

Village of Old Bennington  
Trustees Meetings Minutes  
July 7, 2020

Meeting held via telepresence using Zoom.com

Officials present: Trustees Andy Buchsbaum, Charles Edson, Ron Rabidou, and Susan Wright, as well as Clerk Steven Anisman and Treasurer Kathy Wagenknecht.

Officials absent: Jim Warren.

Residents present: Jill Jones, Donna Markowsky, and Megan Schwarzkopf.

1. Opening. Ron Rabidou called the meeting to order at 7:03pm.
2. Minutes.
  - a. There were no changes to the posted minutes.
  - b. Ron Rabidou moved to approve the posted minutes for the June 2 Trustees meeting, Andy Buchsbaum seconded the motion, and the Trustees unanimously approved the motion.
3. Citizen Comments. Donna Markowsky has reviewed a bankruptcy motion regarding Everett Manson and the SVC property. The motion was filed by the bankruptcy trustee who requested an emergency hearing on July 4 for 350 campers to arrive July 5. The bankruptcy trustee had significant concerns that were expressed. There are concerns regarding COVID 19, and other issues. There is loud music and shouting via megaphones audible in the neighborhood throughout the day. Ron Rabidou has been told by multiple town officials and state representatives that all necessary permits were obtained, although Donna was unable to find any evidence of any permits filed with the town. There were requirements regarding fire safety that needed to be met. It's unclear why the bankruptcy trustee doesn't have authority here. Other Trustees share the health concerns, and are also experiencing the almost non-stop noise throughout the day. The Village has no jurisdiction regarding this issue.
4. Reports of Commissioners.
  - a. Road Commissioner.
    - i. Andy Buchsbaum presented the report. He has been in touch with Jamie Jerome, who is going to be in touch with the concrete contractor. There have been multiple unexplained delays despite multiple promised starting dates. Andy recommends holding off on the bench plans until there is clarity on the timing of the sidewalk project. Many Trustees are frustrated by the delays.
    - ii. Andy Buchsbaum has written several e-mails for potential candidates to take over the Road Trustee position, none have expressed interest. Perhaps the opening will be posted on NextDoor.
    - iii. Beaudoin patched Fairview last month, and it is doing well. There is still no news from the state on the Bank St project.
  - b. Tree Commissioner.
    - i. Jim Warren was not present. Susan Wright had discussed removing the tree from the green; previous quotes have been quite high. Steve's Tree Service will take a look at it and provide a quote.

- ii. The tree on the corner of Fairview and Walloomsac needs to be taken down – the house is under contract, and both the seller and the buyer are aware of the tree issue, and its disposition may be determined within the terms of the sale. A letter may be issued with 14 days’ notice, after which the Village can have the tree removed at the owner’s expense – this may not be necessary if the buyer and seller can come to an understanding; if not a letter should be issued. The Trustees present at this meeting agreed by consensus to request to Jim Warren that he issue this letter and have it reviewed by Rob Woolmington, since the tree has been under issue for over a year, and the tree remains a potential significant hazard.
    - Additional communication by Jim Warren after the meeting indicated that the new buyer of the property has agreed to have the tree taken down by Steve’s Supreme Tree Service; the closing is next week.
  - iii. There is a dead pine in the north island; this does not need to be addressed as it will be removed as part of the sidewalk project.
  - iv. After the meeting, Jim Warren sent a communication to the other Trustees indicating the following updates since the last meeting: “1. The hanging tree at the Gallen property was removed, 2. Rick Caswell trimmed the bushes encroaching on the West Rd sidewalk, 3. I have requested a \$\$ quote from Pembroke for the dead tree in the center Island and the Fairview/Walloomsac tree, 4. Greater Heights provided a quote of \$2,920 for removal of the Fairview tree.” Also, “I have left messages with Ed's Masonry, Arlington, regarding a stone slab for the Berry Bench. They have what we need in their yard, but have not responded.”
- c. Parks and Sidewalks Commissioner.
- i. Susan Wright presented the report. Additional funds have been collected for Donna Berry’s bench, and our target of \$1,500 has been collected, which will allow the project to proceed. Some details regarding the handling of the monies involved with the project were addressed; as long as everything is clearly documented, use of the common checking account is adequate. It is a private-citizen project and not being coordinated through the Village or the Board; the final report should therefore be posted on NextDoor rather than on the Village website. The Trustees unanimously approved that the bench and a plaque be erected on Village property, and have approved that some spare marble from the sidewalk be used for that project.
  - ii. Susan will speak to Pembroke to ask that they fill in the ruts created by trucks rolling over the south island.
- d. Police Commissioner. Charles Edson presented the report. In May, Officer Andy Corey worked 97 hours, performed 59 house checks, and issued 2 tickets worth \$400 in fines. In June he worked 95 hours, performed 51 house checks, and issued 9 traffic tickets worth \$1,464 in fines.
- e. Treasurer.
- i. Multiple expenses were paid, details are in the Treasurer's Report.
  - ii. The state has increased this year’s PILOT (payment in lieu of taxes) amount to \$2,900.
  - iii. Melissa Courier, who does our bill preparation, contacted us asking about our rate because bills need to be out by the 10th of August, which is complicated by the fact that our Annual Meeting is scheduled for August 11. Given this requirement, Kathy Wagenknecht recommended running them at the current rate.

- iv. Other than reduced highway fines, finances were typical for this time of year with no unusually large or unexpected costs.
- v. Kathy Wagenknecht presented the warrant list. Ron Rabidou moved to approve the warrant list, Andy Buchsbaum seconded the motion, and the Trustees unanimously approved the motion.

#### 5 Annual Meeting Planning.

- i. The trustees had already decided to pursue an Australian Ballot option for the Annual Meeting as specified under Act 92 section 4. The state law indicates that a physical polling site is also necessary - a temporary station on the Village green is considered, but would need to be manned from 10:00 to 7:00. North Bennington is polling in Bennington that day, but we cannot join in as there would not be room. However, there is a room available at the fire station if polling is held on a different day than August 11. August 18 would be an option. Those with an opinion would prefer to do this outdoors, particularly since there are no voters expected to attend in person and this is simply a formality. Ron Rabidou moved that the Australian ballot be adopted with a polling station on the Village green, Andy Buchsbaum seconded the motion, and the motion was approved unanimously.
- ii. Kathy Wagenknecht has created a 2020-2021 budget based on conservative estimates assuming similar credits and debits to the previous year, and assuming no change in the tax rate. \$35,000 for sidewalks, \$0 for the Bank St project, \$50,000 for salt and plowing (additional quotes will be obtained), \$15,000 for highway repair (crack sealing rather than major repairs in order to limit future expense), and \$1,000 for lighting fixtures - among other items - were assumed. Monies will be moved from Police Equipment to Police Auto Reserves as a new car is likely to be needed soon. Ron Rabidou moved that the proposed budget be accepted, the motion was seconded by Charles Edson, and it was unanimously approved by the Trustees. Ron Rabidou moved that the tax rate be set at 0.3074 cents per \$100 valuation; Andy Buchsbaum seconded the motion and it was unanimously approved by the Trustees.
- iii. The Safe Roads / Safe Speeds policy was to be addressed at this year's meeting; this will need to be postponed until a full meeting can be held. That policy indicates that plowing not occur as frequently, but only when needed to maintain safe driving at reasonable speeds. Without adopting that policy, we are obligated to pay for what appears to be unnecessary plowing. Over-salting of the sidewalks is another concern on which it has been difficult to make progress due to concerns regarding liability, even though the salting has been damaging trees.
- iv. The Annual Meeting timeline requires that all reports be submitted by each Trustee by next Tuesday, July 14. A draft will be distributed on the 16<sup>th</sup>, which can be corrected until the 20<sup>th</sup>. A post card announcing that the annual report is available on the website or from the Clerk will be sent to all citizens. A warning then needs to be sent. Taxes are typically due around the 10<sup>th</sup> of November.
- v. Ron reviewed the timeline for the Annual Meeting / Election, including: preparation and distribution of the Annual Report; the approval, signing, and posting of the Warning; nominating candidates for open positions; preparation and mailing of ballots; and set-up and staffing of the polling place. These end with the warrant being delivered to the Clerk and signed and held by him. Ron

Rabidou moved that these changes be enacted. Susan Wright seconded the motion and it was unanimously approved by the Trustees.

6. Old Business. There was none.
7. New Business. Political signs have been noted on the Village greens and on rights of way, and many citizens have voiced concerns. There is no bylaw which applies to this issue. There is a state policy regarding state roads, however, which bans such signs. It allows municipalities to have individual policies, not to exceed 14 days' display. They are not allowed on town property. Rt 9 is a state highway, and therefore no such signs should be posted there. A bylaw will be considered in the future as this issue has arisen in other contexts, as well – it will be addressed at the next meeting.
8. Adjournment. The meeting was adjourned at 8:45pm.