

Village of Old Bennington
Trustees' Meeting Minutes
August 5, 2025

The Trustees' monthly meeting was held at The Barn and on Zoom. A link to the Zoom recording is here:

https://zoom.us/rec/share/qdA8gbd3gHAUCi_070m-5hi27kXPN7yG9GRP3dHW9-N05lpUCe-UHHhDipbqqcey.PrxaafiTxGQOJVty?startTime=1754434818000

Passcode: tr5yNv\$h

Officials present: Presiding Officer Ed Woods; Trustees Than Marcoux, Jim Thatch, Tom Woodward, and Susan Wright; Treasurer Ron Rabidou; Auditor Kathy Wagenknecht; Clerk Mary Walsh; and Zoom Operator McKinley Keaffaber.

Officials absent: None.

Citizens present: Brian Scheetz and Renny Ponvert in person; Christine Costello, Mark Vaughan, and Lucy Baldwin on Zoom.

1. Call to order: EW called the meeting to order at 7 p.m. Zoom operator MK noted that the proceedings were being recorded.
2. Changes or updates to Agenda: EW said he had some comments on best practices for Trustees' meetings. He said he'd been reading the minutes from recent Trustees' meetings and wanted to make some adjustments, to ensure Old Bennington was fully compliant with Vermont's open meetings law. First, he said everybody speaking in these meetings should be introducing themselves, because everybody doesn't know everybody else, and our current Zoom technology doesn't always show the person speaking. All Trustees and Officers then introduced themselves for the record.

Second, EW said that if anybody has a report to make but cannot attend the meeting, they should submit the report in writing.

Third, EW asked MK to describe upcoming changes in technology, which will make Trustees' meetings more accessible. MK said that among other things, there would soon be a pulldown screen in the meeting room, allowing those present to see the faces of those participating on Zoom (something now not possible). Also, any residents or officials will be able to re-watch each future meeting. MK said the upgrades would begin with the November meeting.

Fourth, EW said that the “Citizen Comments” section of future Trustees’ meetings was the time for citizens to raise topics that aren’t listed on the Agenda. Each person should introduce themselves by name, and address any questions to the full board, not to individuals. EW noted that Vermont has a very strong open meetings law that requires all topics to be “warned” in advance, so that all citizens can participate knowledgeably. Therefore, some citizens’ questions might have to be “warned” for a subsequent Agenda.

Finally, EW said that in consideration for the Clerk, at future meetings he would ask citizens making comments to wait until they’ve been identified by the Chair.

3. Approval of July 1, 2025, Minutes: SW said that her name had been misspelled at the top of that month’s minutes and had to be changed. MW said she’d go back and change it. EW said that aside from that there were no other revisions necessary.
4. Citizen comments not related to Agenda: RP asked the Trustees to consider putting the topic of speeding and traffic safety on the Agenda for the September meeting, because it continued to be a topic of great importance to all residents. EW said that he would solicit questions for discussion when the September agenda is being prepared.

RP also asked whether Mary Rogers and Norm LeBlanc, respectively North Bennington’s Select Board Chair and Highway Superintendent, could come to a Trustees’ meeting and talk about how the two neighboring villages might collaborate on issues and projects. EW said the Agenda item for the visit would be about collaboration, and individual projects might then be raised at subsequent meetings. In response to a question, he said North Bennington is a village, like Old Bennington, but it’s bigger and has certain things (like a road crew) that Old Bennington doesn’t have.

BS asked about citizens wanting to talk about issues that are outside the regular course of business for monthly commissioner reports. RR said that people on Zoom would have to be unmuted before they speak, and that he had already disabled the “chat” function on Zoom.

5. Reports of Commissioners

- a. Road Commissioner: TM discussed the progress of repairing Bank Street, which was close to completion. He said RP’s introduction to Norm LeBlanc was key, and that VTrans had called NL’s involvement “a real game-changer,” since NL had equipment and a Department of Public Works crew that could do things cheaper than a private company. These economies enabled Old Bennington to do a “full road reclaim,” while still remaining within budget. NL was able to negotiate a better price for the asphalt, he did some of the tree work himself, and he used North Bennington’s equipment to clear out the storm drains.

TM said he had also received a request from a citizen that a strip of gravel be placed along the right-hand side of Bank Street (facing downhill), to give people a place to walk, since there isn’t now any shoulder. He said Mike Bacon, the paving contractor,

had given him a quote of \$12,800 for this addition, and TM said he was in favor, because it would improve pedestrian safety and help keep vegetation from growing onto the road. RR confirmed that an additional \$12,800 would not put the Bank Street repair project over budget. EW said he thought the gravel strip made sense, because traffic on Bank Street was apt to become more dangerous now that the street has been fixed. There was discussion about whether the gravel would stay put once installed, how deep it would be, whether it would be uncomfortably sharp for pedestrians, and whether TM had consulted Bank Street residents about it. TM said the gravel strip would be within the legal right-of-way for the street. He said the installers could return in about two weeks. EW said that since the cost of adding the gravel strip would not drive the project's total cost above the Trustee-approved budget, there was no need for another vote.

EW said Police Commissioner JT should make sure the repaired Bank Street was compliant with all safety regulations, and he should call Green Mountain Line Striping to have the "stop bar" replaced at the intersection with Monument Avenue.

There was also a discussion of yellow center lines, which have been re-appearing on some Village streets, even though the Village has told the State it doesn't want them. (The Village has rejected yellow center lines because studies show they tend to promote speeding.) EW said he was concerned that if the Village doesn't tell the State to remove the yellow lines, the Village will seem complacent, and we don't want to send that signal. There was consensus that the State should be told to scrape off the yellow paint.

There was also a discussion of the repairs that still need to be made to the damaged parts of the curb along Monument Circle, and whether the Village has any responsibility for the curbs, given that the street is the responsibility of the State. TM said that collaborating with NL on the Bank Street work had been so successful that he was planning to make a list of any additional road work to be done before this winter, and he could put the Monument Circle curbs on the list for discussion. KW thanked TM for getting Bank Street done so economically and the Trustees and Officers gave him a round of applause.

- b. Tree Commissioner: TW said he had nothing to report, other than recent talks with residents of Catamount Lane whose trees are encroaching on the street and in some cases dying. They are being referred to Dave Kiernan for any permits needed. TM said TW had been a great help with the tree work needed for the Bank Street repairs. BS asked about the trees that had been removed from the property at 16 Walloomsac Road. TW said all of the trees removed had been dead or dying.
- c. Parks and Sidewalks Commissioner: SW said she had no news to report but wanted to discuss the plans for the 250th anniversary of the Battle of Bennington. Specifically, she and JT wanted to reopen the possibility of establishing a walking trail on an unused street leading away from the Monument. Steve Anisman had vigorously opposed developing such a trail, which would have been next to his property, but now

he has moved away. JT said the planned trail would be lit, and would go down to the old corkscrew railway; there might also be some parking options. EW said the trail would belong to the Town of Bennington, because it would connect with some of the Town's other trails. Jonah Spivak, who has represented the Town on previous trail discussions, would be willing to come back and present the current plans to the Trustees. EW asked JT and SW to provide a date for the presentation, because it would have to be warned in advance.

TW said the trail was in fact an abandoned road, and Vermont might have rules or laws about the use of abandoned roads. RR said the legal status of the trail was the same as the status of the undeveloped right-of-way where Elm Street would lead West toward Seminary Lane, after the intersection with Monument Avenue. BS said the right-of-way belonged to the Village as long as it was within the Village, and when it crossed the Village boundary it became a Town right-of-way.

BS said he would support the trail project except for one thing: He recalled that Jonah Spivak had said that a portable toilet would be permanently installed where the trail met Monument Circle. EW said it was important to confirm our understanding of the portable toilet, since he thought the Town had offered to add it only to allay concerns that anniversary visitors might venture off the trail and relieve themselves on residents' lawns and gardens.

- d. Police Commissioner: JT said he had now been introduced to the Town's top two police officials. He said he was aware of Village residents' concerns about speeding, and he was beginning to research solutions that other municipalities were using. He also said he'd received a text about an accident on Main Street, and he would begin keeping a log of all such accidents and reporting them to the Trustees at monthly meetings.
- e. Miscellaneous, Update on the Village Plan of Development: EW said that the Village's current Plan was expiring in August. The State requires municipalities to have Plans of Development, and there's no such thing as an extension to keep one from expiring. The Village's current Plan of Development is not compliant with current State laws. The Trustees have known for some time that Old Bennington was facing this situation and would have to deal with issues that come up under these circumstances. TW said that for one thing, the Village would not be allowed to change its Bylaws while it has no Plan of Development. He gave the approval of solar power applications as an example. The Bennington County Regional Commission is assisting the Village and is eager to move forward with a new Plan.
- f. Treasurer: RR said that because of the way the Bank Street repairs had been handled, the Village was now in a good financial position. It will have enough money for future road repairs without needing tax increases, aside from the increases the Trustees have already voted for to stay on par with the Town's tax rate.

RR listed the expenditures in the Warrant, which are available for public review in the Treasurer's Report on the Village website. The Warrant was unanimously approved. There was consensus that the checks be signed after adjournment.

RR also said he had closed a dormant Village bank account, as planned. He said there had been no payments of the taxes due on any delinquent parcels. The delinquency at 57 Monument Avenue is notable, because the owner (the Weingarten Trust) has essentially disappeared. RR has asked Merrill Bent about tracking down the owner, and billing the cost of the search to the owner. He said he would check whether the Weingarten Trust is also delinquent on taxes due to the Town. EW said it was unusual for a delinquent property owner to disappear, leaving no one for the Treasurer to deal with. BS said he had researched the situation and learned that if a municipality writes to the taxpayer at the last address of record, the municipality has fulfilled its legal duty. In other words, a municipality with a missing taxpayer doesn't have to make a lot of extraordinary efforts that won't produce results.

MW noted that the Bank Street repairs had cost much less than expected, producing a big savings for the Village. She wondered if the unspent money could be put in a reserve and carried over to next year. RR said that in the last fiscal year, the Trustees had voted to put any such money toward three purposes: 1) administration of the Village, 2) replenishing the tree-replacement fund, and 3) maintaining the roads. EW said that any reallocation of the money now would require a vote of the Village residents. There was a discussion of why MSK Engineering's initial cost projections had turned out to be higher than the actual cost. EW said the Trustees could discuss how the Bank Street savings might be reserved and how they might affect our tax rate in the next budget season.

BS said that RR might feel that he rang the alarm bell too loudly, but BS didn't feel that way himself. He said he now felt confident that the Village had adequate resources and he was glad to be in that position. KW said the Village had previously been underfunding its roads, and now that the Village had stopped doing that, no one should think it would be okay to go back to the way it was doing things before.

There was a discussion of how RR would go about getting the Bank Street expenses reimbursed by the State, according to the terms of its grant for repair costs.

g. Auditor: KW said she had no news to report.

6. Old Business: There was no old business.

7. New Business: RR said he had received a letter from the Brattleboro Development Credit Corporation, soliciting applications for grants for infrastructure. It set a deadline of Sept. 5, so if the Village wants to apply for a grant it can't wait until the next Trustees' meeting. MW asked if the Village might apply for a grant for the walking trail. EW said that if the Trustees could authorize TW and SW to apply for such a grant, if one might be available, they could do so without having to hold a special meeting just to make the

deadline. TM moved, and JT seconded the motion, for TW and SW to research the possibility of such a grant. The motion was unanimously approved.

8. Adjourn: TM moved to adjourn; TW seconded the motion, and the meeting was adjourned at 8:31.