0.00	0.00%
REPORT TOTALS	100.50	** , *** . **	3,881.45	3.66%

03/16/21
01:28 pm

Town of Bennington Payroll
Overtime Report
03/13/21 - 03/18/21

Page 1 of 1

DEPARTMENT	OT HRS	GROSS AMT	OVERTIME	PRCT
TOTALS FOR DEPT 321	0.00	3,470.00	0.00	0.00%
TOTALS FOR DEPT 340	0.00	288.54	0.00	0.00%
TOTALS FOR DEPT 341	0.00	3,393.61	0.00	0.00%
TOTALS FOR DEPT 343	0.00	1,980.45	0.00	0.00%
TOTALS FOR DEPT 344	0.00	2,123.20	0.00	0.00%
TOTALS FOR DEPT 350	0.00	2,546.00	0.00	0.00%
TOTALS FOR DEPT 362	0.00	4,373.60	0.00	0.00%
TOTALS FOR DEPT 365	2.00	2,206.84	71.64	3.25%
TOTALS FOR DEPT 371	2.00	7,867.48	89.76	1.14%
TOTALS FOR DEPT 410	25.25	42,926.93	1,072.35	2.50%
TOTALS FOR DEPT 510	32.00	18,612.37	1,077.51	5.79%
TOTALS FOR DEPT 540	16.00	8,658.44	657.12	7.59%
TOTALS FOR DEPT 590	9.00	6,746.75	372.34	5.52%
TOTALS FOR DEPT 790	0.00	123.60	0.00	0.00%
REPORT TOTALS	86.25	**,**.*	3,340.72	3.17%

03/09/21
12:56 pm

Town of Bennington Payroll
Overtime Report
03/06/21 - 03/11/21

Page 1 of 1

DEPARTMENT	OT HRS	GROSS AMT	OVERTIME	PRCT
TOTALS FOR DEPT 300	0.00	156.00	0.00	0.00%
TOTALS FOR DEPT 321	0.00	3,470.00	0.00	0.00%
TOTALS FOR DEPT 340	0.00	288.54	0.00	0.00%
TOTALS FOR DEPT 341	0.00	3,393.61	0.00	0.00%
TOTALS FOR DEPT 343	0.00	1,980.45	0.00	0.00%
TOTALS FOR DEPT 344	0.00	2,123.20	0.00	0.00%
TOTALS FOR DEPT 350	0.00	3,116.00	0.00	0.00%
TOTALS FOR DEPT 362	0.00	4,373.60	0.00	0.00%
TOTALS FOR DEPT 365	0.00	2,135.20	0.00	0.00%
TOTALS FOR DEPT 371	7.00	8,056.80	279.08	3.46%
TOTALS FOR DEPT 410	62.00	42,374.71	2,710.49	6.40%
TOTALS FOR DEPT 510	7.50	17,752.35	252.42	1.42%
TOTALS FOR DEPT 540	22.00	8,795.46	863.86	9.82%
TOTALS FOR DEPT 590	16.00	6,973.54	599.14	8.59%
TOTALS FOR DEPT 790	0.00	123.60	0.00	0.00%
REPORT TOTALS	114.50	**,***,**	4,704.99	4.48%

03/02/21
12:58 pm

Town of Bennington Payroll
Overtime Report
02/27/21 - 03/04/21

Page 1 of 1

DEPARTMENT	OT HRS	GROSS AMT	OVERTIME	PRCT
TOTALS FOR DEPT 321	0.00	3,470.00	0.00	0.00%
TOTALS FOR DEPT 340	0.00	288.54	0.00	0.00%
TOTALS FOR DEPT 341	0.00	3,393.61	0.00	0.00%
TOTALS FOR DEPT 343	0.00	1,980.45	0.00	0.00%
TOTALS FOR DEPT 344	0.00	2,123.20	0.00	0.00%
TOTALS FOR DEPT 350	0.00	2,546.00	0.00	0.00%
TOTALS FOR DEPT 362	0.00	4,373.60	0.00	0.00%
TOTALS FOR DEPT 365	0.00	2,135.20	0.00	0.00%
TOTALS FOR DEPT 371	2.00	7,844.59	66.87	0.85%
TOTALS FOR DEPT 410	78.75	42,011.25	3,450.82	8.21%
TOTALS FOR DEPT 510	118.00	21,514.86	3,976.11	18.48%
TOTALS FOR DEPT 540	48.50	9,740.96	1,771.51	18.19%
TOTALS FOR DEPT 590	43.50	7,927.48	1,553.08	19.59%
TOTALS FOR DEPT 790	0.00	123.60	0.00	0.00%
REPORT TOTALS	290.75	**,**.*	10,818.39	9.88%

Bennington Police Department

Total Traffic Citation Report, by Violation

<u>Violation</u>	<u>Description</u>	<u>Total</u>
23V1004	INTERSTATE HIGHWAY REGULATIONS	15
23V1007	Municipal Ordinance Speed Zone	10
23V1008	REGULATIONS IN MUNICIPALITIES	2
23V1121	COASTING PROHIBITED	1
23V1221	CONDITION OF VEHICLE	1
23V1222	INSPECTION OF REGISTERED VEHICLES	16
23V301	PERSONS REQUIRED TO REGISTER	1
23V513	MISUSE OF NUMBER PLATES	3
23V601	OPERATING WITHOUT A LICENSE	3
23V676	Operating after suspension/revocation/refusal	2
23V800(a)	OPERATING A VEHICLE WITHOUT LIABILITY INSURANCE	1

Report Totals

55

Report Includes:

All dates of issue between '00:00:01 03/14/21' and '23:59:00 03/20/21', All agencies matching '0202', All issuing officers, All areas, All courts, All offense codes, All dispositions, All citation/warning types

Bennington Police Department

Total Traffic Citation Report, by Violation

<u>Violation</u>	<u>Description</u>	<u>Total</u>
23V1004	INTERSTATE HIGHWAY REGULATIONS	16
23V1007	Municipal Ordinance Speed Zone	13
23V1008	REGULATIONS IN MUNICIPALITIES	1
23V1022	OBEDIENCE TO TRAFFIC CONTROL SIGNALS	1
23V1038	DRIVING ON ROADWAYS LANED FOR TRAFFIC	1
23V1064	SIGNALS REQUIRED; GENERAL OBLIGATION TO TURN AND MOVE SAFELY	1
23V1081(b)	BASIC RULE - SPEED	1
23V1095b	USING PORTABLE ELECTRONIC DEVICE	15
23V1099(b)	TEXTING PROHIBITED	2
23V1113	LIMITATIONS ON BACKING	1
23V1221	CONDITION OF VEHICLE	2
23V1222	INSPECTION OF REGISTERED VEHICLES	35
23V1258	FAIL USE CHILD RESTRAINT SYSTEM	3
23V1259	SEAT BELT VIOLATION	1
23V301	PERSONS REQUIRED TO REGISTER	8
23V511	DISPLAY OF PLATES	7
23V513	MISUSE OF NUMBER PLATES	2
23V601	OPERATING WITHOUT A LICENSE	2
23V676	Operating after suspension/revocation/refusal	7
23V800(a)	OPERATING A VEHICLE WITHOUT LIABILITY INSURANCE	2
23V800(c)	OPERATING A VEHICLE WITHOUT PROOF OF FINANCIAL RESPONSIBILITY	3
BN-9-5.01	FAILURE TO CONTROL DOG (BENN)	1
Report Totals		125

Report Includes:

All dates of issue between '00:00:01 03/07/21' and '23:59:59 03/13/21', All agencies matching '0202', All issuing officers, All areas, All courts, All offense codes, All dispositions, All citation/warning types

Bennington Police Department

Total Traffic Citation Report, by Violation

<u>Violation</u>	<u>Description</u>	<u>Total</u>
23V1004	INTERSTATE HIGHWAY REGULATIONS	19
23V1007	Municipal Ordinance Speed Zone	12
23V1039	FOLLOWING TOO CLOSELY, CROWDING & HARASSMENT	1
23V1081(a)	BASIC RULE Unreasonable and imprudent speed for conditions and hazards	1
23V1095b	USING PORTABLE ELECTRONIC DEVICE	2
23V1095b(c)(3)	USING PORTABLE ELECTRONIC DEVICE OUTSIDE WORK/SCHOOL ZONE	1
23V1221	CONDITION OF VEHICLE	1
23V1222	INSPECTION OF REGISTERED VEHICLES	27
23V301	PERSONS REQUIRED TO REGISTER	8
23V511	DISPLAY OF PLATES	1
23V511(b)	OPERATING WITHOUT DISPLAYING VALIDATION STICKER ON REGISTRATION PLATE	1
23V601	OPERATING WITHOUT A LICENSE	4
23V611	POSSESSION OF LICENSE CERTIFICATE REQUIRED	1
23V676	Operating after suspension/revocation/refusal	3
23V800(a)	OPERATING A VEHICLE WITHOUT LIABILITY INSURANCE	3
23V800(c)	OPERATING A VEHICLE WITHOUT PROOF OF FINANCIAL RESPONSIBILITY	1
BN-9-5.01	FAILURE TO CONTROL DOG (BENN)	2
Report Totals		88

Report Includes:

All dates of issue between '00:00:01 02/28/21' and '23:59:59 03/06/21', All agencies matching '0202', All issuing officers, All areas, All courts, All offense codes, All dispositions, All citation/warning types

Recreation:

a. YMCA program planning:

The Rec Center is open with pool use by reservation only and limited use of the fitness room. The Y's school age hub program has been operating at the Town's Senior Center until space at Benn High is available. The Benn High space is almost complete and will be open for a Spring Break camp, school age hub, and adult fitness classes in mid-April. I am working with the owner and the Y on a timeline and lease agreement for the Benn High gymnasium to further expand recreation programs. Kayla Becker and I are developing grant proposals for a teen leadership program that will be connected to community service and outdoor recreation projects. The Y is also beginning youth sports programs at Willow Park and planning summer camp registrations.

b. Bennington Outdoor Recreation Collaborative:

The Town of Bennington received a \$10,000 grant from the Vermont Community Foundation to support outdoor recreation with wayfinding signs, photography, graphic design, and print media. I am working with Jonah Spivak to redesign the recreation page on the Town's website to also be a hub for information about local recreation organizations. Cat Bryars of BCRC is working with me to develop the wayfinding signs and locations. The Workforce and Education committee members such as Department of Labor and Southwest Tech are working to connect interns with outdoor recreation organizations.

c. Appalachian Trail Community designation:

The Appalachian Trail Conservancy officially designated Bennington as an Appalachian Trail Community, which will put Bennington on the map for their marketing and promotion to AT hikers. I am on the advisory committee for the Bennington AT Community, and we are working on educational events for Bennington residents, a hiker appreciation day for AT hikers, as well as trail improvements and wayfinding. I convened the AT signage subcommittee to discuss goals and we are working with a graphics design teen intern from Southwest Tech. The AT Community Designation Ceremony for Bennington will be held via Zoom on June 3rd at 6 p.m.

e. Recreational Facilities Grant:

The Town of Bennington received a Recreation Facilities grant from the State of Vermont to add fencing around the green space next to the Morgan Springs water facility at Memorial Park (Rec Center). This is a sizable green space that will be used for youth programming, outdoor exercise classes, and community picnics. Town Buildings and Grounds staff will install the fencing. I applied for an Animating Infrastructure grant that would support art installations along the fence, such as creative benches and gates, working with local artists and designers through the Vermont Arts Exchange.

f. Trolley line path:

I am on the advisory committee for the Trolley Line path scoping study that is led by Cat Bryars and Mark Anders of BCRC. This study examines the feasibility of converting the abandoned electric trolley car bed in Southwestern Vermont into a 14-mile shared-use path for pedestrians and cyclists traveling between Bennington and Pownal, VT and Williamstown, MA.

Vermont Begins Here:

Eight Oh Two Marketing is continuing the digital marketing campaign to promote Bennington. We began Facebook ads to promote summer travel to Bennington. VBH blog posts promoted local maple syrup producers in March and the Bennington craft brewing scene in April.

Local Food Security:

I continue to meet with the Bennington Mellon Advisory (food security) group, as well as the planning group for the Southern Vermont Regenerative Food Network. I will also be advising a Bennington class on community kitchens and working with students to assess what community kitchens are available in Bennington and if they are commercially licensed. I met with the Regenerative Food Network and TPW Real Estate to discuss possible models for a grocery/local food market in the Putnam Block.

Community Development Block Grants:

The Vermont Community Development Program has funded three of our Municipal Facility and Public Service program grant applications. The Berkshire Family YMCA, UCS Head Start, and Sunrise Family Resource Center will all receive grants to support Covid-19 related expenses and HVAC upgrades. The Town also received a VCDP grant for \$500,000 to support the Shire Housing Bennington Family Housing project at 300 Pleasant Street. I have been busy with all the paperwork required for each grant agreement and subgrant agreement along with progress reports for the Putnam Block, 219 Pleasant Street, and Bennington Rental Rehab Program.

Historic Preservation Grants:

I am working with Jonah Spivak of Spectrum Design on a history/recreation/arts and culture panels for a new downtown kiosk funded with an historic preservation (CLG program) grant. A Request for Proposals for the construction of the kiosk is now up on the Town's website. The kiosk will be completed and installed by August 1. I also submitted another historic preservation grant in partnership with Bennington College to put the college campus on the National Register of Historic Places, and we were awarded this \$5,000 grant.

Franklin Lane Improvement Project:

Dan and I have been meeting with MSK Engineering and BCRC to discuss MSK's conceptual design to improve Franklin Lane and we have also met with surrounding neighbors for their comments as we finalize the design. The Select Board approved the final design and improvements will begin in the spring. This project is funded with a \$50,000 Downtown Transportation Fund grant.

Community Development Report: April 6, 2021

Shannon Barsotti

Municipal Planning Grant:

Bennington received a VT Department of Housing and Community Development Municipal Planning Grant to develop a re-use plan for the recently closed Energizer battery factory. The MPG award of \$22,000 will be combined with a \$20,000 state Brownfields grant to also do an environmental assessment of the property. BCRC will help the Town manage the project, conduct public outreach, and complete elements of the site and area assessment. I am on the reuse planning steering committee and we have had one meeting to discuss the RFP for a consultant. The RFP is now posted on the Town's website.

Garlic Town USA:

I met with the Chamber to discuss the plans for Garlic Town USA, an alternative to Garlic Fest that will be held downtown over Labor Day weekend.

Committee and regional group involvement:

In the past month, I have met with the Berkshire Family YMCA management team, the owner of Benn High LLC, Spectrum Design, Eight Oh Two Marketing, Historic Preservation Commission, Bennington College's Mellon advisory group, Southern VT Regenerative Food Network, Paran Recreations, UCS, BCRC, M&S Development, Hale Resources, Better Bennington Corporation, Southwestern Vermont Chamber, Workforce and Education committee, AT Community advisory committee, and students from Burr & Burton Academy who came on a tour of downtown Bennington development projects.

Summary of Building Permits Issued
March 2021

Construction Type	Month to date	Month to Date Volume	Year to date	Year to Date Volume
	Permit Totals		Permit Totals	
Single Family Dwelling	0	\$0.00	0	\$0.00
Duplex	0	\$0.00	0	\$0.00
Mobile Homes	0	\$0.00	0	\$0.00
Apartments	0	\$0.00	0	\$0.00
Apartment Renovations	0	\$0.00	4	\$116,000.00
Condominiums	0	\$0.00	0	\$0.00
Residential Renovations	1	\$25,000.00	2	\$45,000.00
Residential Additions	0	\$0.00	0	\$0.00
Commercial Construction	0	\$0.00	0	\$0.00
Commercial Renovations	4	\$319,298.00	9	\$595,548.00
Industrial Construction	0	\$0.00	0	\$0.00
Industrial Renovations	0	\$0.00	1	\$109,000.00
Garages	3	\$111,000.00	3	\$111,000.00
Sheds	1	\$3,954.00	2	\$4,454.00
Decks	2	\$2,100.00	2	\$7,100.00
Institutions	1	\$750,000.00	1	\$750,000.00
Signs	1	\$2,757.00	3	\$8,132.00
Use & Zoning	0	\$0.00	5	\$5,118,055.00
Subdivision	3	\$0.00	3	\$0.00
Home Occupation	1	\$0.00	1	\$0.00
Propane Tank/Storage Tank	0	\$0.00	0	\$0.00
Boilers/Furnaces/RTU's, A/C	0	\$0.00	0	\$0.00
Tents	0	\$0.00	0	\$0.00
Handicap Access/Ramps	0	\$0.00	0	\$0.00
Concreate Slabs	0	\$0.00	0	\$0.00
Cell Towers/Communications	0	\$0.00	0	\$0.00
Solar Installations	1	\$58,056.00	1	\$58,056.00
Camps	0	\$0.00	0	\$0.00
Withdrawn	0	\$0.00	0	\$0.00
Demolition	1	\$0.00	1	\$0.00
Total	19	\$1,272,165.00	38	\$6,922,345.00

**12-Years At a Glance
Permit Totals Only**

Month	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
January	2	6	12	11	5	8	15	10	5	6	5	11
February	7	7	7	6	7	15	8	5	7	5	8	9
March	11	6	31	13	12	10	14	19	11	13	9	19
April	32	34	31	18	22	27	14	15	15	23	11	
May	31	27	27	38	20	23	19	27	23	24	19	
June	32	34	32	20	19	21	19	10	14	12	25	
July	23	20	24	33	29	47	16	29	30	28	12	
August	26	14	30	21	29	20	18	25	25	16	27	
September	32	15	21	32	27	22	21	21	23	26	9	
October	22	19	38	30	21	28	9	19	20	20	17	
November	12	22	10	16	11	12	8	16	11	8	15	
December	7	17	18	18	7	10	5	8	11	11	5	
Total	237	221	281	256	209	243	166	204	195	192	162	

04/01/2021

10:44 am

Town of Bennington Planning and Zoning

Detailed Permit Report

Page 1
dmadden

Permit types included: Building

Approval status included: Any status

Occupancy status included: Any status

Decision dates included: Between 03/01/2021 and 03/31/2021

<i>Parcel number Land Record Book and Pages</i>	<i>Permit number</i>	<i>Owner's name Applicant's name Location</i>	<i>Permit type Cert. of Occ.</i>	<i>Decision</i>	<i>Fee paid Cost of project</i>
36503000	21-015	NOEL REALTY LLC Power Guru / Nathan Russell 125 NORTHSIDE DR Solar Panel installation on Roof	Building C.O. Pending	Granted 03/04/2021	50.00 58,056.00
55500105	21-018	SOUTHWESTERN VERMONT HEALTH Engelberth Construction/Glenn Terk 130 HOSPITAL DR Reconfiguration of 6000 SF of interior spaces	Building C.O. Pending	Granted 03/09/2021	1,500.00 750,000.00
60503200	21-019	COUSINS PAUL G & MARIA F Paul & Maria Cousins 107 SOUTHSIDE DR SO 1050 SF interior renovations/accessory apartment	Building C.O. Pending	Granted 03/10/2021	105.00 25,000.00
24501300	21-022	MOFFITT ROBERT E Jim Boyle 24 SETTLERS RD 1558 SF Garage & carport addition	Building C.O. Pending	Granted 03/12/2021	195.80 53,000.00
55502800	21-023	NIKITAS YANNA TRUST Yanna Nikitas 211 PUTNAM ST 13.5 SF exterior stair addition	Building C.O. Pending	Granted 03/12/2021	25.00 600.00
50570601	21-024	BENNINGTON COUNTY INDUSTRIAL Stevens & Associates, PC 351 MAIN ST 1200 SF Interior Renovations	Building C.O. Pending	Granted 03/17/2021	240.00 90,000.00
40501000	21-026	CRAWFORD RODNEY H Rodney H. Crawford 772 DERMODY RD Construction of a 24' x 26' detached 2-car garage	Building C.O. Pending	Granted 03/22/2021	102.40 18,000.00
12013700	21-027	ACKERMAN BARBARA A Barbara A Ackerman 2105 S STREAM RD Construction of a 20' x 24' accessory structure	Building C.O. Pending	Granted 03/23/2021	78.00 40,000.00
51531500	21-028	GREENAWALT DUANE E Firstlight Fiber Inc. 713 MAIN ST Renovation/44' x 14'	Building C.O. Pending	Granted 03/30/2021	96.75 144,298.00
					Create space for telecom equipment

04/01/2021

10:44 am

Town of Bennington Planning and Zoning
Detailed Permit Report

Page 2

dmadden

<i>Parcel number Land Record Book and Pages</i>	<i>Permit number</i>	<i>Owner's name Applicant's name Location</i>	<i>Permit type Cert. of Occ.</i>	<i>Decision</i>	<i>Fee paid Cost of project</i>
50570200	21-030	BENNINGTON COUNTY COURT HOUSE BCSC Asst. Judge James Colvin 207 SOUTH ST Platform lift replacement	Building C.O. Pending	Granted 03/31/2021	0.00 85,000.00
56503100	21-032	JAMES NATHAN S Nathan S. James 108 OBSERVATORY ST Construction of a 10' x 10' shed	Building C.O. Pending	Granted 03/30/2021	35.00 3,954.25
43521500	21-035	METCALFE GEOFFREY M & MICHELLE Geoffrey Metcalfe 14 HUNT ST construction of a 6' x 8' exterior new landing with stairs	Building C.O. Pending	Granted 03/31/2021	25.00 1,500.00

04/01/2021

08:38 am

Town of Bennington Planning and Zoning
Detailed Permit Report

Page 1
dmadden

Permit types included: Local/Custom

Approval status included: Granted

Occupancy status included: Any status

Decision dates included: Between 03/01/2021 and 03/31/2021

<i>Parcel number Land Record Book and Pages</i>	<i>Permit number</i>	<i>Owner's name Applicant's name Location</i>	<i>Permit type Cert. of Occ.</i>	<i>Decision</i>	<i>Fee paid Cost of project</i>
06013801	2021	Amber Barnes & James Gordon Amber Barnes & James Gordon 0 CHAPEL RD Demolition of collapsed barn	Local/Custom C.O. Not required	Granted 03/18/2021	0.00

(Demolition)

04/01/2021

08:37 am

Town of Bennington Planning and Zoning
Detailed Permit Report

Page 1
dmadden

Permit types included: Sign

Approval status included: Granted

Occupancy status included: Any status

Decision dates included: Between 03/01/2021 and 03/31/2021

<i>Parcel number Land Record Book and Pages</i>	<i>Permit number</i>	<i>Owner's name Applicant's name Location</i>	<i>Permit type Cert. of Occ.</i>	<i>Decision Granted</i>	<i>03/03/2021</i>	<i>Fee paid Cost of project</i>
28500500	S21-003	DCH INVESTMENT INC (NEW YORK) Action Sign Company 897 N BENNINGTON RD 8.25 SF Flush Mounted Sign.	Sign C.O. Not required Existing lighting to be used.	Granted	03/03/2021	20.00 2,757.00

04/01/2021

08:38 am

Town of Bennington Planning and Zoning

Detailed Permit Report

Page 1
dmadden

Permit types included: Zoning

Approval status included: Granted

Occupancy status included: Any status

Decision dates included: Between 03/01/2021 and 03/31/2021

<i>Parcel number Land Record Book and Pages</i>	<i>Permit number</i>	<i>Owner's name Applicant's name Location</i>	<i>Permit type Cert. of Occ.</i>	<i>Decision</i>	<i>Fee paid Cost of project</i>
36512200	21-020	BLS BENNINGTON OUTLOT LLC BLS Bennington Outlot, LLC 216 NORTHSIDE DR Boundary Line Adjustment	Zoning C.O. Not required	Granted 03/03/2021	50.00
52505800	21-021	GOODRICH STEVEN H & JANICE E Jason P. Morrissey, ATTY 1036 MAIN ST Boundary Line Adjustment	Zoning C.O. Not required	Granted 03/08/2021	50.00
52507500	21-029	BREESE AMY B Amy Breese 937 GAGE ST Home Occupation - conversion of bedroom to an office	Zoning C.O. Granted Psychotherapist	Granted 03/30/2021	50.00
26507301	21-033	John Timothy Stratton John Timothy Stratton 0 EAST RD Boundary Line Adjustment	Zoning C.O. Not required -3.00A/26-50-73.01 // +3.00A/25-50-40.00	Granted 03/29/2021	50.00