

**M E E T I N G   N O T I C E**

**BENNINGTON SELECT BOARD**

Monday, July 25, 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 July 11, 2022
  - B. Warrants
4. Public Comment 6:05 PM - 6:20 PM
5. Prospect Mountain Snowshoe Championships 6:20 PM - 6:30 PM
6. ARPA Update 6:30 PM - 6:40 PM
7. Bennington Family Housing Grant Agreement Resolution 6:40 PM - 6:50 PM
8. Morgan Spring Public Access 6:50 PM - 7:10 PM
9. Implementing the Town Vision 7:10 PM - 7:15 PM
10. Manager's Report 7:15 PM - 7:25 PM
11. Upcoming Agenda 7:25 PM - 7:30 PM
12. Other Business 7:30 PM - 7:45 PM
13. Executive Session
  - A. Real Estate/Contracts

We endeavor to host inclusive, accessible events that enable all individuals to engage and participate fully. To request an accommodation or for inquiries about accessibility, please contact Paul Dansereau, Facilities Director: pdansereau@benningtonvt.org or call 802-447-9715.

1 **BENNINGTON SELECT BOARD MEETING**

2 **130 RIVER STREET**

3 **BENNINGTON, VERMONT 05201**

4 **JULY 11, 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.

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

9 **ALSO PRESENT:** Stuart Hurd-Town Manager; Dan Monks-Assistant Town Manager; Jonah  
10 Spivak-Communications Coordinator; Paul Dansereau-Deputy Health Officer; Police Chief Paul  
11 Doucette and Lt. Cam Grande-Bennington Police Department; Todd Salvesvold and Alex  
12 Figueroa-Opioid Response Team; Margay Diamond-Interim Executive Director Turning Point;  
13 Attorney Adam Avalloaé-Emergency Health Order; Robert Ebert; Sam Restino; Debbie Matte;  
14 Kelly Carroll; Denise Main-Sunrise Family Resource Center Director; Clark Adams; Rose Telford;  
15 Karen Urban; Stanley Giamowski; Nat Perkins; Wendell Hall; Nancy White; Tordis Isselhardt; 20  
16 citizens; Jim Vires-CAT-TV; and Nancy H. Lively-Secretary.

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

18 ***Bruce Lee-Clark moved and Tom Haley seconded to amend the Agenda as Agenda Item***  
19 ***#5. Y Summer Camp Update has be postponed. The motion carried unanimously.***

20 **1. PLEDGE OF ALLEGIANCE**

21 The Pledge of Allegiance was recited.

22 **2. VISION STATEMENT**

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

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

27 **3. CONSENT AGENDA**

28 **A. MINUTES OF JUNE 22 and 27, 2022**

29 **B. WARRANTS**

30 ***Bruce Lee-Clark moved and Jim Carroll seconded to approve the Consent Agenda as***  
31 ***presented. The motion carried unanimously.***

#### 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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Sam Restino: Is pleased with the Thursday Night Live and the Hemmings Cruise-In activity in the Downtown; the Town should be doing a better job of addressing the abandoned and/or not taken care of properties, such as Citgo Gas and Friendly's; and where is the ladder truck? *Mr. Hurd: The ladder truck is in New Hampshire and we expect delivery within 30 days.*

Debbie Matte: Why is the Skate Park and the Senior Center under one total for the ARPA Funds? Also, it looks like the YMCA will have more space at the old Benn High, they're moving the fitness center over there, there are more shared spaces and the Seniors don't like younger people in their space, the entrance for the Seniors is in the back which would be a hardship for the Seniors, and there have been meetings without Seniors present. *Ms. Jenkins: We are planning on having an ARPA and Benn High update at the next meeting and there will be another meeting at the Senior Center for only Seniors.*

Kelly Carroll: Invited everyone to the Downtown Walloomsac Riverwalk on 7/16/22 at 10:00am at People's Park; to a Memorial Dedication Ceremony for Emily at the Walloomsac Riverwalk on 7/27/22 at 6:00pm where her attack took place; and the Post 13 American Legion Riders will have the 2<sup>nd</sup> Annual Ride on 7/16/22 at 10:00am with registration starting at 8:00am. The cost is \$20/driver and \$5/passenger with all proceeds to go to the Vermont Veteran's Home in Bennington.

Nancy White: Please put the Benn High Lease Agreement on the website; the public isn't being informed of what is taking place at the Benn High; meetings at the Senior Center are not well publicized and occur when most of the public is at work; and thinks the YMCA is double dipping. *Mr. Hurd explained that there is no double dipping because the YMCA budget is calendar year overlapping 6 months each of two of our fiscal years.*

*Ms. Conner read the following from a training by the Vermont League of Cities and Towns that several Board members participated in several months ago:*

*"The topic of the Training was something like 'How to Conduct Effective Meetings' - I don't remember exactly what the title was. There were a few comments made by the trainers who were proficient in the understanding of the Open Meeting Law that resonated with me and are valuable in thinking about how we conduct our meetings and considering changes to our process. The Select Boards that I've been a part of, including the current Board, have allowed members of the public to speak for long periods of time, and in some cases, many times during meetings. So the expectation that has been created is that the public can speak as often and for as long as they wish. The Open Meeting Law allows the public to speak for a reasonable amount of time. I think we can all agree that the amount of time that the public has been allowed to speak is far more than reasonable. Another statement that the trainer said was that when meetings are hours to conduct business they are public meetings but they are not for the public. It's really easy to forget that. We were also told that just because a member of the public makes a comment or asks a question, we are not required to respond. It's human nature to want to clarify and engage but we don't have to, and at times, it is not helpful for us to respond. So when we refuse to respond or do not allow someone to speak, we are not violating the Open Meeting Law. I hope my comments are helpful to the public and to the Board. If nothing else, they are a reminder as to why we are here and how we can do our best to conduct informative and efficient meetings and create an atmosphere that is inviting and pleasant. Thank you."*

Denise Main - Sunrise Family Resource Center Director: Our request for ARPA Funds and to partner with the Town for our Epicenter Project were approved. Along with Rutland County and Parent Child Center we also were approved for a 3-year grant from the William and Dorothy O'Neil Foundation, as well as, funding from the Vermont Community Foundation. Thank you and work on the Project will begin in September.

## **6. OPIOID RESPONSE TEAM/HUB AND SPOKE OVERVIEW**

Todd Salvesvold, a Registered Nurse at Southwest Vermont Medical Center, did the following presentation:

- Works for the SPOKE which is Medically Assisted Treatment (MAT) for individuals with opioid use disorder throughout Bennington County.

- All SPOKE'S are located in Primary Care Offices except for Savita which is a Super Spoke in Bennington.
- Savita serves ~500 people with the next largest one serving ~60 people.
- There are ~9,400 people in treatment at a HUB or SPOKE in Vermont at any time.
- In the 1<sup>st</sup> quarter of 2021, Vermont had 51 opioid related fatalities and 43 during the 1<sup>st</sup> quarter of 2022 - "still too high but hopeful" - with non-fatal doses from 34.5 to 21.2, respectively, for the same time periods.
- These numbers also decreased during the 2<sup>nd</sup> quarter of 2022.
- In 2021 there were 210 fatalities with Bennington 16 of those - a higher percentage per capita than other counties.
- Overall, the southern part of the State is a higher per capita percentage than the northern part.
- We haven't had any spikes in fatalities in Bennington related to fentanyl in a "bad batch".
- A HUB is a high intensity MAT (need to go to every day for treatment) and a SPOKE is a maintenance MAT (less frequent visits).
- Bennington doesn't have a HUB so the 100 people that need a HUB have to travel an hour to get to one (North Adams, Rutland, or Brattleboro).
- United Counseling Service (UCS) is considering becoming a SPOKE and we hope to have a HUB in Bennington within a year.
- Narcan is also available anywhere and therapy as needed is part of a SPOKE at no charge.

Margay Diamond, Interim Executive Director, Turning Point added:

- Turning Point had piloted the program of recovery coaches for those in treatment and provide peer support. We are all trained and certified in recovery coaching with staff on 12-hour pagers so when a call comes in we deploy a coach to the hospital or the community location where the overdose occurred.
- This contact has gotten many people into 30-day programs of recovery.

*Board questions/comments answered by Mr. Salvesvold:*

Ms. Conner: Please explain fentanyl. *It used to be a little fentanyl in my heroin and now it's a little heroin in my fentanyl. The ingredients for fentanyl are easily accessible and people are mixing up their own where there is no quality control. Fentanyl doesn't bind well with other substances so the same bag of fentanyl can have 10% in a dose or 90% in a dose. People will seek out the stronger substance because it will better prevent them from getting sick.*

Ms. Conner: Has there been a change in the numbers because of the way that doctors are now prescribing opioids after surgery? *Absolutely.*

Mr. Carroll: Does fentanyl act quickly? *Yes, very quickly and Narcan acts very quickly also.*

138 Mr. Corey: Can you tell where the fentanyl came from? *The High Drug Traffic Agency of New*  
139 *England monitors this and they have said that fentanyl comes from New York City.*  
140 *Methamphetamine is a new drug of concern coming from Boston.*

141 Mr. Corey: Does anything point to less use of drugs? *We are treating the same numbers but*  
142 *there is more knowledge about fatal use of drugs. The HUB should help turn some people*  
143 *around.*

144 Ms. Perrin: Will you be coming back with a follow up report? Yes.

145 *Public questions/comments answered by Mr. Salvesvold:*

146 Sam Restino: Can you get fentanyl through the skin? *This is possible and it only takes a small*  
147 *amount of fentanyl to be fatal.*

148 Kelly Carroll: Can the community do anything to support the need for a HUB? *The Vermont*  
149 *Department of Health will make the decision on the HUB so any public support will be helpful.*

150 Clark Adams: The effects of emergency care Narcan only lasts a half hour so follow up medical  
151 care is needed to save a life.

152 Rose Telford: Why isn't alcoholism part of the program? The person needs to decide with any  
153 addiction that they want/need to stop. *Alcoholism is just as prevalent and there are people in*  
154 *the SPOKES who mainly treat alcoholism with a similar program of treatment to the opioid*  
155 *treatment available in the ED for alcoholism.*

156 Nancy White: Are considerations being made as to the location of recovery housing and offices?  
157 *The SPOKES are generally located in business locations as will the HUB when we get one.*

## 158 **7. BENNINGTON POLICE DEPARTMENT POLICING TODAY**

159 Police Chief Paul Doucette and Lt. Cam Grande from the Bennington Police Department  
160 (BPD) did the following presentation:

- 161 ➤ Kudos to all of the partnerships that the BPD has in the Town, i.e., SVMC, UCS, Turning  
162 Point, etc., for the work that they do.
- 163 ➤ Traffic safety has been a big issue over the last 2 months and the community wants us  
164 to issue more tickets. Issuing tickets vs. warnings is at the officer's discretion and we  
165 are working on that.
- 166 ➤ On 8/2/22 the BPD will be partnering with the Fire Department, Highway Department,  
167 and others at the Lower Willow Park pavilion in recognition of National Lights Out from  
168 5:30pm-7:30pm for some fun and giveaways funded by Heritage Credit Union.
- 169 ➤ The last 6 months there has been some gang related violence in Bennington and  
170 surrounding communities.
- 171 ➤ There are 3 separate gangs that are coming up from the Springfield/Holyoke,  
172 Massachusetts area revolving around money, guns, and drugs.

- 173 ➤ One of the issues is the legally purchased firearms in Vermont that are being traded for  
174 drugs, as well as, the purchase of firearms for others that cannot legally purchase them  
175 and trading those firearms for drugs.
- 176 ➤ We are working on a common goal with our State, local, and Federal partners to keep  
177 Bennington safe.
- 178 ➤ We are seeing cocaine, heroin, and marijuana all laced with fentanyl and  
179 methamphetamine.
- 180 ➤ We are dependent upon the community to report wrong doing, such as the drive by  
181 shootings that have taken place. Reports can be made by calling 911 or 442-1030, and is  
182 best done, when the issue is taking place.
- 183 ➤ We make arrests, but once a person is transported to court, the police aren't  
184 responsible for what happens in an arraignment where they are released back on the  
185 street.
- 186 ➤ There are legislative rules that we have to follow so we can't simply "lock people up".
- 187 ➤ After we have been notified about an incident, investigations sometimes take months to  
188 develop a case so it is easy to get impatient thinking the police aren't doing anything.
- 189 ➤ Our legislator's, both State and Federal, need to understand the constraints they are  
190 putting on law enforcement. We need to be able to help people with their issues.
- 191 ➤ If there is a decrease in drug use there will be a decrease in drug related crimes.
- 192 ➤ We need "an overhaul of our criminal justice system in this country..."

193 *Board questions/comments answered by Chief Doucette or Lt. Grande:*

194 Mr. Lee-Clark: Some of us may live where we don't see it but it's all around us. Has there been  
195 an increase in the number of juveniles coming in since Vermont changed its law on juvenile  
196 detention? *Yes, there has. This is a business and the dealers that are sending the juveniles to*  
197 *Bennington know our laws and know that the juveniles will be back out on the street quickly.*  
198 *Release conditions to send them back to Massachusetts don't work because the dealers send*  
199 *them right back to Vermont. Drug trafficking is not part of the "Big 12".*

200 Mr. Lee-Clark: Then the Select Board and the community need to contact our legislators, and  
201 those running for the legislature, to encourage changes in the law.

202 Mr. Corey: Are the juveniles bringing guns with them or just getting them here? *Both. They're*  
203 *bringing guns with them and bringing drugs that are being traded for guns purchased here. We*  
204 *have several cases now with Homeland Security that are coming from Bennington.*

205 *Public questions/comments answered by Chief Doucette or Lt. Grande:*

206 Clark Adams: Has there been any action or thought to charging these juveniles under Federal  
207 law? *We are working with our Federal partners now in identifying the cases of interstate travel*  
208 *of guns, narcotics, and money. We work with Homeland Security daily and have two*  
209 *Bennington police officers who have been deputized to assist the Federal officers here and*  
210 *across state lines, as well as, having a couple of cases currently before the U.S. Attorney.*

211 Sam Restino: DCF needs to find foster care homes for troubled teens and we should re-institute  
212 Neighborhood Watch. *DCF has a tough job, they are one of our partners, and are notified*  
213 *whenever a juvenile is involved. There are rules to forming a Neighborhood Watch such as a*  
214 *police officer must be at the meetings. "This is not about being a vigilante. It's about reporting*  
215 *things that you see and making sure the Police Department knows what is going on."*

216 Karen Urban: Thanked the police for what they do and stated that we need sober housing and  
217 safe places for people to live before they can get into treatment. "We desperately" need a HUB  
218 in Bennington. And, hopefully there is a plan if there is a school shooter. *We do have a plan*  
219 *and train on the plan with Active Shooter Trainings. Our officers have attended trainings all*  
220 *over the country on a team approach, a small team approach, and a single officer approach. "If*  
221 *something like that happened, we are going to handle it."*

222 Stanley Giamowski: Where are the gangs coming from? *Reiterated Springfield/Holyoke,*  
223 *Massachusetts, and due to the seriousness of this, we need help from our legislators in*  
224 *Montpelier, help from our Vermont representation in Washington, D.C., and help from all of our*  
225 *local partners to curb some of these addictions.*

226 Nat Perkins: Thanked the police for their efforts and asked how can the community help? *Ms.*  
227 *Jenkins: Noted, and Chief Doucette reiterated, the responsiveness of our State legislators with*  
228 *Pathways Vermont.*

229 Kelly Carroll: Be sure to not only contact our local legislators but contact all of the legislators in  
230 the various committees that our legislators are not on.

231 Wendell Hall: Asked if there was any monitoring of the vehicle break-ins on Depot Street?  
232 *Officers are patrolling and collecting evidence by ringing doorbells and arrests have been made.*  
233 *Please send us what you have recorded.*

## 234 **8. EMERGENCY HEALTH ORDER, 105-107 SPRING STREET**

235 Paul Dansereau, Deputy Health Officer, did the following presentation:

- 236 ❖ We have provided the Select Board with an update regarding the 105/107 Spring Street  
237 Emergency Health Order prepared on 6/24/22 and request they affirm, modify, or  
238 terminate the Emergency Health Order.
- 239 ❖ The Emergency Health Order was sent to the owner of record, Wilmington Savings Fund  
240 Society FSB, via certified mail and received by them on 6/27/22.
- 241 ❖ The public health hazard is garbage, trash, and debris piled up over the entire property  
242 providing a harborage for rats and other rodents.
- 243 ❖ Also, the front porch roof is collapsing so immediately post warning signs and deter  
244 access to the front porch.
- 245 ❖ As of today, we were contacted by Attorney Adam Avallonaé and a former tenant had  
246 started to clean up the area so there has been some improvement.



- 247 ❖ Prior to this Emergency Health Order on 2/1/22 the owner was contacted via certified  
248 mail of the Zoning Violation #22V-003 for the trash, junk, debris, and  
249 unregistered/uninspected/inoperable vehicle(s).  
250 ❖ On 4/2/22 an Environmental Order was filed; on 5/2/22 there had been no response; on  
251 6/6/22 our Town Attorney requested a judgement; and on 7/7/22 the Environmental  
252 Court issued the judgement.

253 ***Bruce Lee-Clark moved and Jim Carroll seconded to affirm the Emergency Health Order***  
254 ***dated 6/24/2022.***

255 Attorney Adam Avalloaé, representing the owner of the property, stated that the owner  
256 has agreed to do whatever is deemed by the Town is necessary to clean up the property. There  
257 is no one in the property at this time and we are requesting that all fees be waived.

258 Mr. Carroll asked how long the owner has known about the condition of the property,  
259 and Mr. Dansereau answered that a notice had been sent on 11/9/21 via certified mail about  
260 the violation to the previous owner. The per diem fine by the Environmental Court is \$15/day  
261 plus attorney fees of ~\$1,700.

262 Mr. Carroll stated that the owner has known about this since November, has done  
263 nothing with other residences in close proximity that has not only created a health hazard but  
264 lowered the neighbor's property values, and is asking for "a favor"?

265 Mr. Avalloaé noted that Vermont Law requires waiting 90 days to see "if anything comes  
266 out of the woodwork and claims to be a bonafide tenant".

267 Mr. Lee-Clark added that the owner can enter the property without a court order  
268 because no one is in the property. It needs to be cleaned up and has nothing to do with  
269 whether or not you're going to be sued. Your client has maintained the property in this  
270 condition because they've known about it since November.

271 Ms. Conner asked if we can give the owner a new deadline, and Mr. Avalloaé answered  
272 that they have a monetary deadline plus attorney fees.

273 Robert Ebert stated that in 2018 "it was a mess back then" when he was the Interim  
274 Part Time Zoning Enforcement Officer for the Town. We got it cleaned up and it returned to  
275 "its abhorable state almost immediately".

276 Mr. Avalloaé added that we needed the court order before we could enter the property  
277 and his client has the means to pay all of the fees that are due.

278 Nat Perkins said there's a property on Niles Road with yellow tape around it, a vacant  
279 sign, and trash everywhere. Can't the Town take possession of a property like this? Mr.  
280 Dansereau answered that the zoning violation has been issued to the owner of record and we  
281 are at the point of having our attorney file with the Environmental Court. Mr. Monks added  
282 that it then may take several months to get a hearing and hope for a decision that they have to

283 clean it up. We rarely receive our costs for this process. We cannot enter the property without  
284 a court order in hand.

285 Clark Adams asked if we can expedite the process if it's a health and safety hazard? Mr.  
286 Dansereau stated there are two options - an Emergency Health Order (like this one) or a  
287 Regular Health Order (for less extreme conditions).

288 Nancy White asked when the owner took possession of the property, and Mr.  
289 Dansereau answered that the current owner took possession when they foreclosed on it. The  
290 neighbors just want it cleaned up.

291 ***The motion carried unanimously.***

## 292 **9. IMPLEMENTING THE TOWN VISION**

293 Ms. Conner: The ADA tour that we went on last week with the Vermont Council on  
294 Independent Living was very informative with changes and signage that needed to be done  
295 being pointed out.

296 Mr. Haley: CPARB had their first training on Saturday - an all-day training - which was very  
297 successful.

## 298 **10. SET TAX RATES, SET WATER/SEWER RATES**

299 Mr. Hurd explained that the Village of Old Bennington, North Bennington, and the Town  
300 of Bennington all pay the General Fund; only the Town of Bennington pays the Highway Fund;  
301 (North Bennington and Old Bennington have their own Highway Funds); the Town of  
302 Bennington and the Village of Old Bennington pay the Fire Fund (which exempts those in the  
303 Rural Fire District and North Bennington has its own Fire Department). The overall tax rate  
304 increase is \$.0644, or 5.7%.

305 ***Bruce Lee-Clark moved and Jim Carroll seconded to approve the FY23 Tax Rates***  
306 ***presented as follows:***

307 ***General Fund - \$0.8183***

308 ***Highway Fund - \$0.4202***

309 ***Fire Fund - \$0.0964***

310 Mr. Lee-Clark reminded everyone that the tax rates are just a consequence of the  
311 popular vote that took place in March 2022 as it calculates with the Grand List.

312 ***The motion carried unanimously.***

313 Mr. Hurd explained that the Water and Sewer Rates have flat rates (charged to  
314 homeowners on municipal water and/or sewer) and metered rates charged to (businesses and  
315 multi-family dwellings). The water rate increase is 5% and the sewer rate increase is 10.5%.

316 The sewer rate increase is the last year of a 4-year process to build up our reserves in the waste  
317 water and sewer line items.

318 ***Jim Carroll moved and Gary Corey seconded to approve the FY23 Water and Sewer***  
319 ***Rates presented as follows:***

320	<b><i>Water Flat Rate</i></b>	<b><i>-</i></b>	<b><i>\$153.25/quarter</i></b>
321	<b><i>Water Metered Rate</i></b>	<b><i>-</i></b>	<b><i>\$97.80/1,000 gallons/quarter</i></b>
322	<b><i>Sewer Flat Rate</i></b>	<b><i>-</i></b>	<b><i>\$144.63/quarter</i></b>
323	<b><i>Sewer Metered Rate</i></b>	<b><i>-</i></b>	<b><i>\$94.90/1,000 gallons/quarter</i></b>

324 Sam Restino: Aren't there grants we can go after for our aging system? We have to live within  
325 our means and a million dollar Skate Park and a new Willow Park isn't that. *Mr. Hurd answered*  
326 *that there are dollars coming to us for our old infrastructure systems eventually that we hope to*  
327 *use for major projects. However, what we are funding now is for operating expenses and*  
328 *inflation. Mr. Carroll added that the Skate Park and Willow Park projects are being paid for with*  
329 *ARPA Funds and not costing the taxpayers anything.*

330 Nancy White: We have the sewer bond out to 2037 and the water bond out to 2035. We have  
331 \$24M of water and sewer projects coming up so even with grants we are going to take a big hit  
332 locally so we should be allocating some of those ARPA Funds towards that.

333 Nancy White: We're selling our water so we should have a spigot at the Rec Center for people  
334 to be able to get free water. *Mr. Hurd: This would be asking the rate payers to subsidize those*  
335 *that are getting the water for free for the operation of the system.*

336 ***The motion carried unanimously.***

## 337 **11. MANAGER'S REPORT**

338 Mr. Hurd did the following report:

339 *Environmental Report* - The Armory has no contamination and the National Guard are to begin  
340 soil testing on the new site. We are now moving forward and the federal funding is in the  
341 pipeline. The next step is the transfer currently set for 2023/2024.

342 *TIF Extension* - Has been approved by VEPC and we have 5 years to decide how to utilize this  
343 option. This will be most helpful as we move through the Benn Hi renovation and reformation  
344 and into projects beyond.

345 *Letters to Households Regarding Lead Testing* - If you have received a letter from MSK regarding  
346 lead testing for lead service lines servicing your home, have the testing done - it's free - and if  
347 lead service lines are found, the replacement is also free. Follow up testing will also be  
348 available to those that had replaced the lines on their own.

349 Land Records in the Cloud - Land records are now in the cloud and can be checked out at  
350 [https://recordhub.cottsystems.com/BenningtonVT/Portal/SearchSites/Home?OrganizationId=2](https://recordhub.cottsystems.com/BenningtonVT/Portal/SearchSites/Home?OrganizationId=244)  
351 [44](https://recordhub.cottsystems.com/BenningtonVT/Portal/SearchSites/Home?OrganizationId=244) .

352 Primary Ballots are available at the Town Clerks Office - Primary ballots are now available at the  
353 Town Clerks Office and early voting is available. Voting in person is August 9, 2022.

354 **12. UPCOMING AGENDA**

355 July 25, 2022 - ARPA Update  
356 August 8, 2022 - Pathways Update  
357 August 22, 2022 - YMCA Update  
358 August 22, 2022 - Opioid Response Team Update

359 **13. OTHER BUSINESS**

360 Mr. Haley: Vote early now or in person on August 9<sup>th</sup>.  
361 Ms. Jenkins: The Community Garden picket fence is gorgeous.

362

363 ***At 8:33pm, Jim Carroll moved and Tom Haley seconded the adjournment of the***  
364 ***meeting. The motion carried unanimously.***

365

366

367 Respectfully submitted,

368 Nancy H. Lively

369 Secretary

## MEMORANDUM

To: Bennington Select Board

From: Shannon Barsotti, Community Development Director

Date: July 13, 2022

Re: Bennington Family Housing Grant Agreement Resolution

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Prior to the Town Manager signing the Grant Agreement for the Community Development Block Grant for \$500,000 that would be sub granted from the Town of Bennington to Shires Housing for the renovation of 300 Pleasant Street for the Bennington Family Housing project, the Select Board is required to adopt a resolution, Form PM-1. This form states the acceptance and responsibility of the terms and conditions of the Grant Agreement and designates the person with the overall responsibility and authority to execute all appropriate documents.

Form PM-1 is attached.

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

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

**WHEREAS**, the Agency of Commerce and Community Development has tendered a Grant  
Agreement # \_\_\_\_\_ to this municipality for said funding:

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

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

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**LEGISLATIVE BODY**

(Typed Name)

(Signature)

Jeannie Jenkins, Chair

Jeanne Conner, Vice-Chair

Jim Carroll

Gary Corey

Tom Haley

Bruce C. Lee-Clark

Sarah Perrin

**For Agency Use:**

Processed By: \_\_\_\_\_ Date: \_\_\_\_\_

**MANAGER'S REPORT**  
**July 25, 2022**

**ACTION**

Nothing at this time

**INFORMATIONAL**

Mike Cutler to represent Town at 3rd Annual Community Leadership Conference

The summit, organized by the Vermont Council on Rural Development, (VCRD), will be held in Randolph, Vermont in August of this year. It's an inclusive summit aiming to bring together new and established voices from across Vermont. Mike was selected by the Manager in consultation with the Chair and Vice Chair of the Select Board. His contributions to the community are extensive. We are pleased he has agreed to represent Bennington.

Benmont Ave/County Street sewer      This 15" diameter sewer main carries a tremendous flow. It is very old. As you know, its replacement with a 24" diameter main was one of the projects identified by staff when we were pulling together a list of projects for ARPA and beyond. We had hoped that the infrastructure monies would now be available, but unfortunately, they are not. Several weeks ago, a portion of this main collapsed. A following review by our staff and engineers noted that the main is collapsing slowly. It is our opinion that we must move to replace this main asap. I have discussed with our Finance Director and determined that funds are available, although it will mean using fund balance from the Sewer Fund. RJ and Larry Gates are reviewing the project for timing and for what we might handle in house to reduce the cost. We must move soon to avoid a major collapse. This is the primary reason we have been budgeting depreciation. I wanted to give you a heads up.

DPW Fleet Manager position      Long discussed and long in the making, we are prepared to create the position of Fleet Manager for the DPW. This position would be paid for from savings for all our fleet repair and maintenance activities. We estimate savings to approximate 73% of current Highway, Water, Sewer, Police and Buildings and Grounds repair and maintenance budgets. That would provide an estimated \$82,000 in savings. We estimate the salary to be in the \$70,000 range depending on certifications and experience. This individual would be responsible for all fleet management, repair and maintenance and be based in the DPW Facility. We are fine tuning the job description and our costs to set up shop. When completed, we will move forward. I will provide the completed job description to the Board when it's ready.

**FOLLOW UP**

The Communication Coordinator's Report is attached.



# Town of Bennington

Communications Coordinator Report — July 25, 2022

## Building Community

This month we saw an incredible outpouring of community support for Finley, a very young girl fighting cancer. We are proud of the work done by our civic organizations such as the VFW, FOE, Lions, Elks, Moose, the business community, and the residents of our town in support of efforts like this. In particular, Norm LeBlanc and the VFW deserve credit for providing leadership in rallying the community.

We note this in part because while the town can and does support the efforts of civic groups as a whole — we cannot support fundraising efforts for individuals or specific families in order to avoid the appearance of favoritism. Can we do more as a town to support civic groups and the efforts they support? I hope so. I will seek input from civic groups to learn what we can do better. We each have our roles, but what we know is that when everyone works together, great things can be accomplished.

## Willow Park Playgrounds:

We are on schedule for the installation of the new playgrounds. A final presentation of the playground designs back in May was cancelled due to the illness of our vendor's presenter. We discussed doing a ground breaking ceremony instead, but due to the inability to get a firm start date for demolition, we decided to plan for a ribbon cutting ceremony instead. The current start date for site preparation is July 28 or 29. Once that work begins we will do a series of updates on progress and we will be able to schedule a final ribbon cutting for sometime in August.

For more information about the Willow Park playgrounds renewal project and process please visit the Town website page on Willow Park located at: <https://benningtonvt.org/willow-park/>

## Citizen Outreach:

I met with eleven citizens over the last month on a variety of issues and concerns. There was one public record requests to my office.

## Community Outreach

I worked with Jerry Albert, the Bennington Rotary, the Battle Monument, and the town to coordinate a combined fourth of July celebration that included a reading of the declaration of Independence at the Monument, a car parade with riders from the VFW and American Legion to the town office, and a bell ringing ceremony with a 14th honorary ringer for Vermont. This year the Bennington Historical Society was chosen by the Rotary for that honor.

I am helping promote "Come Alive Outside", a program featuring a summer passport where kids and families do activities and explore their community and then enter to win a prize. I also assisted with outreach for the PFOA settlement workshops and reminders to the community to sign up, as well as new outreach around the Bennington Lead Line project.

Most recently we are very concerned about the lack of rain this summer and we have done the first in what will be a series of posts about conserving water. The hope is that by building awareness and encouraging water conservation early we can avoid more serious restrictions later.

## A.T. Community and Business Outreach

Planning is being finalized for the July 30 "Bennington Trailfest" to be held at the Bennington Community Center (Rec Center) from noon to 3 pm. There will be live music, free food, activities, and informational tables. Free to the public. Several businesses have joined as A.T. Community Business supporters who will be recognized during the event. The BBC is also a supporter of this effort. A trivia contest with prizes, lawn games, and hiker related skill workshops will also be included.

## 250th Anniversary Planning:

An initial meeting of a 250th planning committee for Bennington and the surrounding region occurred on June 30th. If you are interested in being part of the planning effort please contact me at 802-445-1335 or



by email [jspivak@benningtonvt.org](mailto:jspivak@benningtonvt.org). The purpose of the committee is to start planning for specific events and to explore what “big ideas” might be possible for 2025-2027, to interface with the statewide 250th commission, work with local educators and the SVSU to support teachers in bringing 250th related curriculum and materials to our classrooms, and to collaborate with regional partners. As part of the regional collaborative effort, I will be attending the Castleton Historical Society meeting for their discussion on 250th planning for Ethan Allen and the attack on Fort Ticonderoga.

### Website Update:

Work on the new town website has moved from the design stage to the coding stage. Once complete, the content of the existing site will be transferred to a beta site for testing and navigational fine tuning. We are on track for a launch of the new site in late August or September.

### Organizational Collaboration:

I attended the Continuum of Care (CoC) monthly meeting and I support the effort by the BCCH and GBICs on the idea of a strategic plan for the Bennington CoC.

## Facebook POST OF THE MONTH:

Credit for our post of the month goes to Jon D'Amour and the team at the waste water treatment facility!

It goes without saying that our sewage system is one of the most important parts of our infrastructure. And it is also probably one of the least understood.

A big investment was completed pretty recently, in 2020. The project could have cost upwards of 17 million, but was kept to 9 million by doing a lot of the work in house and by upgrading parts of the project over time rather than all at once. The team deserves our thanks not only for keeping costs down, but for the excellent quality of their work.

But more investment will be needed. The team is currently studying “bio-chemical oxygen demand” (BOD) levels, possible changes in the state permit, a new sand filter, and simply dealing with rising costs from inflation.

Building awareness of these needs is important for creating support from the community to tackle the challenges that we will face in the future.

**Town of Bennington**  
Published by Jonah Spivak · July 8 at 1:45 PM

What is the number one problem in our sewage system?

"It's the wipes!" says Jon D'Amour, a 26 year employee working for the town and our Wastewater Sewage Plant Chief Operator. Apparently there is no such thing as a "flushable" wipe, despite what it may say on the package. "The biggest culprit in clogging our system and causing headaches for homeowners are wipes." In fact addressing the problem with wipes was one of the big costs in the sewer facility upgrades that took pl... [See more](#)

Our facility treats an average of 4 to 4.5 million gallons of water per day

These "RBCs" use bacteria to naturally remove waste

Fully rehabbed primary digester

Replaced and rehabbed pumps and piping

New pre-screening building and system

4,025 People reached    554 Engagements    ↑ +2.7x higher Distribution score    [Boost post](#)

11 Likes    9 Comments    27 Shares

Like    Comment    Share