

**M E E T I N G   N O T I C E**  
**BENNINGTON SELECT BOARD**

Monday, February 14, 2022  
Bennington Fire Facility  
Multi-Purpose Room - 3<sup>rd</sup> Floor  
130 River Street  
Bennington, VT 05201  
A G E N D A  
6:00 PM

1. Pledge of Allegiance
2. Vision Statement
3. Consent Agenda 6:00 PM - 6:05 PM
  - A. Minutes of January 24 and January 31, 2022
  - B. Warrants
  - C. Liquor Licenses
4. Covid Update 6:05 PM - 6:20 PM
5. Public Comment 6:20 PM - 6:35 PM
6. Energy Committee Update 6:35 PM - 6:50 PM
7. Pathways Vermont Presentation 6:50 PM - 7:05 PM
8. Economic Development Strategy and Infrastructure Update 7:05 PM - 7:25 PM
  - A. Digitize Land Records
9. Action Steps for Declaration of Inclusion 7:25 PM - 7:40 PM
10. TIF District Annual Report 7:40 PM - 7:55 PM
11. Implementing the Town Vision 7:55 PM - 8:05 PM
12. Manager's Report 8:05 PM - 8:15 PM
13. Upcoming Agenda 8:15 PM - 8:20 PM
14. Other Business 8:20 PM - 8:25 PM

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **JANUARY 24, 2022**

5 **MINUTES**

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

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

9 **ALSO PRESENT:** Dan Monks-Assistant Town Manager; Shannon Barsotti-Community  
10 Development Director; Jonah Spivak-Communications Coordinator; Jon Hale and Zak Hale-Hale  
11 Resources, LLC; Police Chief Paul Doucette and Lt. Cam Grande-Police Presentation; Jenny  
12 Dewar-BBC Executive; Kevin Hoyt; Jack Ripper; Bill Clark; Kim Savin; CJ Post; Sue Andrews;  
13 Nancy White; Cindy Krautheim; Rose Telford; 12 citizens; Jim Vires-CAT-TV; and Nancy H. Lively-  
14 Secretary.

15 At 6:00pm, Chair Jeannie Jenkins called the meeting to order and reminded everyone to  
16 keep the chair spacing as they were set up, masking is strongly requested, there are wipes by  
17 the microphone, and the windows are open. There are agendas at the back of the room and a  
18 hard copy packet at the Bennington Library.

19 **1. PLEDGE OF ALLEGIANCE**

20 The Pledge of Allegiance was recited.

21 **2. VISION STATEMENT**

22 Ms. Conner read the Town's Vision Statement that was adopted by the Select Board on  
23 August 24, 2020:

24 "Bennington is a welcoming, engaged, inclusive, resilient community where everyone  
25 regardless of identity shares in our vitality and benefits from an outstanding quality of life."

26 **3. CONSENT AGENDA**

27 **A. MINUTES OF JANUARY 3, 8, AND 10, 2022**

28 **B. WARRANTS**

29 **C. LIQUOR LICENSE**

30 *Bruce Lee-Clark moved and Gary Corey seconded to approve B. Warrants, C. Liquor*  
31 *License, and the Minutes of January 3, 2022 as presented. The motion carried unanimously.*

**Bruce Lee-Clark moved and Tom Haley seconded to approve the Minutes of January 8, 2022 amended as follows:**

**Line 192, Change "3%" to "4%"**

**The motion carried with Gary Corey and Sarah Perrin abstaining.**

**Jeanne Conner moved and Jim Carroll seconded to approve the Minutes of January 10, 2022 amended as follows:**

**Line 64, Change "Once" to "Dr. Dobson added once"**

**The motion carried with Gary Corey abstaining.**

#### **4. PUBLIC COMMENT**

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

1. Public Comment is to allow residents an opportunity to share information or make announcements that benefit the community at large.

2. The topic should not be related to an agenda item. If a member of the public wants to comment on an agenda item they can do so during the discussion of that item.

3. Comments should be 3 minutes or less.

4. You are required to state your real name and town of residence.

5. Sharing comments, announcements and concerns are encouraged rather than asking questions. Public Comment is not a time for discussion. If you have specific questions it is best to call the Town Manager to get a full explanation and accurate information.

6. If the topic requires much discussion the item will be considered as an agenda item at a future meeting.

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Kevin Hoyt: In reference to a letter sent by Jim Condos, Vermont Secretary of State, to the Select Board dated December 9, 2019 it was stated that "the Secretary of State's office has no investigative or enforcement authority with regard to election law". He also pointed out the paragraph in the letter - "To the best of my knowledge, all specific allegations or questions regarding particular individuals on the Bennington checklist have been answered or explained by either our office and/or the Bennington clerk's office." - saying 'just because it's on paper, doesn't make it true'. Mr. Hoyt stated there are 322 discrepancies, referred to the Board of Civil Authority February 3, 2020 Minutes, and requested that this be a Select Board agenda item.

65 **5. PUBLIC HEARING - 219 PLEASANT STREET - FINAL PUBLIC HEARING**

66 Shannon Barsotti, Community Development Director, and Jon and Zak Hale, Hale  
67 Resources, LLC did the following presentation:

- 68 • The State under the Vermont Community Development Program (VCDP) has funded the  
69 219 Pleasant Street redevelopment to provide low to moderate income housing in  
70 Bennington in the amount of \$918,408.
- 71 • This is the first time the VCDP has funded a private developer.
- 72 • There are 11 residential apartments with 6 of them for low to moderate income families  
73 for 10 years. 3 remain vacant at this time but applicants are being screened daily.
- 74 • Before and after photos of the historic building were shared showing the vast  
75 improvement with the renovation.
- 76 • The building was purchased in July of 2018, renovations began in July 2020 and  
77 completed in December 2021.
- 78 • The total cost of the renovations was \$1.3M and it is now appraised at \$680K.

79 *Board questions/comments answered my both Mr. Hales':*

80 Ms. Conner: The building is beautiful. Is historic preservation something that interests you? It  
81 depends on the building location and functionality plus we can get tax credits if historic  
82 preservation is involved.

83 Ms. Conner: Have any of the tenants that were relocated moved back in? No.

84 Ms. Conner: How many people will the 11 units' house? Up to 25 people.

85 Mr. Carroll: Was it too cost prohibitive to remove the wires on the front of the house? It is up to  
86 code, as is, and too expensive with costs increasing by 40% in some areas to put them  
87 underground.

88 Ms. Perrin: Thank the Hales for doing the project and would like to see more of the historic  
89 buildings restored.

90 Mr. Corey: Also thanked the Hales for doing the project and the before and after photos.

91 *Public questions/comments answered by Mr. Hale:*

92 Bill Clark: Appreciates what these projects bring to the community.

93 Jack Ripper: What is the average cost of the apartments? The affordable housing is controlled  
94 by HUD in all counties in the country with Bennington County at \$835/month for a 1 bedroom  
95 apartment including utilities and \$950 for a 2 bedroom; 1 bedroom apartments including heat  
96 but not hot water or electric are \$818/month; and the market rate 1 bedroom apartments are  
97 \$950/month with a couple that are larger at \$1,050 and the 2 bedroom at \$1,100.

98 **6. ECONOMIC DEVELOPMENT STRATEGY AND INFRASTRUCTURE REPORT**

Ms. Jenkins did the following presentation:

- This is a continuing agenda item.
- The last meeting Mr. Monks presented the draft of the strategy and infrastructure process.
- We received 139 public comments in the last two weeks on the draft package.
- Tonight's meeting is to look at the readiness tiers and capture any project that can be funded by any and/or all of the funding sources - ARPA, TIF, State and Federal Infrastructure Funding, and other State Funding.
- We had hired White and Burke consultants to help us think through the funding strategies.
- We are doing three things:
  1. Creating a comprehensive list of viable projects for the community.
  2. Creating the projects that are ready to go to be able to use the ARPA funding for.
  3. How we can move the projects that are still on the drawing table forward so they can be at a state of readiness.
- We have realized, that what we value in this community is, Housing; Recreation; and Access to Healthy Food.
- The Economic Development and Infrastructure Committee (the Committee) was comprised of Ms. Jenkins, Ms. Conner, and Mr. Corey from the Select Board, Bill Colvin from BCRC, Jenny Dewar from BBC, Stuart Hurd, Dan Monks, and Shannon Barsotti from the Town, as well as, consultation from Meghan Herrington from the Department of Health. This group has been working with White and Burke.
- The public's input is now a part of the process, as well.
- Projects in Tier I must meet the following criteria:
  - Applicability for the ARPA Funding -
  - We are prohibited from reducing our taxes or paying off debt.
  - We must adhere to the timelines - allocated by the end of 2024 and spent by the end of 2026.
  - Any unspent funds need to be returned to the federal government.
  - Looking for projects that have planning underway with stakeholders and sites identified with some initial work having been done.

Jonah Spivak, Communications Coordinator, did the following presentation on the public comments:

- Reiterated the Tier I criteria noting that Tier I projects are in Tier I because of the criteria and not that they are any more important or valuable to the community than a project in Tier III.
- There are 4 categories of eligibility:
  - Response to public health emergency or negative impacts.

- 137
  - Premium paid to essential workers.
- 138
  - Provisions for government services to the extent of the reduction in revenue due
- 139
  - to COVID 19.
- 140
  - Investments in water, sewer, or broadband infrastructure.
- 141➤ Economic Development Projects -
- 142
  - Tier I Projects:
- 143
  - Project within 1-2 years.
- 144
  - Stakeholders at the table.
- 145
  - Clear role for the Town.
- 146
  - Tier II Projects:
- 147
  - Couldn't define a clear role for the Town at this time.
- 148
  - Tier III Projects:
- 149
  - Speculative and couldn't define a clear role for the Town at this time.
- 150➤ Public comments:
- 151
  - Tier I - On Putnam Block, Downtown Food Market, and Benn High
- 152
  - Tier II - On Former Southern Vermont College property
- 153
  - Tier III - On Affordable Housing for the Homeless
- 154
  - Other Categories - Skate Park, Drug Addiction and Rehabilitation, Outdoor Pool,
- 155
  - Performing Arts, Town Roads, Ponies for Everyone
- 156➤ Infrastructure and Town Operations -
- 157
  - Tier I Projects:
- 158
  - High priority projects that appear to be ARPA eligible.
- 159
  - May be constructed or implemented within 2-4 years.
- 160
  - Estimated cost shall not exceed ARPA funds.
- 161➤ Infrastructure and Town Operations -
- 162
  - Tier II Projects:-
- 163
  - All projects that we need to do some day.
- 164
  - May not be ARPA eligible.
- 165
  - May be, or likely to be, funded from other sources.
- 166
  - Not shovel ready enough to be constructed within 4 years.
- 167
  - Cost may exceed ARPA funds
- 168➤ Public comments:
- 169
  - Tier I - Skate Park, Outdoor Skating Rink, Willow Park, Premium Paid for Eligible
- 170
  - Workers, Digitization of Town Records
- 171
  - Tier II - Gymnasium, Settlers Road Water Expansion, Pathways and Trails, Police
- 172
  - Equipment and K9 Kennel, Sidewalks - Improvement and Accessibility
- 173
  - Other Categories - Outdoor Recreation, Softball Fields, Expanding Health Care
- 174
  - and Rehabilitative Services in Certain Parts of the Community, the River
- 175
  - Walkway, Paintball Facilities, Homeless Shelter and Housing, Sidewalk Access
- 176
  - and Improvements
- 177➤ All tiers will be reviewed and remain flexible.

- 178 ➤ Go to [www.benningtonvt.org/ARPApriorities](http://www.benningtonvt.org/ARPApriorities) or see ARPApriorities under Select Board  
179 to follow the progress.  
180 ➤ Thank you to all that participated.

181 *Public questions/comments:*

182 Kim Savin: Spoke in support of a Skate Park and the positive impact it has on everyone for not  
183 only skate boarding but for scooters and roller blading, as well.

184 C.J. Post: People of all ages use them. When we travel to skate parks they are an economic  
185 boost to the businesses around them.

186 *Board questions/comments:*

187 Mr. Carroll: Where would you put a Skate Park? Mr. Post answered Stark Street, Ben Mont  
188 Avenue, or where the Garlicfest took place.

189 Mr. Carroll: When do you go to the skate parks and how many people usually congregate at  
190 them? Mr. Post stated usually on weekends but also afternoons during the week. On a good  
191 day in North Adams or Pittsfield there are ~30-40 people in the summer including parents, and  
192 on the Pittsfield opening day, there were ~100.

193 Mr. Carroll: Are there competitions? Mr. Post answered there were 2-3 in Manchester this year  
194 and there are also skate camps.

195 Ms. Conner: How are the skate parks maintained in the winter? Mr. Post said the teenagers  
196 keep the snow and ice off of them the best they can.

197 \_\_\_\_\_  
198 Sue Andrews: Wants housing to be higher on the Tier list and much of the ARPA Act refers to  
199 those that live in poverty. She has reached out to the Governor's office, the State's 800  
200 number for emergency shelters, the police and the Town and only received a call back from Mr.  
201 Hurd. Three shovel ready projects are: 1. Put a toilet in People's Park; 2. Give funds to the  
202 Homeless Coalition to augment their programs; 3. Give funds to Housing First/Pathways  
203 Vermont for social services.

204 *Board questions/comments:*

205 Ms. Jenkins: The Select Board is following up with Dick Sears to be sure that it is in this year's  
206 allocation to bring the broader services of Housing First/Pathways Vermont to Bennington. If  
207 you want a project to be on one of the tiers, a proposal must be written up and presented. It is  
208 not too late to do that. We want to have all of the projects presented with enough specificity  
209 to put them on the Tier List.

210 \_\_\_\_\_

211 Nancy White: The stakeholders are the citizens of Bennington, the Town knew this money was  
212 coming in April and the public wasn't involved until two weeks ago. These discussions should  
213 have started in July. We should be dedicating some funds to water, sewer, and other  
214 infrastructure projects, and putting Homelessness on a future agenda. Do you have a starting  
215 time for spending the funds?

216 Ms. Jenkins explained that this evening we will be making a motion to allow staff to start work  
217 on anything that would be in Tier I at this time. The money has to be allocated in the next two  
218 years and spent in the next four years. "ARPA funds do not fund ideas, they fund projects."

219 Mr. Lee-Clark: Added that the rules didn't come out until the fall, not April. We have to pay  
220 back the money if we spend it on something that is not allowed.

221 \_\_\_\_\_  
222 Jenny Dewar: In talking to the other downtown organizations, they were pleased to have heard  
223 the work that Bennington has done in allocating the ARPA funds as they have not yet started  
224 work on the allocation in their own towns. "Bennington is doing a good job."

225 \_\_\_\_\_  
226 Cindy Krautheim: Noted that this reminded her of the meetings when Rural Development came  
227 and there were 9 subgroups on poverty issues. "We have to start taking care of our less  
228 fortunate people." "We're losing a generation to drugs and alcohol - we're going down the  
229 drain." Six agencies were on board with providing a place where someone could get food, but  
230 everyone is tapped out with not enough staff to be able to do that. We need a dedicated  
231 agency for the homeless. "I'm asking the Town to be where the buck stops."

232 Cindy Krautheim: What would be the time frame to move from Tier III to Tier I?

233 Ms. Jenkins: Additional supports, i.e., shareholders, documentation, etc., to a Tier III project will  
234 move it up the Tier ladder. Also, there are other funding sources out there besides ARPA that  
235 may be able to fund a proposed project.

236 Mr. Monks: "It would be great to have a real proposal in 90 days but if something came up in 6  
237 months that could move in 3 months then we would consider it." We need to start now  
238 gathering information, doing RFP's, etc. to know the viability of a project. "Most projects are  
239 going to take a year of preparation" before a contract is signed.

240 Mr. Carroll: Reiterated that we are not closing the books on the three tiers.

241 Cindy Krautheim: Would like the Select Board to keep the citizens apprised of how we plan to  
242 spend this money.

243 Mr. Monks: We will be giving regular updates on the projects - at least once a month.

244 \_\_\_\_\_

245 Rose Telford: Shared that she has lived in poverty and you never get over not having what other  
246 people have. "I don't think the people around here care that much".

247

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248 Zak Hale: We need all levels of housing to bring people to Bennington to help fill the jobs that  
249 are available. However, temporary housing would also be beneficial to help those that have no  
250 housing.

251 Ms. Jenkins: Added that it is not "an either or". The Homeless Coalition are big advocates of  
252 permanent housing with temporary housing being on the road to something else.

253 Zak Hale: If the Homeless Coalition had the plans for building a facility for temporary housing  
254 would that qualify for a tier placement?

255 Ms. Jenkins: Yes.

256

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257 Carolyn Webb: We're talking about two different things - what needs to be addressed now and  
258 monies that need to be allocated in 2 years. She noted the distresses of homelessness and that  
259 there should be a committee formed to deal with homelessness now.

260

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261 Jack Ripper: Suggested the Select Board inform the public for 6-9 months on the tier progress  
262 and let them vote on their preferences. Some of the funding should go to get more police  
263 officers to help see crime go down in Bennington.

264

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265 Shannon Barsotti: This year the Town received a \$500,000 grant from the VCDP for Shires  
266 Housing and the Bennington Homeless Coalition to redevelop 300 Pleasant Street for  
267 apartments that will be specific to families that are experiencing homelessness, but are not  
268 chronically homeless, to help them stabilize. There will be offices and services also provided.  
269 We are trying to leverage all of the funding we can because these projects are so expensive.

270 Kim Savin: Would like to see affordable housing for youth, and Mr. Spivak added that affordable  
271 housing is housing that doesn't cost more than 33% of the household income.

272

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273 ***Bruce Lee-Clark moved and Sarah Perrin seconded to authorize Town Staff to examine***  
274 ***Tier I projects and report back to the Select Board as soon as practical.***

275 Ms. Perrin noted that she was in favor of housing and the skate park.

Mr. Carroll requested that, because 60% of the Town gets their information from social media, the tier updates be posted on social media. Mr. Spivak will do that.

***The motion carried unanimously.***

## **7. POLICE PRESENTATION**

Police Chief Paul Doucette and Lt. Cam Grande did the following presentation:

- ❖ We are working with SVMC and UCS on a Mental Health First Aid program as developed by the National Council on mental health well-being so that we are better equipped to help everyone, including the homeless.
- ❖ We also have in our budget for our staff to meet with a mental health clinician to improve employee wellness.
- ❖ Over the last several years, we have had increased interaction with the flow of drug and firearm products.
  - In 2019, confiscated 6,600 bags of heroin; in 2021 - 39,237 bags.
  - In 2019, confiscated 185 grams of crack cocaine; in 2021 - 1,820 grams.
  - Recovered ~\$30,000 in cash.
- ❖ We are working with State and Federal agencies, including the Vermont National Guard, an agent from Homeland Security, the Southern Vermont Task Force, the State's Attorney's office, and surrounding state's agencies.
- ❖ The Bennington Police Department provides 80+% of the cases prosecuted by the State's Attorney.
- ❖ We have one officer assigned to the Children's Advocacy Center, a detective assigned to drug and violent crime investigations, and a general investigative detective also assigned to supervision.
- ❖ We also have two detectives that have been trained to work with our federal partners.
- ❖ In 2021, the Bennington Police Department (BPD) received over 2,000 hours of training - some mandated, some elective.
- ❖ The Chief and Lt. are about to complete a course with the FBI.
- ❖ Working with the Vermont League of Cities and Towns, we have received trainings where some of our officers have been certified to be instructors which is a plus for us due to the vacant positions.
- ❖ We have 3 recruits at the Police Academy that will graduate in February but are still down 3 officers and 1 communications operator.
- ❖ The BPD responded to 10,800 calls for service in our community. "That's a lot but our staff is dedicated and we get a lot of support from the community."
- ❖ In the State of Vermont, there are 57 law enforcement agencies advertising for police officers. "It is a huge problem."
- ❖ We need to do a better job of recruiting and retaining officers and are exploring various increased benefits.

314 *Board questions/comments answered by Chief Doucette and Lt. Grande:*

315 Mr. Lee-Clark: Kudos to the officers that have worked with the community Policy and Task  
316 Force groups for their “magnificent” work. Lt. Grande added that the officers came back with a  
317 better understanding of the community and the workings of the Town.

318 Mr. Lee-Clark: Where would I look on the police website for the Procedures? All of the policies  
319 and procedures that have been completed can be found at [www.benningtonpolice.com](http://www.benningtonpolice.com) under  
320 the About Us tab.

321 Mr. Corey: Thanked the BPD for their hard work and advanced trainings.

322 Mr. Corey: Can you explain the large increase in drugs this past year? In talking to our  
323 colleagues they have seen an increase in amphetamines, crack cocaine, and heroin since the  
324 legalization of marijuana. Other reasons could be COVID and an increase in seizures by our  
325 detectives and federal partners.

326 Ms. Conner: Are there more trainings than there used to be and/or is the focus of the trainings  
327 different from 10 years ago? Both the State and BPD are requiring more and in different areas  
328 of training, such as community policing, domestic violence, night and cold weather firearms  
329 training twice a year, etc.

330 Ms. Conner: Why are guns being trafficked from Vermont to Massachusetts? Vermont needs to  
331 “step up” our firearm permit process and they’re selling them to people in other states. There  
332 should be proof of a firearm safety course completion beyond a hunter safety course.

333 Ms. Perrin: What do you attribute building stronger criminal cases to? Having the federal  
334 resources and an analyst in our office frees up the officers to be on the street instead of in the  
335 office doing the analytical work has led to more arrests and confiscation of drugs, cash, and  
336 firearms. We also review our crime tips every day, however, it may take some time to get to  
337 them.

338 Ms. Jenkins: Can you speak to your collaborations within the Town? We have many  
339 partnerships in the community, as well as, those outside of the community and are branching  
340 out to more. “Getting involved with our federal partners is like a dream come true.” “We’re  
341 proud of our staff and everyone that we work with.”

342 *Public questions/comments answered by Chief Doucette:*

343 Jack Ripper: Can you give a synopsis of crimes that are not related to drugs? We had 731  
344 criminal arrests out of 987 in Bennington alone.

345 Jack Ripper: How are you with staffing levels? We are better off than many agencies but are still  
346 struggling.

347 **9. ANNUAL BUDGET & TOWN MEETING WARNING**

Ms. Jenkins noted that the Annual Meeting will be via Zoom on February 28, 2022 at 7:30pm following the SWVT Union Elementary School District's Annual Meeting. The budget for July 1, 2022 through June 30, 2023 is \$14,718,930.00, a 3.11% increase, assuming all of the agencies on the ballot are approved.

***Jim Carroll moved and Gary Corey seconded to adopt the FY23 Annual Budget and the 2022 Annual Town Meeting Warning as presented. The motion carried unanimously.***

## **8. MASK RESOLUTION DISCUSSION**

***Jim Carroll moved and Bruce Lee-Clark seconded to leave the Town of Bennington Select Board Resolution COVID-19 Rule Select Board Strongly Recommends Wearing Face Masks in Public Indoor Spaces as is until March 6, 2022.***

Jack Ripper asked about the "logistics of this mandate" and cited an example of an employer requiring a mask and an employee refusing to wear it.

Mr. Carroll responded that the Town is issuing a "strong recommendation" whereas a private business can "mandate" usage, and if the employee or customer doesn't comply then you don't get access to their store or work for them.

***The motion carried unanimously.***

Ms. Perrin added that the legislature did not take up this issue and she chose to stay with the CDC Guidelines.

## **10. IMPLEMENTING THE TOWN'S VISION**

Mr. Lee-Clark stated that Procedures are available at the Bennington Police Department website un About Us.

Ms. Conner stated that the timeline for the Task Force recommendations being rolled out is, or will be, on the Town's website as follows:

- January 31, 2022 - The recommendations will be released to Ms. Jenkins and Ms. Conner.
- February 7, 2022 - The recommendations will be released to the public and the public comment period will begin.
- February 21, 2022 - There will be a Special Meeting to hear a presentation by the Task Force.
- March 7, 2022 - Public comment period ends.
- March 14, 2022 - Board discussion and recommendations.
- March 28, 2022 - The Board will vote on the recommendations of the Task Force.

## **11. UPCOMING AGENDA**

February 14, 2022 - Energy Committee Presentation.

382 February 14, 2022 - DOI Action Steps.

383 **12. OTHER BUSINESS**

384 None.

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387 *At 9:00pm, Jim Carroll moved and Bruce Lee-Clark seconded the adjournment of the*  
388 *meeting. The motion carried unanimously.*

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393 Respectfully submitted,

394 Nancy H. Lively

395 Secretary

**SELECT BOARD  
MINUTES**

**January 31, 2022**

Present: Jeannie Jenkins, Chair, Jeanne Conner, V. Chair, Gary Corey, Sarah Perrin, Tom Haley and Bruce Lee-Clark.

Absent: Jim Carroll

Also present: Stuart Hurd, Town Manager, Mick Leddy, counsel for the Town, and Donald Campbell, former Board member.

The meeting was called to order by the Chair at 6:03 pm. A motion to go into executive session to discuss a legal matter was unanimously approved.

The Board came out of executive session at 8:04 PM. There being no other business, the meeting adjourned at 8:04 pm.

Respectfully submitted,

Stuart A. Hurd

**FIRST/SECOND/THIRD CLASS LIQUOR LICENSE AND TOBACCO APPLICATION**

(License year is May 1<sup>ST</sup> through April 30<sup>TH</sup> of the following year)

Two Brews Cafe LLC

Print Name of Person, Partnership, Corp., Club or LLC

Philly's A Taste of Philadelphia

Doing Business as - Trade Name

230 North Street

Street

Bennington, VT 05201

Town or City & Zip Code

860 301 2978

Telephone Number

25 Sand Hill Rd., Putnam, CT 06422

Mailing Address (if different from above)

Email address: tkannan@gmail.com

**APPLICATION FEES:**

FIRST CLASS LICENSE - \$115.00 to DLC and \$115.00 to Town/City

SECOND CLASS LICENSE - \$70.00 to DLC and \$70.00 to Town/City

SECOND CLASS RETAIL DELIVERY PERMIT - \$100.00 to DLC

THIRD CLASS LICENSE - \$1,095 for a full year to DLC  
\$550 for 6 or fewer months to DLC

TOBACCO LICENSE - (there is no application fee for tobacco if  
applying for second class)

TOBACCO ENDORSEMENT PERMIT - \$50.00 to DLC

*\*If applying for Tobacco only license, please use the Tobacco Only form.*

**Please check appropriate categories**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> FIRST CLASS | <input type="checkbox"/> Retail Delivery Permit  |
| <input type="checkbox"/> SECOND CLASS           | <input type="checkbox"/> Tobacco Endorsement   |
| <input type="checkbox"/> THIRD CLASS            | <input checked="" type="checkbox"/> Restaurant   |
| <input type="checkbox"/> TOBACCO                | <input type="checkbox"/> Hotel   |
|   | <input type="checkbox"/> Club  |
|   | <input type="checkbox"/> Commercial Kitchen (a Liquor Control Commercial<br>Caterer's License is needed with this license) |

**TO THE CONTROL COMMISSIONERS OF THE TOWN/CITY OF**

Bennington

Application is hereby made for a license to sell malt and vinous beverages under and in accordance with Title 7, Vermont Statutes Annotated, as amended, and certify that all statements, information and answers to questions herein contained are true; and in consideration of such license being granted do promise and agree to comply with all local and state laws; and to comply with all regulations made and promulgated by the Board of Liquor and Lottery. Upon hearing, the Board of Liquor and Lottery may, in its discretion, suspend or revoke such license whenever it may determine that the law or any regulations of the Board of Liquor and Lottery have been violated, or that any statement, information or answers herein contained are false.

**MISREPRESENTATION OF A MATERIAL FACT ON ANY LICENSE APPLICATION SHALL BE GROUNDS FOR SUSPENSION OR REVOCATION OF THE LICENSE, AFTER NOTICE AND HEARING.**

If this premise was previously licensed, please indicate name

Two Brews Cafe LLC

I/we are applying as (please check one):

☐ INDIVIDUAL

☒ LIMITED LIABILITY COMPANY

☐ PARTNERSHIP

☐ CORPORATION

Please fill in name and address of individual, partners, directors or members.

LEGAL NAME

Thomas Kannam

STREET/CITY/STATE

25 Sand Hill Road, Durham CT 06422

Wayland F. Berbow

286 Foothills Road, Durham, CT 06422

Are all of the above citizens or lawful permanent residents of the UNITED STATES?



Yes



No

If naturalized citizen or lawful permanent resident of the United States, please provide a copy of the naturalization or lawful permanent resident documentation.

**CORPORATE INFORMATION:**

If you have checked the box marked CORPORATION, please fill out this information for stockholders (attach sheet if necessary).

LEGAL NAME

Two Brews Cafe LLC

STREET/CITY/STATE

230 North Street, Bennington, VT 05201

Date of incorporation

8/3/2015

Is corporate charter now valid?

Yes ☒

No ☐

Corporate Federal Identification Number

47-4689358

Have you registered your corporation and/or trade name with the Town/City Clerk? Y ☒ N ☐

and/or Secretary of State? Y ☒ N ☐

(as required by VSA Title 11 § 1621, 1623 & 1625).

TOWN/CITY APPROVAL/DISAPPROVAL

Upon being satisfied that the conditions precedent to the granting of this license as provided in Title 7 of the Vermont Statutes Annotated, as amended, have been fully met by the applicant, the commissioners will endorse their recommendation on the back of the applications and transmit both copies to the Board of Liquor and Lottery for suitable action thereon, before any license may be granted. For the information of the Board of Liquor and Lottery, all applications shall carry the signature of each individual commissioner registering either approval or disapproval. Lease or title must be recorded in town or city before issuance of license.

\_\_\_\_\_, Vermont, \_\_\_\_\_  
Town/City Date

APPROVED

DISAPPROVED

Please check one:      ☐ Approved      ☐ Disapproved

by the Board of Control Commissioners of the City or Town of \_\_\_\_\_

Total Membership \_\_\_\_\_ Members present \_\_\_\_\_

Attest, \_\_\_\_\_  
City or Town Clerk

**TOWN OR CITY CLERK SHALL MAIL ONE APPLICATION DIRECTLY TO THE DIVISION OF LIQUOR CONTROL, 13 Green Mountain Drive, Montpelier, VT 05602. If application is disapproved, local control commissioners shall notify the applicant by letter.**

No formal action taken by any agency or authority of any town board of selectmen or city board of aldermen on a first or second-class application shall be considered binding except as taken or made at an open public meeting. VSA Title 1 §312.

SECTION 5111 AND 5121 OF THE INTERNAL REVENUE CODE OF 1954 REQUIRE EVERY RETAIL DEALER IN ALCOHOLIC BEVERAGES TO FILE A FORM ANNUALLY AND PAY A SPECIAL TAX IN CONNECTION WITH SUCH SALES ACTIVITY. FOR FURTHER INFORMATION, CONTACT:

**THE BUREAU OF ALCOHOL, TOBACCO & FIREARMS (TTB)  
DEPARTMENT OF THE TREASURY  
550 MAIN STREET, CINCINNATI, OH 45202  
(513) 684-2979**

**NOTICE:** All new applications are investigated by the Enforcement and Licensing Division prior to approval/disapproval of the license by the Board of Liquor and Lottery. Please note that this process can take anywhere from 2 weeks to 6 weeks to complete once Liquor Control receives the application.

# TOWN OF BENNINGTON

## 2022 LIQUOR LICENSE RENEWAL APPLICATIONS

### 2022 1<sup>st</sup> Class & Outside Consumption Renewals

1. Moose, Loyal Order of, #1233
2. Pangaea
3. Publyk House
4. Veterans of Foreign Wars Post #1332

### 2022 2<sup>nd</sup> Class Renewals

1. Bennington Jolley #117
2. Bennington Jolley #145
3. Price Chopper #171

### 2022 3<sup>rd</sup> Class Renewals

1. Moose, Loyal order of Lodge #1233
2. Mt. Anthony Golf & Tennis Club
3. Pangaea
4. Publyk House
5. Veterans of Foreign Wars Post #1332

**The Bennington Select Board hereby approves the above  
2022 Liquor License Renewal Applications  
Dated: February 14, 2022**

\_\_\_\_\_  
Jeannette Jenkins, Chair

\_\_\_\_\_  
Jeanne Conner, Vice Chair

\_\_\_\_\_  
Jim Carroll

\_\_\_\_\_  
Bruce C. Lee-Clark

\_\_\_\_\_  
Gary Corey

\_\_\_\_\_  
Sarah B. Perrin

\_\_\_\_\_  
Tom Haley

cc: Town Clerks Office

Bennington Energy Committee

Select Board Presentation 2/14/2022

Packet Table of Contents

1. Introduction by Dr. Dick Dundas (DDundas\_Intro.docx)
2. Report of Energy Committee Progress by Chair, Bill Karis  
(EnergyCommitteeReport\_2.14.2022.docx)
3. Overview of Bennington Energy Consumption by Committee Member, Bill Christian
  - a. (BenningtonEnergy\_ByTheNumbers1.pdf)
  - b. (BenningtonEnergy\_ByTheNumbers2.pdf)
4. Energy Coordinator Job Description (Energy Coordinator Job Description.docx)
5. Energy Project Funding Opportunities
  - a. House Energy & Tech Committee H518
    - i. (H-0518 As Introduced.pdf)
    - ii. (VLCT2 022 01-18 testimony on H518 to House Energy.pdf)
  - b. (BCRC Funding for Energy Committees.docx)
  - c. (Climate\_Council\_ARPA\_Recommendations.pdf)
6. Town of Hartford example of Energy Coordinator Success
  - a. (Hartford Energy Coordinator Saves Town Money and Energy.pdf)
  - b. (Hartford Energy Coordinator Job Description Final.pdf)
  - c. (Energy Coordinator Savings (FY 18 - FY19) w. upfront costs.docx)

MEMORANDUM

TO: Bennington Select Board Members

FROM: Cassandra Barbeau, Town Clerk

DATE: February 3, 2022

Re: ARPA use for Land Records Digitization

.....

Thank you for your consideration of land records digitization thus far and placing it as a Tier 1 priority for use of ARPA funds. Over 100 Vermont Towns have already created an online service for land records. In addition to that fact, I thought it would be important to explain to the Board the importance of implementation and the support I have received from those who are likely to use the system.

During the two-month office closure during COVID and limited access to records for an additional year after that, it was difficult for attorneys, abstractors, and real estate professionals to access much needed records from our office during a very busy real estate market. Kayla and I did our best to assist in providing documents via email, however, without the legal expertise needed to search records, we also needed to provide indexes to customers. A complete search for an attorney generally must go back at least forty years. I have pursued quotes from two of the three companies serving Vermont, to come in and scan land records dating back that timeframe. They will then index those documents and make the indexes, documents, or both, available on an online service. I have chosen a company who I believe to be superior and serving many Towns and Cities in Vermont, including nearby Towns Shaftsbury, Pownal, Manchester and Dorset.

Estimated project costs for initial project and implementation is approximately \$165,000. Kayla and I will use the system going forward so the availability of online records and indexes will continue to increase at no additional cost except for the monthly maintenance cost of approximately \$185.00, which can be budgeted for in the future. The system will likely deem more efficient than our current process. We will be saving on the cost of the way we currently index records; however, State law still requires physical land records books to be printed. There will be less wear and tear on the physical records, and with the books not being accessed as much, less likely for documents to be misplaced. At some point, we will also no longer need to budget for microfilming, as this digital version of the records can serve as a back up if something catastrophic were to occur to our hard copies.

We have contracts in-hand and ready to proceed when funding is available. I have been told we can begin using the system as soon as April and the process to digitize the forty years will likely take a few weeks, although the company does have a back log so that will likely not occur until Fall.

Please find attached, several letters of support for this essential project.

## Bennington Town Clerk's Office

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**From:** Fred Peet <FPeet@peetlaw.com>  
**Sent:** Tuesday, January 25, 2022 2:45 PM  
**To:** Bennington Town Clerk's Office  
**Subject:** RE: Bennington digitized land records

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Cassandra,

Sure. Feel free to share my comments with the Select Board. Both you and Kayla have been great to work with and thank you very much for all the help you continue to provide for us.

We are frequently in your office to conduct title searches for property owners in Bennington. Electronic land records accessible online would definitely bring you in line what other towns of all sizes are doing. It would clearly save us a lot of travel time as our office is in Burlington and one of our searchers is in Rutland. This would reduce the legal fees charged to the people of Bennington. It would also provide for safer COVID practices for all of us. I would also ask that you consider digitizing more than 40 years of records. When we complete a 40 year title search, we need to search back to the first deed older than 40 years. This generally puts us back many years beyond 40. If you stop at 40, we'll still need to go in-person to complete the last part of each search.

Thank you for the opportunity to express our support and we wish you the best in getting the project approved.

Fred



Fred V. Peet, Esq.  
55 Patchen Road  
South Burlington, VT 05403  
Phone: 802-860-4767  
Toll Free: 800-683-3903  
Fax: 802-860-2822  
Email: [fpeet@peetlaw.com](mailto:fpeet@peetlaw.com)  
Web: [www.peetlaw.com](http://www.peetlaw.com)

**WARNING: FRAUD ALERT:** If you receive an e-mail appearing to be from this office requesting that you wire or transfer funds, you must confirm the request and wire instructions with us via telephone before you initiate any transfer. Hackers are targeting the e-mail of parties involved with real estate transactions in attempts to distribute fraudulent wire instructions. Be certain you are speaking with someone from our office when confirming wire instructions. **VERIFY OUR TELEPHONE NUMBER FROM A SOURCE OTHER THAN THE PHONE NUMBER ACCOMPANYING THE E-MAILED WIRE INSTRUCTIONS.**



January 31, 2022

Dear Bennington Select Board:

I feel passionately that Bennington needs to move forward into the future. One way it can better serve the community is to digitize our land records.

During the early phase of the COVID-19 pandemic, the Bennington Town Office was closed to the public. This made it extremely difficult for real estate professionals, attorneys, title researchers, and others to obtain the vital records required for the transfer of property.

Some town clerks, including Shaftsbury and Arlington, were able to direct us to their land records online, which allowed us virtual access to the documents we needed.

In most US states, Realtors achieved "essential worker" status and continued to serve clients without interruption. In Vermont, Realtors have never been considered "essential workers" yet our Governor said numerous times that real estate had proven to be a "bright light" in the Vermont economy throughout the pandemic. What could be more essential than having a home?

Digitizing our land records is a massive undertaking. ARPA funding is making it possible for this project to be done at no additional expense to local taxpayers, which is a key factor since many people are struggling to make ends meet with all the disruption that COVID has caused to work and school routines. The pandemic has proven that this project cannot sit on the backburner; we need virtual access to land records now and for the future.

Sincerely,

Jenifer Prouty Hoffman

Principal Broker/Owner  
Vermont Realtor of the Year 2021

545 Harvest Hills Drive North Bennington, VT 05257

802-753-7771

[HoffmanVTRealEstate.com](http://HoffmanVTRealEstate.com)

## Bennington Town Clerk's Office

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**From:** Sarah Wilson <sarah@swvtlaw.com>  
**Sent:** Tuesday, January 25, 2022 10:27 AM  
**To:** Bennington Town Clerk's Office  
**Subject:** Re: Digitizing land records

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To Cassandra Barbeau - Bennington Town Clerk;

I am writing this email in support of the use of ARPA funds to digitize the land records in Bennington. The use of digital records is helpful to searchers in that it avoids unnecessary contact in the vault with others during pandemics. In addition, it allows searchers to be more efficient, avoiding the need to travel. Also, digitizing saves "wear and tear" on town buildings, copy machines, the land records books, maps, etc. It has been my experience that most, if not all, of the land records I visit are transitioning to digital records. It makes sense that one of the largest towns and county seats would do so as well.

Thank you.

Sincerely,

Sarah E. Wilson  
Attorney at Law

643 Main Street, Bennington, VT 05201 (802) 753-7086 (tel) (802) 753-7861 (fax)

The information contained in this electronic message is legally privileged under applicable law, and is intended only for the use of the individual or entity named above. If you are not the intended recipient of this message, you are hereby notified that any use, distribution, copying or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify the sender, and purge the communication immediately without making any copy or distribution. Thank you.

If you receive an e-mail appearing to be from this office requesting that you wire or transfer funds, you must confirm the request and wire instructions with us via telephone before you initiate any transfer. Hackers are targeting the e-mail of parties involved with real estate transactions in attempts to distribute fraudulent wire instructions. Be certain you are speaking with someone from our office when confirming wire instructions. **VERIFY OUR TELEPHONE NUMBER FROM A SOURCE OTHER THAN THE PHONE NUMBER ACCOMPANYING THE E-MAILED WIRE INSTRUCTIONS.**

IRS CIRCULAR 230 DISCLAIMER: In order to ensure compliance with the requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any matters addressed herein.

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**From:** Bennington Town Clerk's Office <cbarbeau@BenningtonVT.org>  
**Sent:** Tuesday, January 25, 2022 10:08 AM  
**To:** Sarah Wilson <sarah@swvtlaw.com>; Jason Morrissey <jmorrissey@jasonmorrisseylaw.com>  
**Subject:** Digitizing land records

January 31, 2001

Dear Bennington Selectboard;

My name is Susan Kennedy, I am a Title Researcher and I am regularly in the Bennington Town Clerk's office to conduct searches in the Land Records. I cover Rutland and Bennington Counties which includes over 40 separate Town offices and I have been doing this work for 20 years.

In my work, I use the General Index to research the books/pages for deeds, mortgages, liens, permits and other documents that pertain to a particular property. I then have to copy/verify some of those documents in the Land Record books. The General Index in Bennington is an alphabetical card file and each card references a document in the Land Record Books.

I have had numerous conversations with Bennington Town Clerk Cassie Barbeau regarding the digitizing of Land Records in Bennington. I am very supportive of this effort. The digitizing would put the general index in a database that is accessed by a public computer in the town office or online. In addition, the documents can be printed from that computer.

Of the towns I cover, over 60% have at least some of their records digital and another 3-4 towns are moving towards it. There are probably 5+ towns that are so small it is just not feasible for them to consider it. Bennington is the largest town that I serve that is not digitized — I have found that the larger towns/cities see a greater benefit due to volume. The following towns in this area have already gone digital: Pownal, Shaftsbury, Sunderland and Arlington.

So what does this all really mean? For me, it allows me to do some research at home. I can verify the property and get an idea of the scope of the search so I can plan accordingly. For the town office it has streamlined the recording of documents and I think one of the biggest benefits is that it reduces the handling of Index and Record books. It is not uncommon for pages and cards to be misplaced. In the time of the Pandemic — the availability of online access was crucial and ultimately benefited the townspeople that could proceed with their refinances or home purchases.



Susan Kennedy

## **Community Suggestions on Action Steps for the Declaration of Inclusion**

### **Town and/or SVSU Driven Action Steps**

- Encourage the adoption of the Declaration in our schools and include on the website
- Town questionnaire/interview process to gain insight and identify themes from underrepresented groups in Bennington.
- Create a school and/or Town contest using the words in the Declaration of Inclusion
- Create a branded statement that captures the Town's sense of Diversity, Equity, and Inclusion.
- Highlight ongoing inclusion work in the media.
- Review Town Accessibility Plan with an eye to what we can do that goes beyond the basics.
- Look for ways to increase engagement of restorative justice and mental health professionals in policing.
- Encourage ongoing training for the Town, schools, and businesses around equity and fair and impartial practices.
- Create venues for employers (Town, SVSU, business community) to learn and work together on hiring, retention, and support for a diverse workforce.
- Learn from other towns and school systems and develop networking opportunities
- Develop public restroom facilities in additional park and recreation spaces
- Review accessibility in playgrounds and recreation to include equipment, cost, and location
- Select Board should look for ways to integrate inclusion discussions and practices into Town policies and culture.
- VLCT resources on Equity and Inclusion should be utilized as appropriate
- Build and strengthen groups that support inclusion at the high schools.
- Select Board should continue to evaluate and discuss the Town vision at their meetings.

- The Town should revisit the resources on the Town's website to include organizations that invite LGBTQ+, BIPOC, low income, and people with disabilities.

### **Community Driven Action Steps**

- Weave the culture of welcoming throughout Bennington by encouraging organizations, institutions, and the Town to examine activities, practices, and social media with an eye toward inclusivity.
- Encourage ongoing community dialogue around what it means to be welcoming.
- Help new and not-so-new residents connect with existing organizations to increase a sense of belonging.
- Create a town-wide mechanism for addressing concerns and providing accountability as a community to the Declaration of Inclusion.
- Explore ways for ongoing community input and education to strengthen inclusion and diversity.
- Continue to work to engage marginalized populations.
- Encourage equity and inclusion statements on websites for businesses and organizations.
- Include inclusivity clauses on websites, and in ads and flyers for community meetings, events, forums with 1) wording that actively invites people with disabilities to attend and 2) includes specific contact information for assistance.
- Use community spaces including parks, trails, and the community center, as ways to encourage all to meet, engage, enjoy each other.
- Encourage and support opportunities to highlight cultural diversity in music, food, art, holidays, etc.
- Encourage business and civic organizations with equity groups to combine efforts, share best practices, and encourage the development of equity groups in other organizations.
- Build additional cultural capacity within institutions such as libraries and museums.
- Utilize existing organizations as equity and inclusion resources.
- Start an annual international food festival

<https://vtdeclarationofinclusion.org/support-for-the-declaration/>

## **Initial List of Towns and Organizations Providing Input on Action Steps for the Declaration of Inclusion**

Abundant Sun  
Arlington Memorial Anti-Racism Committee  
Bennington Bookshop  
Better Bennington Corporation  
Bennington County Open Arms  
Bennington County Regional Commission  
Bennington County Workforce and Education Group  
Bennington Rotary Club  
Cx Associates/Energy Engineering Consulting  
Interfaith Council (Bennington)  
MSK Engineering  
Richmond Equity Committee  
Rutland Area NAACP  
SVSU Equity Office  
Town of Barre  
Town of Middlebury  
Town of Milton  
Vermont Businesses for Social Responsibility  
Vermont Center for Independent Living (Bennington)  
Vermont Partnership for Fairness and Diversity

# **MEMORANDUM**

**To: Select Board**

**From: Daniel Monks**

**Re: FY 2021 Annual TIF District Report**

**Date: February 2, 2022**

---

All Tax Increment Financing (TIF) Districts must submit a report to the Vermont Economic Progress Council (VEPC) each year. The FY 2021 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 \$1,179,000 - Grand List values as of April 2020 must be used in the FY 2021 TIF Report. An increase will be reflected in next year's report as the value of improvements to the Putnam Block and other projects come on-line.

The report summarizes private development and public improvements completed to date. The report also includes a jobs inventory.

The Board need only to acknowledge receipt of the report at the February 14th 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, 2022**

**I. District Information:**

Municipality & District	Bennington TIF District	Reporting Period:	July 1, 2020 - June 30, 2021
Name of Person Completing Report	Daniel Monks	Grand List Year:	2020
Title	Assistant Town Manager		
Email Address	dmonks@benningtonvt.org		
Telephone	802-447-9708		
Date Report Completed	February 2, 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	OTV Total Acres	70.35
Homestead- Education	\$	1,529,300	OTV Total Parcels	157
Non Residential- Education	\$	40,354,200		
Total Education	\$	41,883,500		
Taxable Values as of April 1				
Municipal	\$	40,729,400		
Homestead- Education	\$	1,651,000		
Non Residential- Education	\$	39,053,360		
Total Education	\$	40,704,360		
Increase (Decrease) in Taxable Values (auto-calculated)				
Municipal	\$	(1,176,500)		
Homestead- Education	\$	121,700		
Non Residential- Education	\$	(1,300,840)		
Total Education	\$	(1,179,140)		
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	158
Tax Rates Applied to the April 1 Grand List	
Municipal (General Fund)	\$ 1.2424
Homestead	\$ 1.5403
Non Residential	\$ 1.7389
List Special Municipal Tax Rates	
1	\$ -
2	\$ -
3	\$ -
4	\$ -
5	\$ -
6	\$ -
Total Special Municipal Tax	\$ -
Total Municipal (General Fund) & Special Rates	\$ 1.2424

Changes to Individual Parcels		
	SPAN Number	Describe Change
1	051-015-67012	Non-taxable to taxable (SC Spirits)
2	051-015-70269	New parcel created for 2020 Grand List - (Town of Bennington)
3	051-015-67464	Taxable to Non-taxable (Oldcastle Theater)
4	051-015-67014	Active to Inactive (Dionysus - 113 Depot Street)
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
<u>Example:</u> 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"/>
<b>Total</b>				\$ -	\$ -	\$ -	\$ -	\$ -	

#### 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

#### 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			
	No additional improvements completed this year. 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.	\$ -	\$ -	\$ -
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			
	The Town secured a \$50,000 Downtown Transportation Fund Grant during the last 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" was scheduled for Summer of 2021 but due to COVID the project has been delayed to Spring/Summer of 2022. 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			
	No improvements this reporting period.	\$ -	\$ -	\$ -
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 the park were completed this reporting period. 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.	\$ -	\$ 65,393	\$ 65,393
16	East Main St			
	No improvements this reporting period.	\$ -	\$ -	\$ -
17	BennHi			
	No improvements this reporting period.	\$ -	\$ -	\$ -
<b>Total</b>		\$ -	\$ 65,393	\$ 65,393
			Check	\$ 65,393

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		X
6	West Main - Donation by Citizens for a Greater Bennington	\$ 25,000	\$ 25,000		X
7	West Main - Better Bennington Corporation Fundraising Effort - cash donations	\$ 19,285	\$ 19,285		X
8	West Main - In-kind donations	\$ 6,068	\$ 6,068		X
9	Merchant's Park - FY 20 In-kind donations/Cash Donations/Non-TIF mun. exp.	\$ 23,673	\$ 23,673		X
10	Merchant's Park - FY 21 In-kind donations/Cash Donations/Non-TIF mun. exp.	\$ 65,393	\$ 65,393	\$ 65,393	<input type="checkbox"/>
11		\$ -	\$ -	\$ -	<input type="checkbox"/>
12		\$ -	\$ -	\$ -	<input type="checkbox"/>
13		\$ -	\$ -	\$ -	<input type="checkbox"/>
14		\$ -	\$ -	\$ -	<input type="checkbox"/>
<b>Total</b>		\$ 345,507	\$ 345,507	\$ 65,393	
Non-TIF Revenues Reported under Improvement Expenditures				\$ 65,393	

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

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		\$ -	\$ -	\$ -
		<b>Total</b>	\$ -	\$ -
			<b>Check</b>	\$ -

## V. Performance Indicators:

### Standard

Real Property Development			
1	Putnam Block -- Phase 1		
	During the reporting period, work on Phase 1 of the Putnam block was completed with the exception of the final buildout (tenant improvements) of some of the first floor commercial tenant spaces and one second floor office tenant. The apartments are fully-occupied. In addition to a bookshop and Pet supply store that are already open, work on tenant improvements for a coffee shop, restaurant, bridal boutique are underway. Completion dates on the remaining tenant improvements will vary greatly because each tenant space is being fit up by each individual tenant's contractor - not by the developer.	\$	1,140,100
2	Putnam Block -- Phase 2		
	Construction was projected to be completed in 2020. Construction is now projected to be completed in 2023. No new construction occurred during the reporting period. Pre-development efforts continue but have been hampered by the COVID 19 Pandemic. While still conceptual the next phase of the Putnam Block Redevelopment is envisioned to be a mix of clinical uses anchored by Southwestern Vermont Health Care (SVHC) with the possibility of related educational use on site. The project would include 30 or more residential units and some modest liner retail spaces. The next steps of the approved Corrective Action Plan for the site began in November of 2021 with the commencement of the removal and transport off site of TCE-contaminated soils. The developers of the site hope to have the feasibility and preliminary planning work completed by mid-2022 with the identification of funding elements to follow soon thereafter.	\$	440,200
3	Harte Block		
	Renovation of a substantial portion of the Harte Block began was completed during the reporting period. The tenant space located on the corner of Main Street and North Street was completely renovated to house a brewery with a restaurant and pub. A portion of the Harte Block remains vacant but is being marketed. Renovations to the Harte Block were projected to be completed by 2020. A large portion of the anticipated renovations were completed by early 2021. When the remainder of the vacant space will be renovated is unknown at this time.	\$	408,200
4	Banner Bldg		
	The TIF District Plan projected that renovations would be completed in 2020. The property was sold during the reporting period and renovation of the first floor of the property commenced during the reporting period. Renovation of the exterior and remainder of the interior of the building is planned for 2022.	\$	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 has continued discussion with the Town regarding conversion of the available space to in the building to apartments; however, no permits have been applied for at this time. The TIF District Plan projected renovations to be completed in 2021.	\$	505,500
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 improved the landscaping, replaced the roof, replaced all windows, painted the exterior, and renovated several spaces in the building for new tenants. Much of the building remains vacant, however. Negotiations are ongoing with an institutional tenant for the remainder of the space but a lease has not been finalized as of	\$	915,200
Old Drysdale Bldg			

8	In the last reporting period, one new tenant space was leased and modestly renovated. The tenant recently increased the amount of space being leased and minor improvements were made to the additional leased space. Much of the building remains vacant, however. The TIF District Plan projected renovations to be completed in 2021.	\$ 257,200
Cone Bldg		
9	No construction or renovation occurred during the reporting period. The TIF District Plan projected renovations to be completed in 2021.	\$ 578,200
Nichols Bldg		
10	No construction or renovation occurred during the reporting period. The TIF District Plan projected renovations to be completed in 2021.	\$ 312,300
Ritchie Block		
11	Renovations to the second floor were commenced during the reporting period, but have been halted until architectural plans are obtained. The TIF District Plan projected renovations to be completed in 2021.	\$ 743,300
BennHi		
12	The BennHi building was purchased by a developer during the last reporting period. Renovation of the BennHi building began during the last reporting period and continues at a slow pace. Initially, roof leaks were repaired, old windows were repaired, and new utility services to the building were constructed. More recently, the building owner completed improvements to a portion of the first floor of the building. The improved first floor space was leased to the YMCA. The renovated space is used for after school youth programming and senior programming. The owner applied for and was granted local permits for a mixed use renovation/redevelopment of the property during the last reporting period. The developer plans to construct several new apartments, maker's spaces, offices, and a recreation use in the old gymnasium space. The planned renovations will be phased in over time. The TIF District Plan did not project renovations to be completed during the reporting period.	\$ 146,000
Greenawalt Lot		
13	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 or renovation occurred during the reporting period. The property is being actively marketed. 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 property was sold in the fall of 2021. The new owner plans to re-develop the site. The TIF District Plan did not project construction to be completed during the reporting period.	\$ -
120 Depot St		
16	No construction or renovation occurred during the reporting period. As of December, 2021, the property was under contract to be sold to a developer. The TIF District Plan did not project construction to be completed during the reporting period.	\$ 920,100
<b>Total</b>		<b>\$ 7,814,100</b>

#### Employment Opportunities

In this reporting period 8-9 permanent new jobs in office, retail, health care and higher education were created in Phase 1 of the Putnam Project. In the coming months, many more jobs will be created in Putnam Phase 1 as additional commercial tenants (Restaurant, Coffee Shop, Information Technology Company, etc.) complete tenant fit-up and occupy their leased space. The estimated total for all new jobs created at Putnam Phase 1 this reporting period and next reporting period is 63. A new Brewery in the Harte Block is complete and resulted in 4-6 jobs (brewer and tasting room/serving staff). A new retail store tenant has occupied the Drysdale building and has resulted in 2 new retail jobs. A new Distillery and tasting room that will be completed during the upcoming reporting period has resulted in 5-6 new jobs (distiller, restaurant/bar manager, business manager, distillery staff) during this reporting period. In the upcoming reporting period an additional 5-6 jobs at the distillery tasting room will be created (waitstaff, bartenders, cooks, etc.).

**Additional Information**

**Mandated**

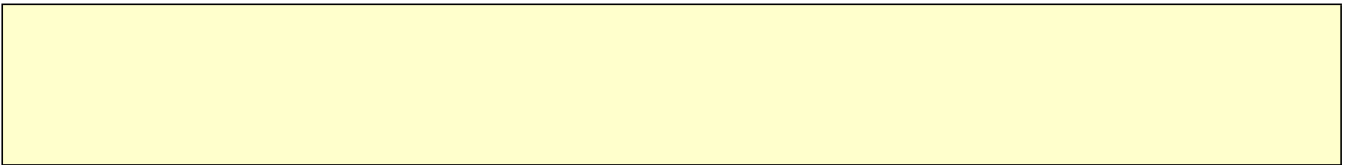
Jobs at June 30, 2021							
NAICS Code		Increase or (Decrease)	Previous Location (if known)				
1	11	0		11	53	(9)	
2	21	0		12	54	9	
3	22	0		13	55	0	
4	23	0		14	56	0	
5	31-33	0		15	61	(5)	
6	42	0		16	62	10	
7	44-45	18		17	71	1	
8	48-49	23		18	72	88	
9	51	(1)		19	81	(8)	
10	52	(1)		20	92	19	
Total Jobs Increase (Decrease)						144	

**Identify Source/Method for Obtaining Jobs Information**

The 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.

Vermont Firms					
Name of Vermont Firm		Total amount of work performed			
1	R.C. Pembroke & Sons - trees - Merchant's Park - splashpad	\$ 800	11		\$ -
2	Tatro's Concrete Impressions - concrete work - Merchant's Park -	\$ 29,843	12		\$ -
3	Monument Electric - electrical work - Merchant's Park - splashpad	\$ 3,294	13		\$ -
4	Hayden Plumbing & Heating - plumbing - Merchant's Park - splashpad	\$ 807	14		\$ -
5	Jerome Construction, Inc. - trees/sod/pathways - Merchants Park	\$ 24,683	15		\$ -
6		\$ -	16		\$ -
7		\$ -	17		\$ -
8		\$ -	18		\$ -
9		\$ -	19		\$ -
10		\$ -	20		\$ -
Total Amount of Work Performed					\$ 59,426

**Additional Information**

**TIF District Specific****Affordable Housing**

During this reporting period twelve new affordable housing units (and nineteen market rate apartments) were created as part of Phase 1 of the Putnam Project. Although not completed during this reporting period, as of December, 2021, the renovation and conversion of 11 dwelling units into affordable housing units in an historic building on the corner of Valentine and Pleasant Street has been completed and will be included in the next Annual TIF Report.

**Housing Changes**

	Affordable Housing	Market Rate Housing	Total
New	12	19	31
Eliminated	0	0	0
Net Total	12	19	31

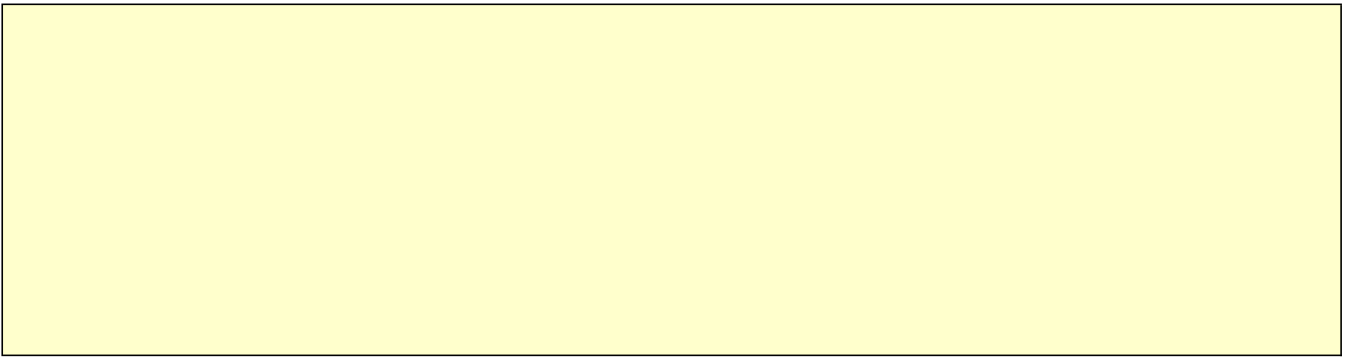
**Brownfields**

Brownfields remediation efforts for the Putnam Block project continued during the reporting period in accordance with a Corrective Action Plan for the property. Specifically, additional required soil testing to better define the impacts of trichloroethene (TCE) in the soil was performed and bids for the TCE removal were solicited. Also, gas tanks and appurtenances at 301 Main Street (Mobil Station) were removed and a closure report was filed with VT DEC. Funds from an EPA Brownfields Cleanup Grant (noted above in Grant Applications section in previous report) 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.

**Impact of COVID-19 on Public and Private Improvement Projects**

The impacts this year remain nearly identical to the impacts last year. COVID-19 continues to have 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 experienced 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 seems certain that commencement of pre-development efforts have been delayed for many projects due to COVID-19. Of particular significance, is the delay of Phase 2 of the Putnam 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 Bennington's window to incur first debt is closing, Bennington will, likely, request a substantial change to its TIF District. This is a direct result of COVID-19.

**Additional Information**



## **MANAGER'S REPORT**

**February 14, 2022**

### **ACTION**

State Loan Application – Pressure Reducing Valves (PRV) Analysis Attached are the primary pages of a new loan application for the work on three PRV's located on Burgess Road, Chapel Road and Filmore Street. This was approved by the Board In April 2021; however, the State asked for more detail making the first application obsolete. This will now combine Step 1 and 2, feasibility and final design,

Action requested Circulate for signatures.

Online Meetings Authorization Recently our Board members are being contacted seeking to move to online meetings once again. The Legislature and the Governor have authorized that move through 2022. Our counsel recommends that the Board take an action to authorize the Chair to call for a change to online meetings if deemed appropriate.

Action requested A motion to authorize the Chair to call for online meetings when deemed appropriate.

### **INFORMATIONAL**

Legislative Concern The Vermont Senate Judiciary Committee is currently considering a bill, S.254, that will eliminate qualified immunity for police officers. All of us who work in government have qualified immunity. It means we can not be sued individually for our actions made in good faith in the performance of our jobs. However, the town can be sued for those actions if they are found to have violated an individual's constitutional rights. This bill in its current form eliminates all immunities and creates a private right to sue against law enforcement officers. It will require an additional indemnity paid for by the taxpayers to protect officers financially. Without such indemnification, recruiting and retaining police officers will be a very difficult task. VLCT has offered other ways to address the issue of poor policing. (See attached information). My purpose here is to let everyone know that this legislation is under serious consideration. Should it become law, we may find it nearly impossible to recruit and retain our officers and it will become more costly for the taxpayers of this community to have a police force.

Stormwater permit issues You will recall that the State is now requiring that in 3 older developments that the Town's Stormwater permit include impervious surfaces on private lands. One possible solution was to have these developments form Homeowners Association (HOA) and become a co-applicant with the Town. The other is for the Town to control the installation of impervious surfaces on private lands within these developments. We sent a letter to 175 homeowners. I have heard from nearly half of them. No one wants to form an HOA. I have asked our engineers what next steps might look like. I will report back to you.

Transfer Station changes Since the Transfer Station opened by Casella, it has been run as a “municipal facility”. The Town, at one time collected the fees and was responsible for closing costs should it no longer operate. Casella took over most aspects of the financial viability some time ago. The State is now requiring that the Station be considered privately operated. Therefore, Casella must charge an additional fee per ton that enters the Station. Casella is analyzing the cost changes that would be required. These costs will be passed on to our customers through the tip fee. When ready, I will be seeking Board approval for those changes.

### **FOLLOW UP**

The Overtime Report for January is attached.

The Community Development and Permitting/Planning Reports are attached.

# Water Infrastructure

## FINANCING PROGRAMS



VERMONT WATER & WASTEWATER REVOLVING LOAN FUNDS

## State Revolving Loan Programs

### FUNDING APPLICATION

**IMPORTANT:** Please select the Type of Entity and Loan Type(s) before completing the application. This information is used to set up the rest of the form. This form **MUST** be completed electronically, handwritten applications will not be accepted.

Select the Type of Entity this application is for:

- ☒ Municipality, Fire District, or other similar entity
- ☐ Homeowners Association, LLC, Proprietorship, 501(c)3 Non-Profit, or other similar entity

#### LOAN TYPE

This section may be completed by engineer or applicant

Please submit a draft Engineering Services Agreement with this application if applicable

This loan will be used for (select all that apply):

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Step I Drinking Water Loan (Feasibility & Planning)   | <input type="checkbox"/> Step I Clean Water Loan (Feasibility & Planning) |
| <input type="checkbox"/> Step II Drinking Water Loan (Final Design)                       | <input type="checkbox"/> Step II Clean Water Loan (Final Design)          |
| <input type="checkbox"/> Step III Drinking Water Loan (Construction)                      | <input type="checkbox"/> Step III Clean Water Loan (Construction)         |
| <input type="checkbox"/> Drinking Water Loan Amendment                                    | <input type="checkbox"/> Clean Water Loan Amendment                       |
| <input type="checkbox"/> Municipal Source Water Protection Loan                           | <input type="checkbox"/> Pollution Control or ARPA Grant                  |
| <input type="checkbox"/> Planning Advance (uncommon; requires State legislative approval) | <input type="checkbox"/> CWSRF Interim Financing                          |

#### APPLICANT INFORMATION

This section may be completed by engineer or applicant

LOAN APPLICANT		DATE OF APPLICATION	
Town of Bennington		1/4/2021	
SYSTEM NAME		WSID NUMBER	WASTEWATER PERMIT NUMBER
Bennington Water Department Water System		5016	
MAILING ADDRESS	TOWN	STATE	ZIP
205 South Street			05201
PHONE	CELL PHONE	TAX ID	DUNS NUMBER
802-442-1037			026823120

#### CONTACT PERSON - AUTHORIZED REPRESENTATIVE

This section may be completed by engineer or applicant

CONTACT NAME		TITLE	
Stuart Hurd		Town Manager	
MAILING ADDRESS	TOWN	STATE	ZIP
205 South Street			05201

PHONE	CELL PHONE	EMAIL ADDRESS
802-442-1037		shurd@benningtonvt.org

## ALTERNATE AUTHORIZED REPRESENTATIVE(S)

*This section may be completed by engineer or applicant*

AUTHORIZED REPRESENTATIVE NAME	TITLE		
Larry Gates	Assistant Director of Public Works		
MAILING ADDRESS	TOWN	STATE	ZIP
205 South Street			05201
PHONE	CELL PHONE	EMAIL ADDRESS	
802-442-1037		lgates@benningtonvt.org	

Add Alternate Representative

## ENGINEERING FIRM & REPRESENTATIVE (or Legal Firm and Attorney's Name if this is a Source Protection Loan)

*This section may be completed by engineer or applicant*

FIRM NAME	CONTACT NAME		
MS&K, Inc.	Patrick Smart, P.E.		
MAILING ADDRESS	TOWN	STATE	ZIP
P.O. Box 139			05201
PHONE	CELL PHONE	EMAIL ADDRESS	
802-447-1402, ext. 127		psmart@mskeng.com	

## LOAN REQUEST

*This section may be completed by engineer or applicant*

Project Title: Evaluation and Design for Burgess Road PRV

Total amount requested for this loan: \$ 0

Total projected project cost: \$ 0

Please describe the history of the project:

The Town of Bennington's municipal drinking water system (WSID VT0005016) provides drinking water service to approximately 3,600 service connections located throughout the town via a network of storage tanks, booster pump stations, pressure reducing valves, and distribution pipe. The Town seeks to perform an engineering evaluation of three of the pressure reducing valves (PRVs) in the distribution system located along Burgess Road, Chapel Road, and Fillmore Street. These valves vary in age and condition, and regulate pressures for significant flows of water through the distribution system. This evaluation will focus on characterizing existing conditions and estimating remaining useful life of these PRVs, evaluating replacement options and costs which include installation of new PRVs and installation of hydroelectric turbines to function as PRVs during routine system operating conditions. The original Step I loan application for preliminary engineering evaluation and design for replacement of the Burgess Road PRV (DWSRF Loan ID# RF3-421-2.0) required additional information per C. Reichel. Because of the additional information required and an upcoming Step II Loan, it was determined that the Step I and II loans were to be combined. This loan application has been prepared for both the Step I and II Loans.

Please describe who will benefit from the proposed project:

This project will directly benefit all service connections to the town's water system as this evaluation will enable planning for and timely replacement of critical drinking water infrastructure that will enable the town to continue to provide a consistent level of service and operating conditions to its drinking water customers. Indirectly, the project has the potential to benefit everyone if PRVs are replaced with hydroelectric generators. This green technology, if utilized, would provide a renewable means of generating electrical power that could offset a portion of the water system's electricity use.

Do current and potential customers have alternative sources of water and is the proposed project the best and most cost-effective alternative?

There is no alternative source of water for the water system's customers, many of which were recently connected to the water system following discovery that on-property water supplies were contaminated with PFAS. The proposed project seeks to evaluate and develop a replacement plan to replace critical infrastructure components of the water system.

Please provide a description of the project as it relates to this loan. Include specifications and materials used, water sources, and treatment facilities (attach sheets if necessary):

MS&K, Inc. has previously been engaged to perform a preliminary evaluation (PER) and replacement design for the Burgess Road PRV. The scope of services included in this loan includes the PER services, design, surveying the existing conditions of the Barney Brook channel near the planned replacement PRV location and retaining a subconsultant to evaluate the hydraulics and hydrology of Barney Brook. .

*Please include estimated or actual project cost summary/estimate of probable project costs.*

## SITE INFORMATION

*This section may be completed by engineer or applicant*

*An attorney's legal opinion may be required regarding the site or sites where the project will be located. The Facilities Engineering Division's Construction Section will make this determination for the project.*

Do you own all land or possess all the easements or rights-of-ways for project sites?

☒ Yes ☐ No

## ESTIMATED PROJECT SCHEDULE

*This section should be completed by the engineer*

Estimated Project Initiation Date: 10/1/2021

Estimated Project Completion Date: 12/30/2022

## REVENUES

*This section should be completed by the applicant*

What is the Applicant's fiscal year? State Fiscal Year

User Rate Revenue Table

	Current FY - 2	Current FY - 1	Current FY (estimated)	Current FY + 1 (estimated)	Current FY + 2 (estimated)
Amount Billed	\$2,828,084	\$2,971,023	\$3,040,730	\$3,131,952	\$3,225,910
Amount Collected	\$2,403,871	\$2,525,370	\$2,584,621	\$2,662,159	\$2,742,024
Amount Uncollected/Outstanding	\$424,213	\$445,653	\$456,109	\$469,793	\$483,887
Estimated Amount of Commercial Revenue	\$1,272,368	\$1,336,960	\$1,368,329	\$1,409,378	\$1,451,660

Does the system use tax revenue to support any utility related activities, including capital projects?

☐ Yes ☒ No

Will taxes or fees need to be adjusted based on the proposed project?

☐ Yes ☐ No

## WATER FEE BASIS & RATES (only applicable to public community water systems)

*This section may be completed by engineer or applicant*

What is your current method to assess water fees (check the description that most closely matches your methods)?

- ☐ Metered/Variable Rate - Rates are based on a metered rate (flow rate) in addition to a fixed rate (base rate).
- ☐ Unmetered Flat Rate - Customers are charged a flat rate that does not vary based on flow.
- ☒ Both Metered & Unmetered - There is a combination of metered and unmetered customers.
- ☐ Property Tax Based - Rates are based on property taxes.

Total Number of Residential Connections:

(multi-unit connections count as more than 1, for example, a duplex counts as 2 and a 10 unit apartment Building counts as 10)

2,950

Total amount of water used last year by commercial, industrial, and institutional connections (gal or cuft):

209,780,000

Calculate Equivalent Residential Units (ERUs) by dividing the number above by 76,650 gal or 10,240 cuft.:

76650

Total Equivalent Residential Connections (ERUs) -->

5,687

## EXPENDITURES / SYSTEM OPERATION & MAINTENANCE EXPENSES

*This section should be completed by the applicant*

Current Fiscal Year O&M Costs (exclusive of debt and reserve fund payments):

\$2,542,580

Post Project Fiscal Year O&M Costs (exclusive of debt and reserve fund payments):

\$2,618,857

*Please attach a copy of your actual YTD revenue and expenses, and projected budget.*

## EXPENDITURES / SYSTEM DEBT

*This section should be completed by the applicant*

What is the applicant's total long-term outstanding debt?

\$7,695,530

What is the applicant's total annual long-term debt payment?

\$668,695

### Direct Debt

	Current FY	Current FY + 1	Current FY + 2	Current FY + 3	Current FY + 4	Current FY + 5
Total Payment	\$707,360	\$668,695	\$668,695	\$668,695	\$668,695	\$668,695

### Long-Term Debt Schedule

Purpose of Long-Term Debt	Direct or Self-Supporting	Year of Maturity	\$ Amount Outstanding
Water Treatment Plant Bond	Direct	2029	\$4,113,732
Bolles Brook Intake Bond	Direct	2033	\$176,490
South End Water Pressure Bond	Direct	2037	\$3,366,642
Total As of -->			\$7,656,864

[Add Another Long-Term Debt](#)

Does the Applicant have any future borrowing plans over the next 5 years?

☒ Yes ☐ No

Certification

Authorization Date:

REPRESENTATIVE SIGNATURE	PRINT NAME
--------------------------	------------

REPRESENTATIVE SIGNATURE	PRINT NAME
--------------------------	------------

REPRESENTATIVE SIGNATURE	PRINT NAME
--------------------------	------------

REPRESENTATIVE SIGNATURE	PRINT NAME
--------------------------	------------

REPRESENTATIVE SIGNATURE	PRINT NAME
--------------------------	------------

Authorized Representative Certification

Authorized Representative Signature Date:

SIGNATURE OF AUTHORIZED REPRESENTATIVE	PRINT NAME
--	------------

Submit completed application and all attachments via email to:

## Certification

The Applicant certifies that it possesses the legal authority to apply for the SRF loan, and to finance and construct the proposed facilities. A resolution, motion, or similar action has been duly adopted or passed as an official act of the Applicant's Legislative Body authorizing the filing of the application. A resolution, motion, or similar action has been duly adopted or passed authorizing the person identified herein as the authorized representative of the Applicant in connection with the project for the purpose of furnishing information, data and documents pertaining to the project as required by the State of Vermont.

Authorization Date:

REPRESENTATIVE SIGNATURE

Jeannie Jenkins, Chair

PRINT NAME

REPRESENTATIVE SIGNATURE

PRINT NAME

REPRESENTATIVE SIGNATURE

PRINT NAME

REPRESENTATIVE SIGNATURE

PRINT NAME

REPRESENTATIVE SIGNATURE

PRINT NAME

## Clerk Certification

Clerk Signature Date:

SIGNATURE OF CLERK

Cassandra Barbeau, Clerk

PRINT NAME

## Authorized Representative Certification

Authorized Representative Signature Date:

SIGNATURE OF AUTHORIZED REPRESENTATIVE

Stuart Hurd, Town Manager

PRINT NAME

Submit completed application and all attachments via email to:



Celia Riechel, DWSFR Project Lead

[phone] 802-585-4904 [email]

Department of Environmental Conservation  
Facilities Engineering Division



**Karen Horn**, VLCT Public Policy & Advocacy Director  
**Gwynn Zakov**, VLCT Municipal Policy Advocate  
**David Gunn**, Editor

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VLCT Advocacy: [advocacy@vlct.org](mailto:advocacy@vlct.org)  
Legislators: [legislature.vermont.gov](http://legislature.vermont.gov)  
Sergeant-at-Arms: 802-828-2228

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## **This Week's Articles**

**[Budget Adjustment is on the Senate Calendar](#)**

**[Major Changes Proposed in Dispatching in Vermont](#)**

**[Allowing Private Rights of Action Against Law Enforcement Officers](#)**

For the past two weeks, the Senate Judiciary Committee has discussed and taken testimony on a bill that could have the most negative impact on policing in Vermont in recent history. (See article in [Weekly Legislative Report No. 4](#).) The bill, S.254, would end the application of qualified immunity to law enforcement personnel in Vermont as well as eliminate *all* immunities applied to law enforcement officers – that is, it opens them to suits for any action or lack of action. The bill specifically singles out law enforcement officers. All other governmental officials covered by qualified immunity would retain that protection. VLCT is concerned that the committee members misunderstand the doctrine of qualified immunity and how it works.

Advocacy staff testified about our concerns with the scope of S.254 and its potentially devastating impact on community policing, access to law enforcement services, recruitment and retention of law enforcement officers, and fiscal impacts on taxpayers and property taxes due to higher insurance premiums that result from additional prolonged and protracted litigation.

**What is Qualified Immunity?** Qualified immunity is a legal doctrine that applies to almost all public servants, not just law enforcement. Qualified immunity limits *civil* liability, not criminal liability, when government officials make a good faith effort to follow laws, regulations, policies, and training while doing their job. Typically, a government official cannot be sued if the constitutional or statutory right the official is accused of violating under Section 1983 of the Civil Rights Act of 1971 or federal statute was not “clearly established” at the time of the alleged violation. The Vermont Supreme Court has adopted a similar standard.

A municipal employee or officer is protected by the immunities this bill seeks to end for law enforcement personnel. City councilors, selectboard members, firefighters, road crews, teachers,

town office personnel, elected and appointed municipal officers, and many others are protected from private rights of action when they – in good faith – exercise judgment as they properly follow laws, rules, policies, procedures, and training related to their jobs. Qualified immunity does not apply to criminal charges or protect government officials who act in bad faith.

Egregious conduct outside the scope of training, applicable rules, policies, laws, or regulations is *not* protected. Qualified immunity allows government officials and employees to discharge their duties without worrying about being sued for actions that a court has not yet determined violate the constitution. It balances the desire to compensate individuals for harm caused by constitutional violations with the need to protect government officials from the harassment and distraction of lawsuits that are costly for taxpayers to defend, that deter people from taking public service jobs, and that inhibit governmental officials from effectively carrying out their duties.

**S.254 Goes Beyond Eliminating Qualified Immunity.** As currently written, the bill will eliminate all immunities and create a new private right of action (authorization to sue) against only law enforcement officers for violations under the Vermont Constitution, Vermont statutes, or Vermont common law. Because the Vermont Legislature cannot amend or supersede federal laws or the U.S. Constitution, the bill cannot end qualified immunity in Section 1983 actions in federal court. S.254 eliminates *all* limitations on liability and damages, and additionally allows plaintiffs to recover attorneys’ fees and litigation costs if they prevail. It requires law enforcement agencies to indemnify officers unless the agency finds that the officer did not act in good faith, in which case the officer is held personally liable for up to \$25,000. However, if the officer is unable to pay the penalty, the agency is responsible for the full amount – which ultimately comes from taxpayers.

The bill also appears to potentially expand municipal exposure to include liability for criminal acts of officers. As written, S.254 makes municipalities financially responsible for injury or damages caused “by the commission or omission of any act of a law enforcement officer acting under authority of the State, or within the scope of authority of a law enforcement agency...” This means there is potential municipal liability for a failure to supervise or train, or to partake in negligent hiring. There is no automatic municipal financial responsibility for an officer’s intentional (i.e., bad faith) misconduct. Yet, S.254 would require the employing government to pay a judgment against a law enforcement officer unless they acted “in bad faith,” and even in that circumstance if the judgment exceeded the personal liability of \$25,000.

**What Problems Are Not Solved by S.254?** As written, S.254 would make it much easier to sue police officers and agencies for monetary damages, but it would not increase police accountability or advance meaningful and already enacted reform measures to discipline or otherwise regulate law enforcement officers. While both good and bad officers would be brought to court to fight allegations of constitutional violations and any violation of statutory or common law, those officers could remain on forces performing their duties, potential review of their certification would not be affected, and lengthy court proceedings would take center stage.

VLCT urges the legislature to focus on policy decisions that build on the work of previous sessions and that help to strengthen and professionalize law enforcement in Vermont. The legislature would serve all Vermonters and law enforcement best by working to improve Act 56

of 2017 – the Professional Regulation of Law Enforcement Officers – and by supporting and funding the Vermont Criminal Justice Council to modernize, train and professionally, regulate law enforcement.

**Resource for this article:**

- [VLCT Testimony on S.254 Before Senate Judiciary](#), Jan. 20, 2022

[Accessory Dwelling Units](#)

[Municipal Land Records](#)

[Elsewhere in the State House](#)

[New Bills of Municipal Interest](#)

[Public Hearings on the Governor's Recommended FY23 Budget](#)

02/01/22  
02:55 pm

Town of Bennington Payroll  
Overtime Report  
01/29/22 - 02/03/22

Page 1 of 1

DEPARTMENT	OT HRS	GROSS AMT	OVERTIME	PRCT
TOTALS FOR DEPT 321	0.00	3,573.60	0.00	0.00%
TOTALS FOR DEPT 340	0.00	294.31	0.00	0.00%
TOTALS FOR DEPT 341	0.00	3,530.40	0.00	0.00%
TOTALS FOR DEPT 343	0.00	2,160.00	0.00	0.00%
TOTALS FOR DEPT 344	0.00	2,198.00	0.00	0.00%
TOTALS FOR DEPT 350	0.00	2,610.00	0.00	0.00%
TOTALS FOR DEPT 362	0.00	3,558.00	0.00	0.00%
TOTALS FOR DEPT 365	0.00	3,364.40	0.00	0.00%
TOTALS FOR DEPT 371	9.00	9,270.82	358.42	3.87%
TOTALS FOR DEPT 410	93.00	46,697.68	3,879.95	8.31%
TOTALS FOR DEPT 510	109.50	21,064.40	3,819.54	18.13%
TOTALS FOR DEPT 540	49.50	10,069.89	1,857.89	18.45%
TOTALS FOR DEPT 590	40.50	8,339.79	1,534.43	18.40%
TOTALS FOR DEPT 790	0.00	848.80	0.00	0.00%
REPORT TOTALS	301.50	** , *** . **	11,450.23	9.74%

JAN. 22.

01/25/22  
12:52 pm

Town of Bennington Payroll  
Overtime Report  
01/22/22 - 01/27/22

Page 1 of 1

DEPARTMENT	OT HRS	GROSS AMT	OVERTIME	PRCT
TOTALS FOR DEPT 300	0.00	758.31	0.00	0.00%
TOTALS FOR DEPT 321	0.00	3,573.60	0.00	0.00%
TOTALS FOR DEPT 340	0.00	294.31	0.00	0.00%
TOTALS FOR DEPT 341	0.00	3,547.74	0.00	0.00%
TOTALS FOR DEPT 343	0.00	2,160.00	0.00	0.00%
TOTALS FOR DEPT 344	0.00	2,198.00	0.00	0.00%
TOTALS FOR DEPT 350	0.00	2,610.00	0.00	0.00%
TOTALS FOR DEPT 362	0.00	3,858.00	0.00	0.00%
TOTALS FOR DEPT 365	2.50	3,457.10	92.70	2.68%
TOTALS FOR DEPT 371	11.00	9,688.17	475.77	4.91%
TOTALS FOR DEPT 410	226.50	49,620.01	9,974.69	20.10%
TOTALS FOR DEPT 510	82.50	21,166.76	3,613.44	17.07%
TOTALS FOR DEPT 540	80.50	11,802.53	3,590.53	30.42%
TOTALS FOR DEPT 590	16.00	7,432.22	673.01	9.06%
TOTALS FOR DEPT 790	0.00	848.80	0.00	0.00%
REPORT TOTALS	419.00	**,***,**	18,420.14	14.97%

01/18/22  
02:09 pm

Town of Bennington Payroll  
Overtime Report  
01/15/22 - 01/20/22

Page 1 of 1

DEPARTMENT	OT HRS	GROSS AMT	OVERTIME	PRCT
TOTALS FOR DEPT 321	0.00	3,573.60	0.00	0.00%
TOTALS FOR DEPT 340	0.00	294.31	0.00	0.00%
TOTALS FOR DEPT 341	0.00	3,530.41	0.00	0.00%
TOTALS FOR DEPT 343	0.00	2,160.00	0.00	0.00%
TOTALS FOR DEPT 344	0.00	2,198.01	0.00	0.00%
TOTALS FOR DEPT 350	0.00	2,610.01	0.00	0.00%
TOTALS FOR DEPT 362	0.00	3,558.00	0.00	0.00%
TOTALS FOR DEPT 365	0.00	3,364.40	0.00	0.00%
TOTALS FOR DEPT 371	4.50	9,036.19	155.79	1.72%
TOTALS FOR DEPT 410	106.50	42,475.75	5,229.77	12.31%
TOTALS FOR DEPT 510	70.50	19,661.28	2,769.99	14.09%
TOTALS FOR DEPT 540	56.00	10,558.51	2,346.51	22.22%
TOTALS FOR DEPT 590	28.00	7,947.01	1,187.81	14.95%
TOTALS FOR DEPT 790	0.00	848.80	0.00	0.00%
REPORT TOTALS	=====	=====	=====	=====
	265.50	**,***.**	11,689.87	10.45%

01/11/22  
01:24 pm

Town of Bennington Payroll  
Overtime Report  
01/08/22 - 01/13/22

Page 1 of 1

DEPARTMENT	OT HRS	GROSS AMT	OVERTIME	PRCT
TOTALS FOR DEPT 321	0.00	3,573.60	0.00	0.00%
TOTALS FOR DEPT 340	0.00	294.31	0.00	0.00%
TOTALS FOR DEPT 341	0.00	3,530.40	0.00	0.00%
TOTALS FOR DEPT 343	0.00	2,160.00	0.00	0.00%
TOTALS FOR DEPT 344	0.00	2,198.00	0.00	0.00%
TOTALS FOR DEPT 350	0.00	2,610.01	0.00	0.00%
TOTALS FOR DEPT 362	0.00	3,558.00	0.00	0.00%
TOTALS FOR DEPT 365	3.00	3,475.64	111.24	3.20%
TOTALS FOR DEPT 371	1.00	8,947.25	34.85	0.39%
TOTALS FOR DEPT 410	110.50	44,802.48	5,440.08	12.14%
TOTALS FOR DEPT 510	57.00	18,781.86	2,092.05	11.14%
TOTALS FOR DEPT 540	41.00	9,864.13	1,579.95	16.02%
TOTALS FOR DEPT 590	18.00	7,470.57	711.37	9.52%
TOTALS FOR DEPT 790	0.00	848.80	0.00	0.00%
REPORT TOTALS	230.50	**,***.**	9,969.54	8.89%

01/04/22  
02:04 pm

Town of Bennington Payroll  
Overtime Report  
01/01/22 - 01/06/22

Page 1 of 1

DEPARTMENT	OT HRS	GROSS AMT	OVERTIME	PRCT
TOTALS FOR DEPT 321	0.00	3,573.60	0.00	0.00%
TOTALS FOR DEPT 340	0.00	294.31	0.00	0.00%
TOTALS FOR DEPT 341	0.00	3,559.30	0.00	0.00%
TOTALS FOR DEPT 343	0.00	2,160.00	0.00	0.00%
TOTALS FOR DEPT 344	0.00	2,198.00	0.00	0.00%
TOTALS FOR DEPT 350	0.00	2,610.00	0.00	0.00%
TOTALS FOR DEPT 362	0.00	3,558.00	0.00	0.00%
TOTALS FOR DEPT 365	0.00	3,364.40	0.00	0.00%
TOTALS FOR DEPT 371	4.00	9,097.04	184.64	2.03%
TOTALS FOR DEPT 410	181.50	50,205.51	7,769.29	15.47%
TOTALS FOR DEPT 450	0.00	1,125.00	0.00	0.00%
TOTALS FOR DEPT 510	12.50	16,894.78	580.60	3.44%
TOTALS FOR DEPT 540	21.00	9,015.09	889.02	9.86%
TOTALS FOR DEPT 590	12.00	7,318.26	559.06	7.64%
TOTALS FOR DEPT 790	0.00	848.80	0.00	0.00%
REPORT TOTALS	231.00	**,***.**	9,982.61	8.62%

**Recreation:**

**a. YMCA program planning:**

The Bennington Community Center (Rec Center) has a busy pool schedule with lap swimming, water exercise classes, swimming classes and family swim. New exercise equipment is available in the weight room, and a strength and conditioning room has opened in the basement. The Y is also running afterschool programs at the Village School in North Bennington, the Bennington Sports Center (old Catamount School), Shaftsbury, and Pownal schools. At Benn High, there are also eight exercise classes and a walking group meeting every week. The pool, adult fitness, and youth program schedules are updated regularly on the Bennington Recreation center Facebook page. Masks are now required in the Bennington Community Center.

**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. Jonah Spivak redesigned the Town's recreation page to highlight more outdoor recreation opportunities and partners. I hired a local photographer to take photos of outdoor recreation sites and people enjoying them during the fall. I am finalizing the outdoor recreation wayfinding signs with GVH studio and signs will be installed in the spring.

**c. Appalachian Trail Community designation:**

The Appalachian Trail Conservancy officially designated Bennington as an Appalachian Trail Community, which puts 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 "Trail Fest" event for both locals and AT hikers, as well as trail improvements and wayfinding. MAUHS teacher Dylan Wajda has started a Mountain Club outing club for teens, and we are planning activities on the AT this coming spring. The next AT Community meeting will be held via Zoom at 6 pm on February 15th. The Zoom link will be posted on the town's website.

**d. Recreational Facilities and Animating Infrastructure 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. The new fencing is installed at the green space and allowed the Y to run a popular youth soccer program this fall. Another Animating Infrastructure grant will support art installations along the fence, such as creative benches and gates, collaborating with local artists and designers through the Vermont Arts Exchange. We are also working with a local landscape designer on landscape plantings next spring.

**e. 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.

**Economic Development Committee:**

I am part of the town committee that has formed to discuss the Town's economic development and ARPA priorities and work with consultants White and Burke. I am also part of the Willow Park project team with other staff to develop the community outreach plan for replacing the Willow Park playgrounds.

**Vermont Begins Here:**

Eight Oh Two Marketing is continuing the digital marketing campaign to promote Bennington. We are running Facebook ads to promote winter travel to Bennington. VBH blog posts for February promoted Prospect Mt. ski area and antiques dealers in Bennington.

**Local Food Security:**

I meet monthly with the Southern Vermont Regional Food Network, which promotes a stronger regional network for sustainable local agriculture.

The downtown market advisory group developed out of the SVRFN and is focused on a downtown market that supports local farms and food producers and supplies fresh produce to downtown Bennington. They have formed a nonprofit, now called Bennington Community Market, and the market will be located at 239 Main Street. The market received a town loan for \$200,000 to begin construction on a commercial kitchen at the market space and will be launching a website and fundraising campaign soon.

**Community Development Block Grants:**

The Berkshire Family YMCA, UCS Head Start, and Sunrise Family Resource Center received VCDP 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 am working on paperwork required for each grant agreement and subgrant agreement along with progress reports. Shires Housing submitted a VCDP application for two recovery housing projects and Hale Resources received additional funding for the affordable housing development at 219 Pleasant Street. The Recovery Housing project on Gage Street was awarded a \$360,000 grant and Squire House will be considered for the next round of funding.

**Historic Preservation Grants:**

I am working with GVH Studio on a history/recreation/arts and culture panels for a new downtown kiosk funded with an historic preservation (CLG program) grant. The kiosk will be completed and installed in the spring. 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 final improvements to Franklin Lane. Scheduling contractors during the busy summer and fall season has been a challenge and the work will start in the spring. This project is funded with a \$50,000 Downtown Transportation Fund grant.

**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 was combined with a \$20,000 state Brownfields grant to also do an environmental assessment of the property. BCRC helped the Town to manage the project, and Camoin Associates, Inc. was chosen to complete the reuse study and housing study. The study can be found on the town's website under Special Reports and Documents. I will be completing the final grant report to the state on the project.

**Bennington Winter Study:**

Jonah Spivak and I met with Divine Bradley at Bennington College to discuss his winter study students doing a community project downtown. The students will work on conceptual designs for community spaces at Benn High and will interview community organizations who are interested in using the space for youth and adult programs, wellness classes, and arts programs.

**Walloomsac Riverwalk Pathway:**

I am working with Michael McDonough, chair of the BBC's design committee, to submit a grant application for the Downtown Transportation Fund for improvements to the Walloomsac Riverwalk Pathway. We met with the Bennington Interfaith Coalition to discuss improvements to the pathway and the design scoping study that Michael McDonough prepared.

**Downtown summer events:**

I joined the Better Bennington Corporation's promotion committee to assist with downtown events at the Thomson stage this summer. The BBC will manage a summer music series called "Thursday Night Live" using the stage and splash pad park.

**Community Outreach:**

In the past month, I have met with the Berkshire Family YMCA management team, the owner of Benn High LLC, Eight Oh Two Marketing, Historic Preservation Commission, Bennington Community Market, Bennington Rotary, Town Economic Development committee, Willow Park project team, Better Bennington Corporation promotion committee, Shires Housing, and AT Community Committee.



# Town of Bennington

## Communications Coordinator Report — February 14, 2022

### **After almost five months on the job...**

I'm starting to feel much more comfortable with the relationships I've developed with the different town departments and with the collaborations and contacts that I have been cultivating throughout the community. I am inspired by the Rotarian 4-way test which ends with the question "Will it be beneficial to all concerned?" This guides me as I work to continue to build awareness about the work of the town and to improve communication and outreach throughout our community.

### **Citizen Outreach:**

I've met with, emailed, messaged, or spoken with 17 citizens since my last report. Many of those are follow ups for ongoing issues. As I mentioned in my last report, some of these are simply not short term solutions and require ongoing engagement to ensure that we are doing all we can to stay on top of the problem. I am often impressed in these interactions by how much people care about our town and community. Even though their problem may be specific to them, it is often rooted in an overall desire to see the town do better as a whole.

### **Business Outreach:**

I am developing an informal business advisory group that I can reach out to regarding issues that can affect the business community and to provide a direct line of communication for business people to be able to connect with the Town and I about emerging issues of concern. One idea that has emerged that I am following up on is to improve outreach to businesses that will be affected by major highway construction or infrastructure projects so that we can work together to minimize their impact.

### **Celebratory Events:**

I have begun work on a commemoration for 65 years in business by Lauzon Machine located on East Main Street that will take place this coming May.

### **Facebook and Social Media:**

Facebook is our primary social media outlet. This month we averaged almost 22,000 in our reach which is nearly double our usual average. This increase was driven primarily by interest in the Willow Park Playground redevelopment and continued strong interest in the followup post on the Rail Trail.

### **Riverwalk:**

A number of Banner articles and the tragic first anniversary of the passing of Emily Hamann have helped to increase community awareness regarding the Riverwalk. A lot of progress has been made as a result of the year long effort and the hope is that these continuing improvements will be a lasting tribute to Emily's memory.

### **Website Update:**

The RFP for the Town website redevelopment was sent out January 6, and closed on January 31. We received 21 proposals and have reviewed them all and narrowed down the proposals to four strong possibilities. I'll be checking references on those four vendors and then will schedule interviews. A decision on the final vendor is expected by the end of the month of February.

### **Community Newsletter:**

A first issue of the new bi-monthly Community Newsletter was printed and distributed in early January. We are grateful to the Bennington Banner for this collaboration! We are working with them to continue to improve the newsletter as we move forward. A new issue is planned for March.

### **Cyber Security / IT:**

The IT/Security team has been meeting regularly to continue to improve security at the town. We are currently working on improving our overall security policies and implementing best practices.

**250th Planning:**

I am pleased to report that 250th planning at the Federal level is starting to gather steam. As one of the three Vermont 250 representatives at the table I continue to work to keep Vermont and our efforts on the radar screen at the national level. Our Vermont 250th Commission has also met recently and I am very proud to be the one representative from Southern Vermont, and even happier that I have heard that I will soon be joined by another new commissioner from South Western Vermont. I will be able to share that name publicly once the state makes the appointment public, but I can safely say that everyone will be pleased by their choice. The focus of VT250 is currently on developing a strategic plan for the celebrations and planning a series of outreach meetings to all regions of Vermont.

On a very local level, I am continuing work with a team of dedicated volunteers, historians, and re-enactors (living historians) to commemorate the 250th anniversary of the "Incident of Remember Baker's Thumb." The date of the anniversary is March 21, 2022, and an additional event to honor the anniversary is being planned for the early summer.

**Press and Community Outreach:**

In addition to the collaboration with the Banner on the Community Newsletter, I spend a lot of time writing press releases and helping reporters from different media get answers to their questions. There is a lot to tell about what is doing on in the town!

In addition, Shannon Barsotti and I have been continuing the ongoing effort of reaching out to community groups with a presentation about our town that includes a bit about history, our infrastructure, our different departments, and to solicit input back so that we can continue to improve our efforts overall. This past month Shannon and I presented together to the Bennington Rotary Club, and I did a solo presentation to the Catamount Rotary (yes we have two Rotaries in town!). Some elements of this community presentation will also be a part of our Town presentation at our upcoming Town Meeting.

**Organizational Collaboration:**

I have been broadening my organizational collaborations to include more organizations serving the most disadvantaged part of our population. That includes outreach to GBICs, Sunrise Family Center, and continuing work developing a collaborative relationship with the Bennington County Coalition for the Homeless. I will be attending the "Continuum of Care" meeting this Friday which is a consortium of many of the social services organizations in the community and I look forward to working with that group.

**ARPA Project Priorities:**

An important focus this past month has been around outreach for the ARPA funding priorities. One thing we learned was that our effort to categorize projects using "Tiers" to indicate a projects eligibility for ARPA funding created confusion in the community who mistook those tiers as a ranking of the merits of the projects. Moving forward, we suggest that we group the projects under CURRENT ARPA PROJECTS as those we are currently pursuing AND, if feasible, may expend ARPA funds upon; and ON DECK for all other projects that are not actively being considered for ARPA funds expenditure at this time. Work on the "on deck" projects may be ongoing, but currently the expenditure of ARPA funds is not actively being considered.

134 public comments were received on the Draft Priority List and those comments have all been reviewed and incorporated into the projects under consideration with some in our current ARPA projects category and others "on deck."

**Safety and Equity:**

I've been heavily involved in a staffing capacity with the work of the Safety and Equity task force. This month they presented the final report of their work to the select board and a system of public comment has been implemented that will continue through March 7. There will be a public presentation by the task force on February 21.

**Summary of Building Permits Issued  
January 2022**

Construction Type	Month to date	Month to Date Volume	Year to date	Year to Date Volume
	Permit Totals		Permit Totals	
Single Family Dwelling	1	\$300,000.00	1	\$300,000.00
Duplex	0	\$0.00	0	\$0.00
Mobile Homes	0	\$0.00	0	\$0.00
Apartments	0	\$0.00	0	\$0.00
Apartment Renovations	1	\$22,900.00	1	\$22,900.00
Condominiums	0	\$0.00	0	\$0.00
Residential Renovations	0	\$0.00	0	\$0.00
Residential Additions	0	\$0.00	0	\$0.00
Commercial Construction	0	\$0.00	0	\$0.00
Commercial Renovations	1	\$10,000.00	1	\$10,000.00
Industrial Construction	1	\$608,898.00	1	\$608,898.00
Industrial Renovations	0	\$0.00	0	\$0.00
Garages	0	\$0.00	0	\$0.00
Sheds	1	\$380.00	1	\$380.00
Decks	0	\$0.00	0	\$0.00
Institutions	0	\$0.00	0	\$0.00
Signs	2	\$23,525.00	2	\$23,525.00
Use & Zoning	2	\$133,000.00	2	\$133,000.00
Subdivision	1	\$0.00	1	\$0.00
Home Occupation	0	\$0.00	0	\$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	3	\$68,856.00	3	\$68,856.00
Camps	0	\$0.00	0	\$0.00
Withdrawn	0	\$0.00	0	\$0.00
Demolition	2	\$0.00	2	\$0.00
Total	15	\$1,167,559.00	15	\$1,167,559.00

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

Month	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
January	6	12	11	5	8	15	10	5	6	5	11	15
February	7	7	6	7	15	8	5	7	5	8	9	
March	6	31	13	12	10	14	19	11	13	9	19	
April	34	31	18	22	27	14	15	15	23	11	29	
May	27	27	38	20	23	19	27	23	24	19	23	
June	34	32	20	19	21	19	10	14	12	25	16	
July	20	24	33	29	47	16	29	30	28	12	16	
August	14	30	21	29	20	18	25	25	16	27	16	
September	15	21	32	27	22	21	21	23	26	9	14	
October	19	38	30	21	28	9	19	20	20	17	29	
November	22	10	16	11	12	8	16	11	8	15	19	
December	17	18	18	7	10	5	8	11	11	5	10	
<b>Total</b>	<b>221</b>	<b>281</b>	<b>256</b>	<b>209</b>	<b>243</b>	<b>166</b>	<b>204</b>	<b>195</b>	<b>192</b>	<b>162</b>	<b>211</b>	

# Town of Bennington Planning and Zoning

## Detailed Permit Report

**Permit types included:** Building

**Approval status included:** Granted

**Occupancy status included:** Any status

**Decision dates included:** Between 01/01/2022 and 01/31/2022

<i><b>Parcel number Land Record Book and Pages</b></i>	<i><b>Permit number</b></i>	<i><b>Owner's name Applicant's name Location</b></i>	<i><b>Permit type Cert. of Occ.</b></i>	<i><b>Decision</b></i>	<i><b>Fee paid Cost of project</b></i>
51500200	21-182	SILVER GEOFFREY G James Mabee 710 COUNTY ST 10x15 Shed	Building C.O. Pending	Granted 01/03/2022	35.00 380.00
56504200	22-001	PATEL CHANDRAKANT C & NITABEN C Zahra Wynter 218 WASHINGTON AV Rooftop Solar (994 sq-ft)	Building C.O. Pending	Granted 01/14/2022	295.00 34,856.00
23500300	22-002	LAMONTAGNE PAUL G & SUSAN B Zahra Wynter 504 MATTESON RD Rooftop Solar (345 square feet)	Building C.O. Pending	Granted 01/18/2022	34.50 4,000.00
50561700	22-003	WOLTMAN NANCY Nancy Woltman 465 MAIN ST Convert Office Into 1-Bedroom Apartment/Install New	Building C.O. Pending	Granted 01/31/2022	70.00 22,900.00
18501000	22-004	DECK WILLIAM C & REBECCA E William & Rebecca Deck 496 SUGAR MAPLE LN Construction Of New Home (4,256 sq-ft Single Family	Building C.O. Pending	Granted 01/27/2022	678.40 300,000.00
50572500	22-005	VERMONT REALTY LLC Vermont Realty LLC 239 MAIN ST Interior Renovations (Construct ADA Bathroom &	Building C.O. Pending	Granted 01/31/2022	50.00 10,000.00
49534600	22-007	BOUCHARD ROGER Power Guru 213 STARK ST Rooftop Solar (404.15 sq-ft)	Building C.O. Pending	Granted 01/31/2022	60.62 30,000.00
51555000	22-008	TOWN OF BENNINGTON Casella Construction 747 MAIN ST Construct a Waterline and Fill Station	Building C.O. Pending	Granted 01/31/2022	0.00 608,898.00

**Town of Bennington Planning and Zoning**  
**Detailed Permit Report****Permit types included:** Local/Custom**Approval status included:** Granted**Occupancy status included:** Any status**Decision dates included:** Between 01/01/2022 and 01/31/2022

<b><i>Parcel number Land Record Book and Pages</i></b>	<b><i>Permit number</i></b>	<b><i>Owner's name Applicant's name Location</i></b>	<b><i>Permit type Cert. of Occ.</i></b>	<b><i>Decision</i></b>	<b><i>Fee paid Cost of project</i></b>
50560100	2021	ALL GOOD LLC All Good LLC - Stacy Boxer 497 MAIN ST Removal of 1-Story Side of Existing Building	Local/Custom C.O. Not required	Granted	01/11/2022 50.00
44504300	2022	OSJ OF BENNINGTON VT LLC OSJ Of Bennington VT LLC 95 BENNINGTON SQ Removal of concrete block building - Kmart garden	Local/Custom C.O. Not required	Granted	01/14/2022 50.00

# Town of Bennington Planning and Zoning

## Detailed Permit Report

**Permit types included:** Sign

**Approval status included:** Granted

**Occupancy status included:** Any status

**Decision dates included:** Between 01/01/2022 and 01/31/2022

<b><i>Parcel number Land Record Book and Pages</i></b>	<b><i>Permit number</i></b>	<b><i>Owner's name Applicant's name Location</i></b>	<b><i>Permit type Cert. of Occ.</i></b>	<b><i>Decision</i></b>	<b><i>Fee paid Cost of project</i></b>
50560900	S22-001	489 MAIN STREET LLC	Sign	Granted	01/21/2022 75.00
		Kelley McCarthy 489 MAIN ST Mahar McCarthy Real Estate	C.O. Not required		525.00
29500700	S22-002	NORTH BENNINGTON ROAD LLC	Sign	Granted	01/20/2022 201.33
		Bailey Sign Inc 183 PHYLIS LN 1 Freestanding Sign (23.6 sq-ft), 2 Surface-Mounted	C.O. Not required (25.02 sq-ft & 31.91 sq-ft), Door Sign		23,000.00

Town of Bennington Planning and Zoning  
Detailed Permit Report

Permit types included: Subdivision  
Approval status included:   Granted  
Occupancy status included: Any status  
Decision dates included:    Between 01/01/2022 and 01/31/2022

<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>
36504501	21-175	TOWN OF BENNINGTON Town Of Bennington 204 ORCHARD RD 2-Lot Subdivision	Subdivision C.O. Not required	Granted 01/07/2022	0.00

Town of Bennington Planning and Zoning  
Detailed Permit Report

Permit types included: Zoning  
Approval status included:   Granted  
Occupancy status included: Any status  
Decision dates included:    Between 01/01/2022 and 01/31/2022

<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>
29500700	21-181	NORTH BENNINGTON ROAD LLC North Bennington Road LLC 183 PHYLIS LN Redevelopment of existing commercial/retail space	Zoning C.O. Not required	Granted	01/21/2022 0.00
55500100	22-006	SOUTHWESTERN VERMONT HEALTH PC Construction 100 HOSPITAL DR Temporary Tent Structure	Zoning C.O. Not required	Granted	01/20/2022 100.00 133,000.00